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European Commission
United Nations Development Programme
Joint Task Force on Electoral Assistance

# Summary report

## Conference on

## Reinforcing the credibility and acceptance of electoral processes:

## The role of electoral stakeholders and election administrations

GPECS
Global Programme for Electoral Cycle Support

Swedish International Development Cooperation Agency
SWEDEN

UNDP Office in Jordan
Regional Electoral Support project for Middle East and North Africa

English version

Acknowledgements

The United Nations Development Programme (UNDP) and the European Commission (EC) would like to thank the 51 countries that sent delegations to the conference. Special thanks are due to His Majesty King Abdullah II ibn Al Hussein of Jordan for his patronage of the meeting as well as to Jordan's Independent Election Commission (IEC) for its invaluable support in the organisation of this important conference.

**Lead author:** Francisco Cobos-Flores
**Co-authors:** Gianpiero Catozzi, Raquel Rico-Bernabe
**Comments and feedback:** Hernan Vales, Hiroko Miyamura, Andrew Hyslop, Sonia Palmieri, Julie Ballington, Mary O'Shea, Bushra Abu-Shahout, Olivier Louis
**Copy editor:** Jeff Hoover
**Graphic design:** Adelaida Contreras
**Photos:** Mona Nimri, Manuela Matzinger, Said Tahri, Asan Amza

European Commission
United Nations Development Programme

Joint Task Force on Electoral Assistance

# Summary report

## Conference on

## Reinforcing the credibility and acceptance of electoral processes:

The role of electoral stakeholders and election administrations

Dead Sea, Jordan, 7-11 April 2014

Disclaimer

The contents of this report reflect discussions that took place during the conference and should in no way be considered to represent a statement of fact or the official position of the organising institutions (UNDP and the European Commission), their member states or any other institution represented.

This publication is the Summary report of the discussion held at the conference titled '*Reinforcing the credibility and acceptance of electoral processes: The role of electoral stakeholders and electoral administrations*'.

The conference was organized under the patronage of **His Majesty King Abdullah II ibn Al Hussein of Jordan.**

The conference took place from
7 to 11 April 2014 at the Dead Sea
in the Hashemite Kingdom of Jordan

# Acronyms and abbreviations

| | |
|---|---|
| **ACEEEO** | Association of European Election Officials |
| **BiH** | Bosnia and Herzegovina |
| **CEC** | Central Elections Commission |
| **CENI** | Independent National Electoral Commission (French acronym) |
| **CIS** | Commonwealth of Independent States |
| **CoC** | Code of conduct |
| **CoE** | Council of Europe |
| **CSO** | Civil society organization |
| **EAF** | Electoral Awareness Fund |
| **EC** | European Commission |
| **ECN** | Election Commission of Nepal |
| **ECOSOC** | Economic and Social Council |
| **ECOWAS** | Economic Community of West African States |
| **ECP** | Electoral Commission of Pakistan |
| **EDR** | Electoral Dispute Resolution |
| **EMB** | Electoral Management Body |
| **EU** | European Union |
| **FPTP** | First Past The Post |
| **ICCPR** | International Covenant of Civil and Political Rights |
| **IEC** | Independent Election Commission |
| **IFES** | International Foundation for Electoral Systems |
| **JTF** | Joint EC-UNDP Task Force on Electoral Assistance |
| **MP** | Member of Parliament |
| **NGO** | Non Governmental Organisation |
| **ODIHR** | Office for Democratic Institutions and Human Rights |
| **PR** | Proportional representation |
| **RMS** | Results Management System |
| **SADC** | Southern African Development Community |
| **SIDA** | Swedish International Development Agency |
| **UDHR** | Universal Declaration of Human Rights |
| **UN** | United Nations |
| **UNDP** | United Nations Development Programme |
| **UNESCO** | United Nations Educational, Scientific and Cultural Organization |

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# THEME AND AIMS OF THE CONFERENCE

*Under the patronage of* ***His Majesty King Abdullah II ibn Al Hussein of Jordan****, the* ***European Commission (EC), the United Nations Development Programme (UNDP)*** *and the* ***Independent Election Commission (IEC) of the Hashemite Kingdom on Jordan*** *jointly organised a conference titled* ***'Reinforcing the credibility and acceptance of electoral processes: The role of electoral stakeholders and electoral administrations'.***

*The conference took place from 7-11 April 2014 at the Dead Sea in the Hashemite Kingdom of Jordan. It was organised through the EC-UNDP Joint Task Force on Electoral Assistance (JTF) and in cooperation with the UNDP Regional Electoral Support Project for Middle East and North Africa, which is funded by the Swedish International Development Agency (SIDA).*

Discussions at the conference were grounded in the common understanding that the credibility and acceptance of an electoral process are based not only on the administration of a technically perfect election. In addition, ensuring the credibility and acceptance of an electoral event requires recognizing the critical importance of the political aspects of electoral processes, including the roles played by other electoral stakeholders.

The aim of the conference was to expand discussion of electoral processes beyond the technical, allowing for a more in-depth focus on the involvement and approach of the full range of these stakeholders, including political parties and candidates, the media, domestic and international observers, civil society, electoral justice, other state institutions and the international community.

The event was structured in such as a way as to promote the sharing of country experience among participants, including a mixture of presentations, case studies and interactive sessions. The agenda of the Conference is annexed to this summary report.

In a departure from previous joint EC-UNDP electoral workshops and due to the specific aims, special efforts were made to invite a broad range of stakeholders. This was done to allow direct interaction and engagement with representatives from electoral management bodies (EMBs) present and encourage a frank and open dialogue, whereby all sides could come closer to understanding the positions and priorities of others. In addition to EMBs, participants were drawn from political parties, civil society organisations (CSOs), media, governmental agencies, the judiciary, European Union (EU) delegations and UNDP offices.

While the conference targeted EMBs and electoral stakeholders from around the world, it focused primarily on fragile and young democracies—and in particular on the Arab region. The conference was attended by 250 participants from 70 different countries, including 51 delegations.

## Overview of conference structure

The conference was structured so that it began with presentations on general concepts, thereby setting the framework for discussions during the following days. Slots were allocated to discuss the various stakeholders involved in the electoral process and their relation to election administration.

Expert presentations focused on two core areas: (1) to identify the roles played by the different electoral stakeholders and their impact on the credibility and acceptance of an electoral process, and (2) to assess what electoral administrations can do to promote the constructive involvement of stakeholders in the process. A total of 13 country experiences were presented, each focusing on country application of the issues discussed on the presentations.

A series of recommendations emerged from the conference discussions for electoral administrators and stakeholders on how to strengthen the credibility of electoral processes through their mutual interaction. These recommendations came about by providing EMBs and key electoral stakeholders with comparative information, data, experience and examples to strengthen the credibility of electoral processes.

The conference also offered the opportunity for participants to assess the current status of intra-regional cooperation in various parts of the world. This was helpful in raising awareness of different approaches, opportunities and challenges related to engaging with stakeholders.

**On this summary report**

This report provides a summary of the presentations delivered and discussions held among conference participants. The aim of this report is to summarise the discussions for the benefit of electoral administrations and practitioners that could not attend the event. The information in this report is presented in chronological order as closely as possible, as per discussions and the agenda (which is annexed at the end of the publication). However, the editors have chosen to, in some instances, change the order of some presentations and discussions for the benefit of clarity.

A related eLearning course on the same matter will follow the publication of this summary report and be made available online for free at the dedicated JTF eLearning portal:

**www.elearning.ec-undp-electoralassistance.org**

# OPENING CEREMONY

*In the opening remarks and keynote addresses it was highlighted that Jordan was the first Arab country to host such an event and that it offered an opportunity to highlight some of the achievements made by Jordan in the area of political reform in general, and electoral reform in particular. A significant development was the establishment in 2012 of the IEC, which assumed responsibility for the parliamentary elections of January 2013 (previously, elections had been the responsibility of the Ministry of Interior). For these elections, a common goal for the IEC and other electoral stakeholders was to collaborate to increase participation in the elections.*

**H. E. Riyad Al Shaka**
Acting Chairman of the Independent Election Commission of Jordan

*Speakers noted the close cooperation between Jordan and the EU and UNDP, both of which have long supported political reform efforts in the country. Those two external partners only engage in providing support for elections when requested by a relevant national authority, thereby underscoring Jordan's commitment to improve its processes and procedures. The fact that the EU sent an independent election observation mission (EOM) is further evidence of its support for Jordan´s democratization efforts. In addition, the EU has funded work undertaken by the United Nations Educational, Scientific and Cultural Organization (UNESCO) with the media and CSOs (on voter education activities) and political parties (on capacity-building). It was noted that this conference was also part of the EU and UNDP's support to progressive democratization efforts in Jordan.*

**H. E. Joana Wronecka**
EU Ambassador to Jordan

*Credible elections are an essential component of good governance. They should produce an accountable Parliament and government and support citizens´ engagement in the public sphere. While the active participation of the media, political parties and other stakeholders is crucial to any electoral process, it was stressed that a conductive legal framework and political environment are also necessary.*

**H. E. Sima Bahous**
UN Assistant Secretary General/UNDP
Assistant Administrator and Regional Director
Regional Bureau for Arab States

# DEFINING CONCEPTS

## Defining the conceptual framework: What do we understand by credibility of electoral processes?

There is a close link between the credibility of an electoral process and political stability and sustainability. Political sustainability is achieved when electoral results are accepted by relevant stakeholders. Thus, one of the most challenging tasks for an election administration is to ensure such acceptance because it can lead to political sustainability. Obtaining and maintaining acceptance goes far beyond the technical/managerial or financial management of elections.

The credibility of elections is grounded in technical operations and decisions that can be understood and followed by citizens. Transparency is a key aspect of any electoral process. In many ways, these criteria are antithetical to political leadership. Political leadership is more often than not grounded more on leaders' charisma than on specific issues that can be assessed by citizens. Electoral operations have to be well managed in order to provide for long-term credibility based on facts; political leadership, meanwhile, is generally short-lived and based on ideals or hopes, not on facts.

Elections constitute a public service of a recurrent nature. As with any other public service, to be seen as legitimate they must provide tangible benefits for citizens. The value of elections and the election administration is more likely to be questioned or doubted if the benefits are not tangible and disengagement takes place between the election administration and the citizens it is to serve.

Continuing the line of thoughts regarding credibility versus leadership, another element that is important is related to belief. Leadership hinges on the relationship between political leaders and citizens, and in particular citizens' belief in their leaders—which is something that cannot be seen. Credibility on the other hand relies on verifiable facts, and is therefore the opposite of belief.

Another issue that needs to be addressed is trust. Trust is created over time when the same operation has taken place over and over again and the results are convincing to the people. Therefore, trust in election operations is created over time and is optimally achieved at the point when there is no doubt on the election administration properly managing elections. In such instances, citizens assume that the various phases of the electoral process are implemented correctly and that the released results indeed reflect the will of the people. This trust empowers elected representatives to govern, helping them be perceived as legitimate representatives of the people. Transparency is a key issue in creating trust in and EMB and therefore in the electoral process overall.

Inclusiveness is another concept that goes hand in hand with credibility. For elections to be credible, all eligible voters must have the right and the opportunity to vote, without exclusion and discrimination, and all citizens who fulfil the requirements must have the right to stand for office and be elected.[1] Once these key criteria are achieved, credibility is boosted.

All eligible citizens should be able to participate in the electoral process, as voters and candidates. Citizens can also take part by influencing public debate and dialogue with candidates, or through their capacity to organize themselves. This participation is supported by ensuring freedom of expression, assembly and association. If some of them are excluded, the credibility of the elections will be damaged. Elections are, in effect, a fight for political power. As such, tensions are normal and should not be seen as something negative, but only natural. The role of election administrations and stakeholders is to be aware of this situation and try to establish ground rules that will allow political power to be attributed according to the will of the people, avoiding malpractice and delivering in this way credible elections and political sustainability.

## The impact of EMBs and other election stakeholders on the credibility and acceptance of an electoral process

Electoral administrators alone cannot guarantee credible elections. Elections are not a purely technical exercise, but rather a socio-political event. In addition to election administrators, other stakeholders also have responsibility for the credibility of elections. Indeed, each stakeholder has a share in the credibility of elections and therefore all need to work together to achieve it.

Of the various electoral stakeholders, the most directly engaged are electoral authorities: the entities and structures involved in all aspects of the electoral process, including the body responsible for conducting the elections and those tasked with the resolution of electoral disputes. Next come governmental agencies, political parties and candidates, civil society (as observers but also as providers of civic education programmes) and the media at national and local level.

In order to support credible elections, electoral authorities have to comply with a set of principles. These principles are independence (of action, as compared with institutional autonomy); L c pr

## What mechanisms can electoral administrations put in place to increase collaboration with political parties and candidates?

Throughout an electoral cycle, EMBs should foster and maintain close cooperation with political parties and candidates, given that they are the main subjects of electoral competition. The model of EMB— be it governmental, independent or mixed—can influence the type of relations it has with political parties.

There are a number of actions that an EMB can take to maintain good relationships with political parties. These may include (1) acting in a transparent manner; (2) being sensitive to political parties' needs and concerns; (3) treating parties equitably, so that none are unfairly advantaged or disadvantaged by EMB activities; (4) making a sustained effort to promote open communication and dialogue (e.g., by sharing reports and publications, and regularly organising information meetings to which stakeholders are invited); and (5) consulting parties on a number of issues that are relevant to their activities as part of the electoral process. By demonstrating an open and cooperative attitude towards political parties, an EMB can also help expand the culture of elections; this may include, for example, offering to train party cadres and affiliates on electoral matters.

The relevant legal framework may already contain some provisions as to how an EMB should interact with political parties. If this is not the case, mechanisms can be created jointly by an EMB and political parties to provide a platform for information-sharing to guide their relationship.

An EMB should also have an external relations unit to manage all aspects related to interactions with political parties as well as other stakeholders (e.g., civil society, media, international actors, observers). Other stakeholders (e.g., government offices and the judiciary) may be better addressed through other EMB units. The structure of the external relations unit should be flexible for maximum adaptation to electoral and non-electoral periods, and thus avoid wasting resources in non-electoral periods.

## What is the role and responsibility of electoral authorities and electoral contenders in a potentially conflict situation?

Conflict is a natural part of most democratic transitions. Pre- and post-electoral conflicts or tensions are intrinsically part of transitions from authoritarian to democratic regimes. The role of state institutions is to prevent, contain or solve electoral conflicts. For example, a specialized electoral court can be set up to deal with electoral conflicts, acting as a referee among the various parties and thereby allowing an EMB to concentrate on its work of managing elections. Specific communication strategies to inform citizens and political actors about the activities undertaken by an electoral court are extremely important for its success.

Transparency and accountability of the electoral judicial authorities are essential to prevent and solve electoral conflicts that stem from mistrust. Even with a specialized electoral court in place, it may be prudent to create additional structures to ensure that citizens in general and contestants in particular can have their grievances dealt with properly throughout an electoral cycle. A communication strategy that guarantees full disclosure of information at all stages of the electoral process is imperative.

Policies prioritising transparency and full disclosure, together with strategies for judicial communication through new and accessible technologies, constitute efficient and assertive tools in the prevention and containment of electoral conflicts. Thus, transparency,

accountability, access to public information and judicial information are deeply intertwined and complement each other in a democratic state. They constitute the fundamental basis on which rests, to a great extent, the legitimacy and certainty of the electoral processes, the trust in results and in the electoral institutions, and in citizens´ authentic and effective exercise of political and electoral rights.

## What mechanisms can electoral administrations and political parties put in place to combat electoral fraud?

With a view to defining the difference between fraud, malpractice and systematic manipulation, clear definitions are needed. Fraud refers to the deliberate wrong-doing by election officials or other electoral stakeholders which distorts the individual or collective will of the people. Malpractice differs from fraud in two senses. The first is that it is practiced by an election professional, the other that it is not a deliberate attempt to change the result of the election but rather results from carelessness or negligence. Finally, systematic manipulation refers to the use of domestic legal provisions and/or electoral rules and procedures that run counter to accepted democratic principles and international standards and that purposely distort the will of voters.

A fraud mitigation strategy ideally includes:

1. an assessment of possible fraud areas
2. steps and procedures that can deter fraud
3. information and procedures detailing how can fraud be detected and
4. in cases when fraud has taken place, how can it be mitigated

Assessments, to be done not only by an EMB but also by other stakeholders, should cover the whole electoral process and pinpoint the potential areas of risk. Once the areas are clear, strategies need to be developed to be able to gather sound evidence in case fraud is committed. It is too often the case that political parties lose their cases in court because they cannot present convincing evidence of fraud. Better preparation can go a long way in helping political parties and other stakeholders prove their allegations in court. It is difficult to prove that actions by election administrators were not isolated acts of malpractice, but instead were part of a broader strategy put in place for the benefit of a specific party or candidate.

## Money in politics: Should electoral administrations have a role in monitoring party financing and electoral campaign financing?

In most countries—whether established democracies or emerging, post-conflict nations—a close relationship exists among money, political parties and electoral campaigns that is always complex and often problematic. These relationships have become more prominent and important over the past decades, with many variations and models. Money and politics is a worldwide issue and can be dealt with in different ways.

The use of money, and especially important quantities of money, during elections prompts many citizens to question whether the overall electoral process truly reflects the will of the people. In the worst-case scenarios, money buys votes or puts in place electoral campaigns that overwhelm citizens and do not allow for votes to take place based on clear agendas but rather on perceived affiliations or populist promises. Such campaigns are often based on messages without much content, and do not allow voters to make the best use of their votes. The quality of democracy suffers and the whole exercise becomes less worthy.

In order to obtain enough funds to run effective and large campaigns, parties and candidates run the risk of turning to illegal sources. While some of the recurrent issues relate to the use of foreign funds (when it is explicitly prohibited) as well as funds coming from state contractors, the most dangerous variant is funds coming from organised crime. Preventive measures need to be taken to avoid this type of funding playing a role in electoral campaigns and being instrumental in electing representatives.

Ensuring totally 'clean' processes can be rather complicated, given that the rules governing political financing are being set by the same actors who conceivably would benefit from them. Consensus is needed across a wide range of stakeholders to address this matter. The solutions should be country-specific and also time-specific. The same solutions cannot work in the same country under different conditions: for example, the supervision of campaign expenditures may need to move from one body to another depending on the credibility of this body at any given time.

Some aspects and issues should be considered to comprehensively manage the issue of funding sources. Clear regulations need to be in place regarding public and private financing, accountability of the parties, a strong control system and effective penalties. If one of these components is not in place or not properly implemented, the necessary limits are not in place to ensure that money does not have too big an impact on the election outcome, a development that can leave citizens questioning what drives democracy in the first place.

## Is a code of conduct sufficient to ensure that political parties and candidates abide to an electoral contest? What should be the role of an electoral administration?

The credibility of elections is affected (usually negatively) when electoral challenges arrive at courts, regardless of the outcome of eventual decisions. It is therefore preferable to avoid such challenges arising in the first place through an EMB developing a good working with relationship with all electoral stakeholders. One possible way to do so is by an EMB supporting the development of codes of conduct (CoCs).

CoCs are voluntary agreements between parties that outline how they are expected to behave during an electoral process. The minimum is to reaffirm what is already written down in law, but ideally CoCs should go further. They can, for instance, establish clear conditions for a campaign period or establish a forum to allow for discussion of potential breaches of a CoC though informal means, etc. In this way, an EMB may be able to prevent the instigation of official legal actions.

Should an EMB initiate discussion on the establishment of CoCs early on in its dealings with political parties, a permanent line of communication with the parties may be possible for the entire duration of the electoral process.

The aim should be for CoCs to be jointly drafted by political parties in an inclusive and participatory manner. EMBs and other stakeholders can support the parties in drafting CoCs, but parties need to feel that CoCs are theirs.

Many different electoral stakeholders can create CoCs. They include civil society organisations, the media, and national and international observers. Separate CoCs can be created either in parallel or a joint CoC can be established. It is most probably easier to create parallel CoCs because the time needed to reach consensus with different stakeholders can be excessive.

A facilitator is usually required to facilitate discussions on CoCs. The facilitator could be either be a member of an EMB itself or another external actor, either national or international with the required credentials and with the trust of all political parties. The only requirement is that the facilitator be equally distant from all parties and have demonstrated strong commitment to upholding democratic values.

Once a CoC is approved, it is necessary to have an enforcement body that follows up the implementation and, when necessary, reports incidents of misbehaviour by specific parties. If signatory political parties do not fear the weight of enforcement, the whole exercise may end up in a public relations campaign without any further meaning.

- During floor discussions it was pointed out that one issue that may complicate engagement between EMBs and political parties is a large number of political parties. In some cases, hundreds of political parties exist, a situation that makes it almost impossible for an EMB to effectively engage with all of them. Possible solutions mentioned during discussions are to limit the number of parties involved through inviting (1) only parties that are formally registered; (2) those that have parliamentary representation; (3) those that participated in the past elections; or (4) based on their geographic representativeness, i.e., only political parties active at national level.

- The point was raised that to create proper working mechanisms, it is necessary to engage with political parties and civil society throughout the electoral cycle on a broad range of different issues. One such mechanism might be committees that bring together EMBs and specific stakeholders. In addition, parties should be perceived by an EMB not as a burden, but rather as an ally that can help it to achieve its objectives, particularly in terms of dissemination of information and transparency.

- The impact of regime change in engaging with political parties was also discussed. When there is regime change, a new set of rules is generally put in place and emerging parties compete with traditional, and in some cases discredited parties. Participants deemed it to be more appropriate for EMBs to involve all parties and let time and citizens' interest dictate which parties can and should be engaged.

- An electoral system with winner-takes-all results leaves losing contestants more inclined to reject results, as doing so may be the only way of securing some representation. To avoid potential conflicts, electoral systems therefore should be designed to accommodate as many parties as possible in terms of the distribution of power.

- It was argued that if a legal framework is not appropriate to deliver credible elections, there is very little an EMB can do to directly improve the situation. It is up to legislators to amend the legal provisions; what an EMB might do is take an active role in advocating for change.

- A question was raised as to whether EMBs composed of political parties' representatives could be independent. One response was in the affirmative, based on experiences in many countries in Latin America. The main issue is not the model or composition of an EMB, but rather if it behaves in a professional, independent and impartial way.

- Regarding the issue of fraud, it was stated that in some cases fraud can already be embedded into the legal system, in which case the EMB can do little to avoid it. The difference between fraud and systematic manipulation was again raised to help all participants better understand and differentiate between them.

- It was argued that in some cases an EMB does not have the capacity to respond to fraud, due to a lack of resources. Such situations underscore the fact that EMBs require capacity and resources as well as a clear strategy to be able to comprehensively address fraud. The credibility of elections suffers when an EMB has the duty to respond to but not the resources or political will to do so.

- An observation made and discussed during the conference is that EMBs are increasingly expected to monitor the media during campaign periods. This is occurring because campaign costs for political parties and candidates have been rising in recent years, mainly due to media expenditures. The fairness of elections can be jeopardized when one or more party is able to spend far more than others on media expenditures. Therefore, EMBs are requested to take action to level the playing field.

- One concern raised was in regard to incidents when political parties have little knowledge of electoral processes. This makes it difficult for them to compete for power or for citizens to understand and evaluate their proposals and policies. It was stated that EMBs could support technical knowledge sharing with political parties to help promote democratic development. Such support could be provided after a permanent platform between an EMB and political parties exists and topics of common interest are being discussed.

- On the issue of codes of conduct, it was noted that in some parts of the world, i.e., in the Americas, regional codes of conduct have been established that could guide the formulation of country-specific codes of conduct.

- A question was raised about how to proceed in the absence of a formal control mechanism for political money in the legal framework. One suggestion in response was to use public voluntary disclosure mechanisms as an initial step, with a legal framework put in place at a later stage for subsequent elections. For voluntary mechanisms to be put in place and be effective, joint action by civil society, the media and other partners was seen as necessary to create the required momentum vis-à-vis political parties.

- On the issue of how effective an EMB can be with regard to counteracting vote buying, it was stressed that there are many ways by which political parties can circumvent legal barriers. One example cited was that in some cases political parties can create non-governmental organisations (NGOs) and financial institutions to handle expenditures related to vote buying. Such steps greatly impair an EMB's ability to identify and control such actions.

- Similarly, it can be difficult if not impossible for an EMB to manage situations in which all involved actors are trying to commit fraud. A wide range of stakeholders, not just an EMB, have to participate for limits to put on fraudulent activities and effective enforcement to occur.

## Remarks emerging from floor discussions

- Participants discussed the negative impact of illegal financing on the credibility of elections. They acknowledged that the impact depends on many factors, including whether such financing is generalized (meaning most or all parties participate) and known to the public. Regardless of scope and knowledge of illegal financing, however, it can only have negative effects—the only difference being the severity of impact.

- Participants requested concrete examples of punitive measures adopted in some countries. Mexico was described as one where elections have been nullified because of political parties exceeding campaign spending limits. Before elections are nullified, financial punishment can takes place. Brazil and Colombia, for instance, deprive elected representatives of their elected positions if found guilty of fraud. In other countries, bank secrecy is denied if an investigation is taking place with regard to illegal funding or exceeding campaign limits.

# COUNTRY EXPERIENCES

# Bosnia and Herzegovina

*How the Central Election Commission deals with political parties and ethnicity issues*

The Bosnia and Herzegovina (BiH) Central Election Commission is responsible for certifying political parties for elections in accordance with the provisions of the BiH Election Law. Bosnia and Herzegovina has a total of 181 registered political parties. Some other parties have been decertified due to inactivity over lengthy periods of time.

Ethnic discrimination exists in Bosnian law and policies. For example, (1) only persons belonging to an ethnic group mentioned in the Constitution (Bosniaks, Croats or Serbs) can be elected to the highest state offices; (2) the Constitution contains provisions for quotas for these three ethnic groups, including their representation in Parliament; and (3) these ethnic groups have the right to use a special protective legal mechanism to block actions and decisions of the legislative, executive and judicial branches in areas such as education, territorial organisation, language and amendments to the Constitution.

The BiH Central Election Commission has a legislative capacity, thereby enabling it to impose sanctions for electoral irregularities. Possible penalties include fines of up to US$7,000; the removal of candidates from the party lists (if the candidates are personally responsible for violations); annulling certification of a political party; and prohibiting individuals from working at a polling station, a voter registration centre or the election commission.

Candidates often try to exploit the ethnic sensibility of the electorate during election campaigns. The Central Election Commission tries to prevent the use and spread of nationalistic rhetoric to the extent it can via relevant laws and policies. Candidates are not allowed to use language that could provoke or incite someone to violence or spread hatred, or to publish or use pictures, symbols, audio and video recordings, SMS messages, internet communications or any other materials that could have such an effect. The Commission can levy strict fines for such violations.

# The Americas

*The challenge of accepting electoral results*

The acceptance of elections results is one of the most important challenges for democracy. It is intrinsically linked to the credibility of elections. Credibility depends both on political agreements between those contesting elections and also on the independence and effectiveness of electoral institutions and procedures. Acceptance of electoral defeats is a significant step for the building and consolidation of democracy.

A critical first step toward credibility is to effectively make the case that in democratic systems, (1) the only legitimate way to obtain public office is through elections and (2) it is the right of citizens to elect or remove political representatives through suffrage. The role of EMBs is to ensure that the will of the citizens can be expressed. Credible elections result in two major (and positive) consequences, political stability and democratic legitimacy for elected representatives.

Listed below are four examples of close electoral results in Latin America and the Caribbean in the past 10 years, all of which were eventually accepted.

Costa Rica 2006 presidential elections. The margin of victory was 1.1 percent (18.169 votes). Winner: candidate from opposition party (though a former president).

El Salvador 2014 presidential elections. The margin was 0.22 percent (6,364 votes). Winner: candidate from incumbent party.

Mexico 2006 presidential elections. The margin of votes was 0.56 percent (233,831 votes). Winner: candidate from incumbent party.

Puerto Rico 2004 governor elections. The margin of votes was 0.2 percent (3.556 votes). Winner: candidate from incumbent party.

Venezuela 2013 presidential elections. The margin of votes was 1.49 percent (223,599 votes). Winner: acting president from incumbent party.

Based on these experiences, four elements play a vital role towards the acceptance of electoral results. These are (1) type of elections; (2) overall political environment, especially during the elections; (3) perception of the contestants and voters of the elections; and (4) an EMB´s model and credibility. Each of these elements can influence credibility and therefore they should be carefully assessed by all stakeholders to ensure that election results are accepted by all.

Candidates and political parties can, for example, start by familiarizing themselves with the various aspects of the electoral process in order to be better prepared to implement a variety of supporting activities. They should strive to establish a cordial relationship with the EMB and work together on issues such as voter education, training of party agents and creation of an inter-party platform. Candidates and political parties should also monitor the electoral process, including polling, counting and tabulation of results. Parallel vote tabulation is a tool that allows political parties to verify official results to be sure that no mistakes have been committed by the EMB.

An EMB can undertake various activities aimed at securing acceptance of results. These may include drafting clear electoral regulations and enforcing existing laws to ensure an inclusive electoral process, providing accurate information to citizens on the electoral process, facilitating equal access for all candidates and parties, encouraging inter-party dialogue, and providing clear guidelines for candidates, parties and voters.

An EMB should analyse, in advance, all possible causes for protest before and after elections to be prepared to counter them. These causes can be based on lack of transparency regarding an EMB's activities. Transparency is therefore key; it can be promoted by keeping stakeholders informed throughout the electoral process, so as to avoid any perception of the process being open to manipulation. Negative perceptions can be countered by an EMB through an effective public information and relations campaign; similarly, such efforts can blunt risk factors associated with limited knowledge among party representatives and their supporters. An incomplete or unclear legal or procedural framework may also increase the risk of protest.

In certain cases, nevertheless, protests may occur regardless of how well an EMB has managed the electoral process. Candidates and parties may want to win at any cost, and if unsuccessful through the ballot box they may try to impose their will through protest in the streets, no matter the costs.

## Liberia

*The role and impact of political parties and candidates in ensuring credible and accepted elections*

Activities conducted in advance of elections can have an important impact on post-electoral issues (notably, the acceptance of election results). The final validation of election results is, in practice, in the hands of political parties and candidates. Based on recent experiences, the following are some things political parties and EMBs can do in order to prevent the contestation of election results.

# Pakistan

*Lessons learnt from recent experience*

In advance of the 2013 general elections, the Election Commission of Pakistan (ECP) launched a number of initiatives to increase the transparency and trust of electoral stakeholders.

The following four are particularly noteworthy:

- the drafting of a code of conduct for political parties and candidates;
- the development of a computerised electoral roll system (CERS) with a view to purging multiple entries and other inaccuracies that facilitate electoral fraud, as well as allocating a national identifier number to each voter;
- the launch of an SMS service eventually used by 55 million voters to check their details on the voter roll and determine the location of their polling stations; and
- dissemination of information to parties and candidates so as to ensure that they were fully informed about all aspects of the electoral process.

Political parties' inadequate knowledge of the ECP's role and function as well as gaps in the electoral law created some mistrust of the Commission. In order to mitigate the impact of these issues for the credibility of the elections, the ECP embarked on several activities. It (1) revised the Political Parties Order 2002 to allow holding of intra-party elections, (2) improved the effectiveness of the code of conduct, and (3) supported reforms to the legal and regulatory framework governing electoral processes, mainly related to candidate nomination and campaign issues. The ECP also held regular two-way consultations with political parties on issues related to the electoral process to further strengthen trust in the ECP.

Based on the Pakistan experience, the following are some steps that can be implemented to improve relations between EMBs and political parties:

- Institutionalize consultation mechanisms with political parties to ensure consistent and constructive interaction.
- Build understanding and cross-party consensus around proposals for electoral reforms, based on a coherent political strategy.
- Improve interaction at decentralized levels between an EMB and elected officials/political party representatives.
- Design and implement a communications strategy that establishes a clear narrative on what an EMB can and cannot do in its interactions with all stakeholders.

Current challenges for the ECP are (1) sustaining and expanding the participation of youth, (2) increasing the number of registered women voters and candidates, (3) creating more meritocratic and transparent systems within parties for the selection of candidates, and (4) conducting legal reforms to address gaps in the legal framework identified by the EMB and by international election observers.

These objectives can only be accomplished if the ECP and political parties work together, bound by the same vision for strengthening democracy and through the design of a collaborative roadmap based on a consensus on what needs to be done, and how. A comprehensive strategic plan would offer a viable way forward.

# Madagascar

*The role of political parties and candidates in the credibility of the electoral process*

The relationship between the EMB in Madagascar—the Commission Electorale Nationale Indépendante (CENI)—and the Malagasy political parties has evolved in the last few years. Until 2010 political representatives had no seats on the EMB. Between 2010 and 2012 political party representatives were seated on the CENI and could participate in all its decision-making sessions in an 'advisory capacity'.

To increase the credibility of the EMB to manage the 2013 elections, a decision was made to enlarge its membership by including all Malagasy political actors. By law the CENI was composed of members of civil society, public service and representatives of all political parties that signed the roadmap to exit the political crisis that had afflicted the country for several years. The participation of political parties also took place in the decentralized EMB structures. Political party representatives became (1) members of voter registration committees and (2) members of an expanded District Election Commission, which had responsibility for reviewing the voter register. The credibility of the electoral process was enhanced by enabling political parties to participate in all decisions adopted by the EMB for the conduct of elections and supervision of field missions.

In addition, political parties not only were involved in the operating structures of the EMB but also had the right to appoint party agents in (1) polling stations and (2) EMB and decentralized bodies during the entire electoral process.

Throughout the 2013 electoral period, the political party representatives who became members of the CENI acted, for the most part, with neutrality and impartiality. Thus, decisions were taken in the interest of the process and not of individual political parties. (Such decisions included, among others, determination of the sequence of presidential and legislative elections and two postponements of the presidential election.) They participated in all major decisions related to operational aspects, the supervision of activities in the field and in the EMB's information sessions with other electoral stakeholders.

The distribution of paid and free airtime to candidates on public media during the campaign was done in consultation with and with the actual presence of candidates or their representatives.

The transparency and inclusiveness actions taken in Madagascar vis-à-vis the political parties played important roles in public engagement, as attested by the more than 61 percent turnout in the first round of presidential elections. They also had a direct influence over the acceptance of results by parties and candidates involved, thereby helping the elections be a critical factor in resolving the country's long-running political crisis.

ELECTORAL FRAUD

MALPRACTICE

SYSTEMATIC MANIPULATION

- The distinction between dealing with political parties and individual candidates was raised, with participants noting that it is easier for an EMB to deal with the former than the latter due to the high number of individual candidates and the difficulty of engaging with all of them. It was pointed out by some that decisions as to how to deal with individual candidates has to be taken by EMBs, and such decisions may not always be to the satisfaction of all.

- The possible involvement of EMBs in internal party elections was also discussed. Some participants argued that an EMB´s involvement could support the establishment of more democratic internal structures and improve decision-making mechanisms; others thought, though, that such involvement runs the risk of an EMB becoming embroiled in internal power struggles that it should avoid. The financing of internal elections was also raised as an issue, given that in many contexts public funds can be spent on these elections without much public benefit.

## Remarks emerging from floor discussions

- Another issue raised was how best to manage the disclosure of results in a tight electoral race. The Mexican experience of 2012 shows that pre-election agreements between an EMB and political parties—outlining what each party commits to do when races are close—do not automatically hold. In Mexico, the agreement was that no results would be released until final results were available. However, what happened was that some political parties started releasing results before the EMB had done so, thereby creating confusion. Based on this experience, the current methodology in Mexico is for the EMB to scan results sheets, have them signed by the party representatives and then put them online, on the EMB's website.

# MEDIA, CIVIL SOCIETY AND ELECTORAL OBSERVERS

## The role of the media in the overall trust and acceptance of electoral processes

A free and active media sector is key for a democratic society and is of particular importance during elections. The media sector has numerous functions and faces many challenges during an electoral process. For one, the media should report on and release messages and information from all candidates equally and be open to all to allow voters to gather a balanced view of candidates, parties and programmes. In addition, the media have an important role to play in monitoring elections' transparency and highlighting breaches that occur. Other functions including providing clear educational content about the electoral process so as to build an informed public and providing a platform for political parties to communicate their messages to the electorate. At the end of the electoral process, it is also important for the media to follow closely and report accurately on counting, tabulation of results and possible challenges. Underpinning all of this is the media's need keep equal distance from all parties and to be an open, transparent space available to all candidates equally.

However, these tasks are sometimes jeopardized when media owners have close links to politicians or are even candidates themselves. This creates a problem of impartiality that is challenging to solve, if stipulations are not clearly indicated in the relevant legal framework. Many cases exist when media owners either do not allow access to all candidates to airtime or charge some candidates more than others so as to discourage them or block their access. In addition, elections tend to be a golden opportunity for media outlets to obtain considerable increases in revenue, especially since they often charge higher than usual fees for airtime. Such access- and revenue-related actions run counter to the public function of media. Measures can, and should, be taken by an EMB and authorities to counter such practices.

## Has social media changed the role of media in electoral processes?

The Internet can also be used as a positive tool to increase transparency over the conduct of those in power, access diverse sources of information, facilitate active citizen participation in building democratic societies and counter authoritarian regimes.[2] The advent of social media is key to exercise freedom of expression and to mobilize and organize peaceful protests, but it also poses many new challenges for EMBs. By definition, the term social media refers to Web- or mobile-based platforms enabling two-way interactions, through user-generated content and communication, thereby allowing users to create content and to interact with information and its sources. This differs from traditional media outlets, which tend to be more top-down, with little interaction possible.

2 A/66/290, para 12.

Dr. Annette M. Fath-Lihic
Andrea Mpungwe Songo

The changing nature of the media landscape offers the opportunity for greater outreach. For example, social media can play an important role in assisting EMBs to help educate the public about its role and the electoral process at large. The better stakeholders understand the role and function of an EMB the greater their perception of its integrity and effectiveness will be. Social media can be force for good during the entire electoral cycle by supporting an EMB in the implementation of a wide range of activities while elections are actually taking place as well as during the pre- and post-election periods.

However, social media also poses many challenges that relate directly its nature and usual structure. As an unregulated platform, social media can be abused as a way to spread false information, hate speech and cybercrime.

## Measures that EMBs can take to foster media´s impact on the credibility of the process

From the perspective of an EMB, media can be an important ally in (1) helping create an informed electorate, (2) helping to monitor the electoral process and (3) providing a legitimate source of accountability of the EMB. However, for these roles to be fulfilled properly, the media need to provide balanced, non-sensationalist coverage. Internal dynamics are complicated as well: for example, on the one hand journalists typically tend to want to have complete freedom to publish what they wish and think important, while on the other hand they tend to be pressured by employers wanting articles that increase readership/circulation. Also, with the field of journalism becoming an increasingly risky profession in some parts of the world, many may find that safeguarding their physical security is at odds with in-depth investigations of electoral fraud. From the perspective of political players, they tend to actively seek media favour, working to co-opt the media for their own interest. Another factor in the mix is that media owners may be driven by financial considerations or political allegiance. Meanwhile, the electorate wants information it can trust.

Some of the recent trends affecting the role of media in elections include (1) a major liberalization and expansion of communication space with booming media and social media; (2) attacks on and intimidation of journalists, including killings; (3) co-option, fractionalization and presence of hate media; (4) poor journalistic pay, which prompts some journalists to take money in exchange for stories on request (sometimes referred to as ‘brown bag journalism’); (5) financially insecure advertising markets and business models; (6) a focus on local issues and/or ‘soft’ ones; and (7) EMBs struggling to engage with media. In addition, more and more traditional and social media are supporting specific agendas and not being transparent about their actions. Collectively, these trends underscore a panorama that is not very promising.

Some strategies can be adopted by EMBs and media support organisations to counter the above-mentioned trends. An EMB can start by recruiting professional staff to deal with media and promote proactive engagement between the EMB and the sector. For this to have the desired impact, an EMB needs to provide media representatives training on the electoral process early on for them to have sufficient background knowledge to communicate more accurately about the process. Also, EMB staff need to be provided with media training to understand how the media operate so they can better engage with the sector. It is advisable for an EMB to ensure that media are properly integrated into the electoral cycle approach. For the relationship between an EMB and the media to be mutually beneficial, it is necessary to assess the media environment long before an electoral event to have sufficient time and knowledge to design a strategy on how to create and implement joint activities. Drafting codes of conduct can be one of these activities.

Media monitoring should be undertaken independently during the electoral process, with periodic press releases in order to have a better picture as to how the media are behaving. Corrective measures may be needed depending on how the media behaves, either in relation to a relevant code of conduct or legal provisions. Whoever is responsible for such monitoring should not shy away from this responsibility given its importance in terms of the credibility of elections. If information is needed about the electoral process, it is better if it comes straight from an EMB than from other sources that are almost certain to be less informed. It is also important that journalists feel secure and be protected so they can do their job in the best possible manner. To achieve that, collaboration among media entities, an EMB and security services should be undertaken to try to guarantee the security of journalists covering electoral processes. Lastly, public broadcasters (i.e., state-owned media) should strictly serve interest of the public and not the government.

## **Civil society and electoral administration working together in voter education:** Experiences in Montenegro

In Montenegro, the relation between the EMB, the State Election Commission, and civil society has been almost non-existent in the past. After what became known as the 'tape recording affair' in 2013—misuses of public funds by some officials to obtain votes in elections—there was a groundswell of popular support for a significant change in how elections were conducted and the role of the EMB. The newly reconstituted EMB not only has a strong role in conducting elections, but also in overseeing political party finance legislation, misuses of public funds, etc. Furthermore, it is much more open to cooperation with civil society organisations (CSOs) in the area of election observation and is acting upon initiatives from CSOs and other stakeholders.

In Montenegro and elsewhere, free and fair elections are in the interest of voters, civil society and EMBs, but often not in the interest of political parties. Much trust has been lost during previous elections in Montenegro. Through education, the trust of the electorate must be regained. However, in order for education to be effective, a needs assessment must be conducted before designing voter education programmes to better ensure that the needs of target audiences are recognized and met.

Civic education can be done either by civil society, an EMB or by both working together. The main difference is that usually an EMB does civic education in a formal manner, while civil society uses more informal mechanisms, which tend to be more accessible. The use of social networks is a good way to spread messages. Television and radio are other means to reach a large share of the public, while written media tend to reach only a few people. Vulnerable groups and the illiterate are best reached by the use of pictograms and visual aids, and these tools should be implemented in the field.

Usually an EMB has limitations in terms of staffing and therefore is unable to conduct widespread voter education activities. This offers an opportunity for civil society to take over the implementation of many voter education activities. One main outstanding priority in Montenegro is to channel voters' rights to challenge the electoral process through a properly working electoral dispute resolution system.

In general, EMB staff need to be trained in many aspects of the electoral process to enable them to undertake their roles in a professional way. International observers can also benefit from more in-depth country training, as they are sometimes not aware of what is happening in the country they are observing because they lack proper information.

Voter education should support properly functioning institutions, and all stakeholders should partner in delivering it. It should be kept in mind, though, that conflicts of interest are likely if political party representatives are members of an EMB while at the same time contestants for elected positions.

## Domestic electoral observation: Impact and responsibility over the electoral process

Some of the key factors that affect the credibility of electoral observation are (1) the source of funds for observation, (2) how broad or representative is the geographical coverage of observation, (3) who or what provides technical assistance, and (4) how recruitment of observers is conducted.

The beneficiaries of domestic electoral observation include the full range of stakeholders: political parties and candidates, EMBs and governments, voters and citizens, and the International community and donors.

Lessons learnt show that to be effective, an observation mission has to conduct electoral assessments and be confident and transparent during an observation.

The support that can be provided by an EMB to facilitate the work of an observation missions is manifold. Its support can take the form of meetings and information sharing in the following areas:

- roundtable planning with stakeholders involved in an electoral process, including those engaged in civic education, observation, political campaigning and media work ;
- establishing a permanent domestic observer desk in an EMB to support CSOs;
- organising joint planning meeting for electoral cycle activities;
- holding follow-up meetings on observation between an EMB and CSOs;
- pushing for strong recommendations in an observation report;
- allowing observers to log-in to an EMB's website in special spaces;
- establishing and staffing a permanent information desk/ line during an election period;
- collecting, organising and disseminating electoral legislation and EMB procedures;
- providing personal contact details of EMB officials; and
- establishing and staffing a permanent incident report desk on election day.

## Civil society: a watchdog or an implementing partner? Is there a conflict of interest?

In many cases, civil society tends to only get involved in an electoral process when it starts to go wrong. If there are no problems with the credibility of an electoral process and the EMB and political actors are behaving professionally, the need for civil society to be engaged may be reduced and it can focus its work in other areas. Representatives from the sector must pay close attention (i.e., monitor) throughout the cycle so they know if, when and where they may need to get involved.

If civil society gets involved in elections, it has to work together with the EMB to improve the process. Civil society has a role to play in safeguarding electoral principles.

Funds to undertake civic education activities do not come primarily from governments, which is good because otherwise it could be argued that certain interests are linked to the provision of government funds. If funds come from international partners, it usually can be argued

correctly that no concrete interests exist other than increasing the understanding of citizens on the electoral process.

One of the roles civil society can play during an electoral process is to defend the rights of citizens throughout the process. The division of labour between an EMB and civil society could be along the following lines: an EMB teaches citizens how it conducts the elections, while civil society teaches citizens how to recognize and respond to malpractices.

It is essential to understand the composition and structure of CSOs involved to know if and how active they might be during an electoral process. Credible and outspoken CSOs should not be put together with those created and sustained by power structures (e.g., governments, royal courts or power elites).

Some concrete examples of possible cooperation between civil society and EMBs are (1) CSOs undertaking audits of voter registration databases, (2) CSOs supporting discussion of electoral procedures, (3) an EMB supporting the creation of an institution to provide funds to CSOs to undertake civic and voter education activities, and (4) an EMB supporting a media agency to undertake media monitoring during elections.

A delimitation of tasks based on clearly drafted regulations are needed to avoid possible conflict of interests when both EMBs and civil society are working on the same issues and sometimes dependent on each other for the implementation of activities. For example, conflicts can occur if CSOs are involved in monitoring the activities of an EMB while at the same time dependent on that EMB to obtain funds to undertake activities in the field, such as in regards to voter education. Gatekeepers have to be appointed to monitor the regulations and to mediate, when required, in cases of conflict. These gatekeepers should be professional and impartial (e.g., either an international or national body).

## Lessons learnt from international observation: Impact on the credibility of electoral processes

Trust in an election process can be enhanced through national and international observation. However, for observers to provide trust, they need to be trustworthy themselves. Trust should be based on facts, and therefore may be considered tangible. International observer missions operate according to established criteria. For example, the Declaration of Principles for International Election Observation (2005) provides a framework to assess the work of observer delegations. It stipulates that the observer methodology in any given country should be based on an exploratory mission. This exploratory mission is an assessment of whether the basic conditions are met to observe and whether observation is feasible and advisable, among other things.

Neutrality, impartiality, honesty and independence are key elements of any election observation mission. Observer missions should not interfere with the process, but rather assess it and provide recommendations for its improvement. For stakeholders to trust an observation mission, it is critical to explain the framework of the mission early on so as to avoid as many misunderstandings as possible. International commitments, standards, regional agreements and national legislation are elements that can help an observation mission to assess elections. Increasing the transparency of an electoral process is one of the goals of any observation mission. For this to happen, the mission itself must be transparent to all stakeholders.

Reports provided by a mission include a preliminary statement and a final report. A preliminary statement is generally released some 48 hours after closing of the polls. Due to time constraints, the count, aggregation and appeals processes are covered in the final report.

For an EU election observation mission (EOM) to be put in place, a memorandum of understanding has to be signed with the government. There are limitations to such missions' scope. For example, a mission can play no role in certifying results: that is the responsibility of either an EMB or courts.

More recently, the EU has been deploying follow-up missions to assess the status of the recommendations of the observation missions and provide support in the broader areas of democratic development.

- One issue raised during the discussions is that because journalists are often poorly compensated, they may be prone to unethical behaviour to help improve their personal financial situations. Proper salaries plus ethical codes followed by most would go a long way to ensure that reporting is done in a professional unbiased manner.

- It was also argued that EMBs rely too much on traditional media. One way to spread their message and reach the population is to use community media,[3] which have a social function and can be good partners for an EMB in providing citizens with accurate information about the electoral process.

- Regarding the control of social media, discussions focused on the need for the legal framework to be the first point of access. For media to work properly, media owners, editors and journalists cannot fear repression or reprisals. Instead of control and punishment from government regulators, for example, self-regulation was seen by some participants as the option most likely to work best regarding the media.

- Manipulation through media was raised as an issue of concern. It was noted that elections polarize media and voters. As money is available, many want their share of it. Elections are an opportunity for media entities to increase revenues, and it is difficult to identify ways to respond to or control the situation to ensure that not only the wealthiest candidates and parties receive coverage. Options to limit the impact of money in media were suggested, such as the allocation of free airtime and forbidding paid airtime (e.g., in the United Kingdom), together with monitoring of media and exposure of media malpractice.

- Concerning the A question was raised with regard to the use of alternative forms of media to reach illiterate people, especially women. It was recognized that television and radio are the best mediums through which to approach illiterate populations. The target audience of social media is mostly youth, but visual elements (e.g., video clips) that are often used in social media could also help illiterate citizens.

- Some participants observed that if media have interests and agendas are questionable or opaque , it may be difficult or compromising for an EMB to engage with them. On the other hand, it was argued that while an EMB has a responsibility to engage with media, it often does not care too much about the media and the work they are doing. An EMB should demonstrate integrity and ethical behaviour so the media recognize it is conducting elections properly. The creation of positive relations between an EMB and the media can be a long-term process.

- Discussions also focused on the difference between public and public-interest media. The first is by definition owned by the state, while the second can for example also be private or community-based. All public interest media should be supported throughout an electoral cycle.

- A final point raised regarding the media was that trying to restrict social media to classic professional media behaviour may not work well, if at all, due to the very nature of social media. This, it was argued, is the price to pay for having media freedom. Restricting social media is an impossible task in any case. It would be better to engage with social media and allow for self-regulation to work instead of trying to control or obstruct the sector.

3 Media produced and circulated within a community, being this community defined either geographically or by common interests

- When working with CSOs, an EMB should first conduct a background check on each organisation. Does it have any links to power structures that may limit its ability to perform their tasks in a professional, impartial manner? Only after clear answers to these questions are found should an EMB start working with a CSO.

- A code of conduct for the work of domestic observers is useful to frame their work. This code should contain some type of punitive measures to be employed if they exceed their mandate.

- A problem can be created when the messages from national and international observers differ. Close coordination should be maintained so as to avoid this happening.

- CSOs should be dealt with and supported throughout an electoral cycle; as such, South–South cooperation between CSOs should be encouraged. Such cooperation exists already in Europe (e.g., through the European Network of Election Monitoring Organizations).

- If an EMB is not transparent, it is more difficult for CSOs to observe processes successfully.

- Sometimes EMBs do not like to work with CSOs, perceiving them as a burden. Some participants argued the contrary—that EMBs like to work with CSOs because doing so can increase the credibility of elections. However, if there is lack of trust it will be difficult to work together.

## Remarks emerging from floor discussions

- CSOs should establish a hotline to allow citizens to provide information and observations about an electoral process. Doing so can facilitate their watchdog and monitoring roles

- It was noted that CSOs represent the community, while EMBs do not. Independent EMBs are often a product of long-term CSO advocacy. EMBs have to manage the various agendas of the different stakeholders, including CSOs, political parties, government, etc.

- It appeared to be a common understanding during the floor discussions that it is necessary to create trust and credibility between EMB and CSOs between election cycles. Therefore, long-term engagement is needed.

- One issue raised was that there should be a clear legal framework regulating CSOs (members, offices, etc.). Representatives chosen by CSOs should operate within this legal framework. In most contexts, an EMB is responsible primarily to Parliament, not to citizens; this is a major difference between EMBs and the civil society sector.

- With regard to the funding of CSOs, it was noted that CSOs are audited by those who fund them. This could be a government or international partners. Before funds are disbursed, agreements are established which stipulate how funds are audited.

- Election observation should be a temporary activity for CSOs; once an election process has come to an end, they resume their regular activities and focus.

- The issue of how to avoid mistakes during elections with the help of election observers was also raised. How can both, EMBs and observers, work together to avoid irregularities or non-credible elections? One area in which both can work together is in media monitoring. Periodic media monitoring reports and other observer reports should be shared and discussed between an EMB and observers with a view to improving the overall conduct of elections.

- A major challenge remains the mistrust among EMBs, CSOs and political parties. It will take a long time to dismantle this multi-faceted mistrust in many countries.

# COUNTRY EXPERIENCES

The CoC was broad in scope, covering everything from opinion polls conducted by the media to the publication of results. The latter, in particular, demanded close cooperation with the GECOM.

The main principles of the CoC aimed to ensure equitable elections coverage, accuracy of information and fair and balanced information.

The relationship between the GECOM and media was undoubtedly facilitated by the CoC, and resulted in the media coverage of the elections being of a higher quality than previous electoral processes.

## Code of conduct for the media

It is understood that the media, as any other stakeholder, should be regulated during an electoral period. In any context, a CoC offers an opportunity to set out the framework within which the media operate. As with other CoCs, an EMB can facilitate the design of a media-focused code—but the media should take responsibility for finalizing, adopting and monitoring compliance. Such a code should have a self-regulatory nature and not foresee any punishment for wrongdoers other than the possibility to blame them publicly. This in line with what should be standard in all other CoCs: they should be characterized by self-regulation rather than punishment. Wrongdoing and illegal behaviour may not escape prosecution and legal actions can be taken outside of a CoC. The development of a robust CoC needs years to mature and small steps have to be taken at every election to arrive at a CoC that is accepted and followed by all the media.

# Republic of Guyana

*The role of media*

For the 2010 and 2011 elections, a code of conduct (CoC) was established between the Guyana Election Commission (GECOM) and the media to guide their work during the elections. The main actors involved were the GECOM, through its media monitoring unit, and an independent referral panel, set up to receive and deliberate upon complaints related to media performance.

# Tunisia

*Democracy in transition—the role of civil society in the electoral process*

During the 23 years authoritarian regime of Zine al-Abidine Ben Ali, civil society was the only space where the Tunisian opposition could converge and openly discuss its discontent. The eventual revolution in early 2011 was a rising up against oppression, but there was no clear idea about what kind of elections should take place following Ben Ali's overthrow. During a political transition, it is important that civil society be fully engaged in the electoral process.

Tunisian civil society played an active role in the consultations regarding the new electoral legal framework, in conjunction with political parties and citizens. It saw its role as undertaking civic education activities and defending the rights of underprivileged citizens to participate in elections. Civil society was more concerned about the framework for the elections, not the actual results of the elections. An independent body was created to monitor the conduct of the elections, implemented by the Ministry of Interior. Civil society strongly supported the holding of the 2011 elections as part of a democratization process. Some 43 CSOs, who collectively mobilised and provided a total of 13,392 observers, were engaged during those elections. However, most organisations were involved in observation only on polling day and therefore were not able to assess the entire electoral process. Also, the deployment of observers was not successfully coordinated among the various observer groups, which meant that many were concentrated in cities whereas other areas (especially rural Tunisia) were not adequately covered. Finally, neither preliminary statements nor final reports were presented due to a lack of training and incapacity to manage all information gathered at central level.

Lessons from the 2011 experience indicate that in the future in Tunisia, CSOs should be encouraged to better coordinate their activities to ensure greater overall impact in terms of national election observation. An improvement in communications between the EMB and observer delegations should be encouraged so as to ensure efficient information exchange. Partnership between the EMB and civil society should be encouraged through joint activities in the field of civic education, training, etc. Civil society's capacity to observe elections should be improved through training. Civil society needs to take an active part in discussions on electoral matters throughout the electoral cycle.

Elections do not, in themselves, guarantee democracy. Strong CSOs, credible elections and an accountable government go hand in hand. Civil society supports democracy and democracy supports civil society development. Trust is an important issue as it is important that citizens feel confident that civil society is independent and impartial.

# Palestine

*Positioning the EMB towards fostering ties with civil society*

The relationship between CSOs and election administration was largely adversarial in Palestine before 2002 because the election administration was not independent. Following a legal reform, instigated by civil society, an independent body (the Central Elections Commission, or CEC) was created in 2002 and assumed responsibility for managing elections in 2005, 2006 and 2012. Prior to 2007, the CEC's collaboration and coordination with stakeholders were seasonal, linked to elections events—and the CEC and CSOs saw themselves as competitors and sometimes enemies. Voter education was the exclusive mandate of the CEC and was implemented in a procedural way and served simply to impart basic information about specific associated electoral phases.

A few years after the CEC was established, personnel there started to ask themselves how it could improve delivery of civic education activities, and what the added value was of the CEC doing it. Another issue raised was what the CEC could do between elections without jeopardizing its integrity, neutrality and independence. This led to the CEC designing a continuous civic education programme to enhance the democratic values of the electoral process.

The CEC realized that it could not do all civic education activities; instead, it was clear it had to foster ties with election stakeholders, notably civil society. The CEC reached out to CSOs to take a more active role in civic education. A department was assigned to work with civil society, thereby facilitating the exchange of information. CSOs started to send representatives to various CEC committees.

As a first step the CEC designed a database of CSOs and then it began providing internal training sessions to change the mind-set of CEC staff so they could better engage with civil society on civic education. It built electoral knowledge and electoral cadres and started implementing civic education programmes through a framework called the electoral awareness fund (EAF).

This EAF's main goal is to support the full participation of civil society in civic education. It provides funds to CSOs through periodic calls for proposals, on a competitive basis. It is currently funding 22 projects, the main objective of which is to enhance electoral participation. The EAF targets some 20,000 people, including women, youth, the media, observers, higher education students and people with special needs. The projects include awareness workshops, quizzes, discussion groups, training activities and shows. It allows also for the CEC and CSOs to work together on a variety of issues, including on electoral reform. The role of the CEC is that of catalyst and facilitator. A recent output is a revised new local elections law presented to the legislature for ratification.

In conjunction with the Ministry of Education, the CEC launched a programme of school awareness, targeting ninth graders. In total some 31,000 students and 440 teachers have been reached in 374 schools. One activity entails students performing mock elections to get familiar with electoral issues. Now the CEC is piloting a programme with second graders, targeting 11,600 students and 369 teachers in 149 schools. In this programme, students are performing mock elections through an integrated learning approach.

Methods used to engage with CSOs have included holding periodic meetings, consultations, and continuous capacity-building activities; responding to their specific needs; and valuing their inputs. Genuine engagement with CSOs adds to the credibility, transparency and enhances the independency of the CEC.

# Nepal

*Efforts made to include civil society, media and observers in the electoral process*

The success of the 2013 Constituent Assembly (CA) election was a result of the high levels of stakeholder confidence in the electoral process as well as in the Electoral Commission of Nepal (ECN) as an institution. Some of the activities undertaken by the ECN ahead of the 2013 CA election helped ensure the successful engagement of key stakeholders, including civil society.

Civil society is active in advocating for the rights of citizens, including vulnerable and marginalized communities. The ECN made it a priority to work with CSOs with the double objective of (1) partnering with them on various issues and (2) reaching greater numbers of people by delivering voter education messages through these groups.

Examples of the ways the Commission engaged with civil society included:

- consultations with CSOs during the legislative reform process, notably with regard to the electoral system and quota measures;
- national, regional and local level consultations with CSOs during the planning stages of the voter registration process;
- inclusion of CSOs in local-level election planning and civic education committees, including in security planning; and
- utilizing CSOs to disseminate voter education messages at the grassroots level.

The ECN recognized, well in advance of the CA elections, the importance of partnering with the media to ensure that the public was fully aware of the activities of the Commission and the specifics of the electoral process. The reasoning was that this would not only ensure a well-informed public but also enhance transparency and increase public confidence in the process. The Commission made it a priority to engage with the media frequently throughout the electoral process. The proactive approach taken by the Commission in disseminating information to the media ensured that accurate information was reaching the public. The following are among the best practice activities regarding the EMB's engagement with and use of media in the 2013 CA election:

- trainings to members of the media on elections and different aspects of the electoral process;
- establishment of a media centre specifically designed to share information with members of the national and international media;
- appointment of a media spokesperson;
- the organisation of weekly media briefings informing the electoral calendar and subsequent updates;
- during election week, daily press briefings on electoral developments;

- inclusion of the media in national level dialogues during the campaign period;
- personal engagement by the Commission with key media personnel who could ensure accurate and prominent reporting of the Commission's activities;
- contracting the media to broadcast specific ECN programmes and campaigns through print, radio and television; and
- utilization of media extensively for voter education programmes.

With regard to national and international observer groups and the 2013 CA election, a total of 31,354 national and 249 international observers observed the pre-election, election day and post-election environment. The ECN recognized the critical role of observers and helped to make the accreditation process as simple as possible.

The Commission had faced challenges in 2008 with respect to some national observer groups that did not comply with legal requirements. Thus, several rounds of discussions were held to come to agreement on how to ensure that the same mistakes were not repeated in subsequent elections. These discussions also aimed to ensure that observers would have the space and ability to conduct their observations in a conducive environment. Some of the efforts with regard to observers include the followings:

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- drafting of a code of conduct for domestic and international observers,
- several rounds of discussions with observer groups on compliance with guidelines,
- pre-election briefings for long-term observers,
- establishment of a simple accreditation process with decentralized issuance of accreditation cards,
- briefings and orientation for short-term observers, including mock elections,
- ensuring easy observer access to the ECN at headquarters and field office levels, and
- establishment of an observer resource centre with dedicated personnel to provide information and engage with observers.

# Kenya

*2013 elections—the role of media in general and the factual discussion programme Sema Kenya (Kenya speaks)*

Media were complicit in the violence that occurred in the aftermath of the 2007 elections in Kenya. Some sectors of the media, particularly radio stations reporting in local languages, were implicated in the post-election violence. However, the media were also credited with diffusing tensions once the violence started.

In contrast to the 2007 elections, the 2013 elections were largely peaceful. However, during these elections most media outlets went to significant lengths to self-censor coverage of what was perceived to be sensitive news. This self-censorship has been interpreted by some as a failure on the part of the media sector to play a core electoral role as 'watchdog' by seeking to identify and expose irregularities during the electoral process.

This swing from one extreme to the other during these two elections may be indicative of the media's unpreparedness to deal with the unique challenges and responsibilities that the sector faces during election periods, particularly in fragile states.

The gaps left by the media's cautious engagement in the 2013 elections were partially filled by Sema Kenya ('Kenya Speaks'), a television debate programme produced by BBC Swahili with funding from the United Kingdom Department for International Development (DFID). The programme offers a platform for ordinary citizens to address their leaders directly on issues affecting them and their community. The research done after the elections showed that at a time when most of the media were avoiding sensitive issues out of fear of directly or inadvertently inciting violence, Sema Kenya provided the public with constructive, moderated, audience-driven discussions and arguably more detailed information than other media sources. At election time Sema Kenya kept the focus on issues that audiences wanted to discuss, unaffected by any central media agenda. This meant the programme tackled some sensitive issues which more mainstream media were avoiding. By providing a platform for dialogue, Sema Kenya made a contribution towards supporting individuals to hold government officials to account.

Since it was not strictly an election programme, Sema Kenya was able to tackle local and national governance issues and to present a diversity of views and dialogue while the majority of Kenya's media stayed narrowly focused on the election, and in particular on maintaining peace. With this broader focus and continued presence through weekly programmes across a 25-week season, research suggests that Sema Kenya can make a distinct contribution not only during election periods, but also has the potential for longer-term impact not offered by other media programming.

Sema Kenya is an example of how the media can be involved in a positive and constructive way throughout the electoral cycle—and all other times as well. Unfortunately there is very little buy-in by the media in Kenya more broadly on the need for their constant engagement on many critical governance issues. Sema Kenya is one of the few programmes of this nature and format still being broadcast to a wide audience around the country. There is the feeling in most media houses that elections have passed and there is no need for such programming.

# Jordan

*Efforts made to include civil society, media and observers in the electoral process*

Since its founding in 2012, Jordan's Independent Election Commission (IEC) has engaged regularly with electoral stakeholders; among the main principles guiding its collaboration has been the need to target a variety of issues. Efforts have been made to build and maintain transparency and accountability by adopting clear, documented, and accessible procedures, notably ensuring the right of all stakeholders to obtain information on the IEC.

The EMB prioritizes constant learning and investing in expertise, including by taking into account recommendations of partners and international practices, and applies this knowledge constructively to help improve its performance. The IEC has maintained openness and adopted a participatory approach in assessing needs and developing plans with all stakeholders to realize common goals. Finally, by emphasizing the principle of equality it has taken measures to provide a level playing field and guarantee equal access for all internal and external stakeholders.

The IEC adopted several mechanisms to ensure the effective involvement of stakeholders in the different phases of the 2013 electoral process. During the pre-election phase the IEC posted drafts of executive instructions of the electoral process on the IEC website and distributed to newspapers to publish; it then asked the public to review and give feedback on such drafts. It also met with stakeholders to review and receive their input on the draft executive instructions. It further cooperated and consulted with all electoral stakeholders, including domestic and international observer groups, media, CSOs, and political parties on a variety of issues. During the elections it cooperated with stakeholders in the implementation of an awareness and voter education campaign—areas of cooperation included the development of materials and implementation of activities. It also provided all requested information to observers and took into account their suggestions and comments in an effort to improve the process. For the post-elections phase, the IEC engaged stakeholders in the comprehensive evaluation of the electoral process, including analysis of domestic and international observer reports to identify strengths and weaknesses to guide the EMB's future work.

The challenges faced by the IEC vis-à-vis the 2013 elections included legal, operational and public perceptions issues as well as the limited timeframe available before the elections to implement its strategy.

- On electoral observation, it was stressed that the entire electoral process should be observed—not just activities on polling day, as is still done by some organisations. It was also added that gender specific approaches are needed to be comprehensive.

- Report drafting was mentioned as being a problem for CSOs due to the amount of work needed to do it correctly. Statements are far easier to draft and distribute.

- The issue of the impact of observation findings was raised. It was noted that observer delegations release their findings and recommendations, but that it is up to national and international stakeholders in the country to decide on appropriate follow-up.

- Also raised in discussions was the relationship between recommendations made in observer reports and the financial capacity of an EMB to implement them. Often it is not clear how (or if) an EMB might receive support between elections to implement needed reforms. Oftentimes, an EMB reviews the recommendations, prioritises them accordingly and implements the most important depending on the funds available. It was noted that usually the EU has some funds available to support the implementation of some recommendations emanating from EU election observation missions. Finally, support from the EU to national observation efforts was seen as a positive step to facilitate such activities.

- For an EMB, there is always the need to establish clear regulation on rights and duties of observers, whether they are national and international. In addition, effective coordination between international and national observer delegations still does not occur in many countries, even though this issue has been on the agenda of international organisations for many years.

- Participants discussed the involvement of disabled voters and possible ways to increase their participation in the electoral process. Some of the actions that could be taken include adjusting physical structures at polling stations, making arrangements for Braille and sign language to be used, etc. CSOs could support EMBs in this area, as is already the case in some countries.

- One point was raised with regard to interactions when multiple languages are spoken in a country. This can make it challenging for an EMB, national and international observer delegations to communicate.

- It was noted that CSOs are not mandated to undertake voter education activities, and that in some cases they do it out of financial necessity. It was also pointed by some participants that it should not be the job of an EMB to mandate CSOs to undertake voter education on their own, but that EMBs and CSOs should approach it as a joint work done together as partners. With regard to the funding provided by the CEC in Palestine for CSOs to implement voter education activities, a question was raised as to the source of these funds. It was clarified that these activities are part of the CEC's strategic plan presented to the government and international partners, which provide the funds.

- Concerning the issues targeted by CSO programmes in Palestine, it was clarified that they focus on specific ones, e.g., how to increase youth participation.

- A point of clarification was raised with regard to the remark that CSOs are part of district election committees in Jordan. In fact, representatives of CSOs comprised 22 percent of election committee members, but not the actual CSOs themselves.

- On the question of who was responsible for Sema Kenya, it was clarified that it was implemented and owned by the BBC World Trust. It was noted that the Sema Kenya programme ran from October 2012 until March 2013. Panelists invited included local parliamentarians or county leaders (senators, governors, etc.) and national leaders (ministers). For the selection of the audience, grassroots CSOs were requested to provide names, with overall quotas for women and youth. There was no direct collaboration between the BBC and the EMB.

## Remarks emerging from floor discussions

- In Palestine, it was seen as important for the EMB to work with educational institutions to train teachers on elections and enable them to conduct mock elections. Of note is that the actual implementation of the work at schools is carried out by teachers, not the CEC.

- As to why media largely avoided sensitive issues during the 2013 Kenyan elections, an explanation was given that there had been an agreement among media owners to refrain from raising such issues.

# STAKEHOLDERS AT WORK:

## SHARING LESSONS LEARNED

**Electoral results transmission.** There were 26,002 polling stations during the 2012 elections. The results at every polling station were declared publicly and afterwards results sheets were transported to one of 275 constituency collation centres countrywide. Returning officers were in charge of managing the results. Parliamentary results, based on a plurality system, were declared at constituency level after aggregation of all results from relevant polling stations. In addition, there were 10 regional collation centres, which received results electronically from constituency centres via satellite link. And finally, a national centre was fed results by regional centres and then aggregated and verified all results nationwide. Stakeholders were able to compare the official results to the ones obtained through their party agents.

For the 2012 elections in Ghana, a project called the Joint Party Election Results Monitoring Project (J-PERM) was created to allow political parties to jointly verify the aggregation of results. An agreement was reached between five political parties. The methodology used was that party agents present at polling stations would send results via phone to their respective parties, and afterwards the parties would send them to a joint platform to be shared among the five parties. If there were differences, results would be compared to come up with a solution. An NGO was appointed as mediator to manage possible differences. This was an effective way to reduce potential tensions.

Some improvements that could be implemented for the future relate to the following observations:

- The length of the project. According to political party representatives it started too late and finished too soon after the elections, thereby not allowing for proper training of agents prior to the elections or for solving disputes after the elections through the mediator.
- The EMB was not embedded from the beginning in the project, which could have helped in terms of information.
- Too much time was lost between the reception of results at the individual party headquarters and the transmission of those results to the joint platform.

The 2012 experience indicates that the system put in place by the EMB for the transmission of results is a very important element to monitor. If it is deficient it can have an immense impact on the credibility and acceptance of results. The possibility to share and compare results among parties and with the EMB made the acceptance of results easier. The use of an independent mediator is helpful to avoid having cases being brought to court and thereby prolonging the elections period unnecessarily.

# Ghana

*Accepting electoral results: Ghana Joint Party Election Results Monitoring Project (J-PERM) 2012*

In Ghana, the Electoral Commission of Ghana (ECG), the EMB, is composed of seven members, three of whom work full-time and four part-time. The EMB is responsible for voter registration, the demarcation of constituencies, the conduct of elections, voter education and the registration of political parties. There is an inter-party advisory committee to facilitate interaction between the ECG and political parties.

# Mali

*Cooperation among electoral stakeholders: The experience of Mali in post-conflict elections*

End of crisis elections in Mali were held in July 2013. After a coup d'état in 2012, institutions had been disbanded thus the elections were held under difficult conditions. Two principle institutions were given responsibility for conducting the elections, the interior ministry (which had been previously responsible) and the Commission Electorale Nationale Indépendante (CENI), the newly constituted EMB. In addition, there were many other stakeholders involved in the elections, including civil society, media and international actors.

The CENI was composed of 15 members, 10 coming from political parties and 5 from civil society. Due to the diversity of electoral players, it was apparent that there was a need to create a forum to bring together all actors, to ensure better coordination and to establish trust among the different electoral stakeholders. This forum, for example, offered opportunities for political parties to discuss voter registration, processes and procedures on election day, and what kind of documents were required for participation, etc. Civil society groups used the forum to exchange opinions, views and priorities. In addition, CSOs collaborated in the electoral process in three key areas: electoral observation; civic education (especially targeting women), with a steering committee set up to coordinate efforts; and training of women candidates.

In total some 500 media outlets exist in Mali, out of which some 400 are radio stations. Most journalists are members of a union and contacts were established between the electoral authorities and different media houses and journalists. Another steering committee was created to establish a communication plan for the elections, which supported the EMB in transmitting messages for information purposes. The media also supported CSOs working with women candidates. In addition, some radios were engaged in supporting campaign activities.

The linkages and relationships between the EMB and observers was very important. There were some 4,200 observers in total, of which 1,400 were enrolled in long-term observation. The national observation teams were deployed to areas with security concerns, where international observers did not venture. Recommendations made by election observer groups during the elections were taken into account by the EMB to improve the electoral process.

# Gender

*Integrating gender equality into electoral processes: Stakeholders at work*

The basis for women's engagement in the democratic process is in international conventions, human rights instruments and international and national legislation. With regard to women's political participation, the United Nations Economic and Social Committee (ECOSOC) recommended that all countries aim to reach a target of 30 percent for women's representation in elected bodies by 1995 and equal representation by 2000. As of April 2014, the global average of women in national parliaments is 22 percent; in addition, 9 women serve as elected heads of state and 15 women as elected heads of government. Only 39 lower houses of parliament have reached the 30 percent target, 2 of which include at least 50 percent women. A further 149 these chambers, however, are below the target.

The goal of achieving gender balanced representation should not only be linked to political participation, but should also be applied to women's participation in EMB structures. In general, sex disaggregated data on women's voter registration and turnout, and their representation across EMB structures, is not systematically collected. There are no exact figures on the number of women members of EMB commissioners, and less than 30 percent of EMBs report voter turnout data by sex. In some countries legal provisions make it mandatory to have a certain percentage of women represented at different levels of the organisation.

There are several measures that can be implemented to ensure EMBs are more inclusive. Gender-mapping exercises can be run in advance of electoral processes to develop a better understanding of women's representation not only within the EMB itself, but also among other electoral stakeholders (including political parties). Gender targets can be adopted, not only in regards to permanent staff, but also temporary staff (e.g., polling station workers). Gender focal points or a gender focal point network can be assigned within each EMB. Gender-sensitive training for all staff of the EMB, and gender-targeted training for those with specific gender equality responsibilities, can be prioritised.

# Gender

*Integrating gender equality into electoral processes: Stakeholders at work*

## Example from Lesotho

The Independent Electoral Commission of Lesotho has the mandate to initiate laws and policies that govern elections in the country. In 2005, the EMB proposed legislation that called for 30 local government constituencies to be reserved for women. As a result, in 2005 some 58 percent of 128 councillors were women. In 2011, acting on a Commission proposal, Parliament passed a new electoral law, the National Assembly Electoral Act, which provides for a 'zebra'[4] listing model when it comes to proportional representation (PR)[5] seats. This listing system was used for the first time in the 2012 general election and one impact was that 20 women, who would otherwise not have made it to Parliament, were able to secure seats. Currently women make up 34.8 percent of parliamentarians.

In recent years, the electoral commission in conjunction with UNDP has provided BRIDGE[6] gender and elections courses for staff, media practitioners and political parties registered with the EMB. There are also in-house trainings for staff that aim to empower them with the skills to mainstream gender in their strategic planning processes, activities and implementation. In recruiting new staff, the IEC is committed to enhancing the status of women, especially in managerial positions.

Representatives from the Lesotho EMB made several recommendations with regard to integrating gender equality in electoral processes. In particular, steps should be taken to:

- seek gender balance in its membership at all levels and create incentives for women to become election administrators;
- develop a policy on gender aimed at enhancing women's participation in the electoral process;
- train staff to be sensitive to gender issues;
- collect sex-disaggregated statistics on the election process in order to evaluate women's participation and identify aspects of the process that can be improved;
- collaborate with civil society to advocate for EMBs to incorporate a gender perspective in their decisions;
- develop independent monitoring mechanisms to identify and report on gender bias in the electoral process; and
- identify qualified women to serve on EMBs.

4 Zebra listing refers to a model by which women representation in candidates lists are not only provided in a classical vertical manner, i.e. each third candidate being a women, but also horizontally between the different lists

5 Section 47 (2) (b) of National Assembly Electoral Act, No 14 of 2011.

6 BRIDGE = Building Resources in Democracy, Governance and Elections.

# Gender

*Integrating gender equality into electoral processes: Stakeholders at work*

## Example from Morocco

The delegate from Morocco noted that there is a need to reform the electoral system to better support women's empowerment. However, they pointed out that quotas alone are not enough; another important priority is to identify ways to actively engage women as candidates and elected representatives. They argued that the majoritarian first-past-the-post (FPTP) system used in Morocco is not supporting women's engagement due to its nature of targeting individual candidates. The delegate recommended that political parties be supported to include women in their party structures and also to present them as candidates. For this happen, one option would be to work with women across parties (for example, through a women's platform) as well as within individual parties; another option would be to have additional women lists. It was felt that a proportional representation electoral system would facilitate the inclusion of more women into Parliament, as has been demonstrated in numerous other contexts.

The delegate noted that ideally, one third of all candidates should be women. Realistically, however, the delegate felt that political parties in Morocco would need to be forced to take action because traditionally held attitudes and cultural barriers to women's political representation remain strong. An incentive system could be put in place to support parties to identify and support women candidates. A 'zipper or zebra system' (horizontal and vertical) could be applied to guarantee that enough women are being elected. In addition to increasing women's representation, there is also a need to have strong democratic institutions in place. Gender equality and sustainable development would be difficult to achieve in the absence of democratic institutions. Since the most recent parliamentary elections in November 2011, the IEC has focused on working to boost youth participation and also to get ready for the next legislative elections.

- A number of questions were asked in reference to the case study presented by the Ghanaian panelists. In response to a query about how the results were provided to the party agents at polling stations, it was explained that they received paper copies. Official results were announced at national level through television and radio outlets, and were later gazetted.

- It was also further clarified that each party was entitled to have two agents at each the polling station in Ghana, one for the presidential and one for the legislative elections taking place. Party agents were provided with a results sheet for the election they were accredited for by the EMB.

- The issue of voting for security forces was also raised. On this it was noted that special voting periods before elections day(s) are conducted in many countries so as to ensure that members of the security forces, who provide security on elections day, also have the opportunity to vote.

- Some participants asked about the process in cases of possible discrepancies between results obtained by different political parties. It was noted that when that occurred, each party sent a delegate to a meeting with the mediator and the differences were analysed jointly with a view to rectifying the discrepancy.

- Discussion also arose on how to manage assigning voters to new polling stations, should they change residence in the period between voter registration and election day. During the floor discussions, several participants said that voter registers should be open for modifications up until immediately prior to elections, thereby allowing any voter in need to successfully register after changing residence. If biometric voter registration is done, the method facilitates verification of the voter(s) and helps avoid malpractice.

- Also in regards to Ghana, panellists from the country stated that there is little participation of political parties at local level due to the fact that the president is responsible for nominating candidate for local positions. A constitutional amendment is envisaged to open up these positions to whichever contestants wish to seek office.

- Several participants discussed what an EMB can do with regard to discrepancies in election results. It was noted that in Ghana no specific prosecution is in effect for altering figures. The problem is that often staff commit mistakes, which is different from intentional malpractice. It is difficult to prove malpractice, thereby allowing for criminal charges to be pressed, has taken place. Moreover, the EMB cannot prosecute in Ghana as it is the state prosecutor that is responsible for it.

- Also with regard to the acceptance of the results, it was noted that in Mali women's NGOs played an active role. It was very important for women to be involved in order to have peaceful and credible elections. CSOs were also active in observing the pre-election period to gather a complete picture of the electoral process.

## Remarks emerging from floor discussions

- In reference to the presentation made by the Malian panelists, questions were asked regarding the conduct of elections under a high degree of insecurity. Respondents said that most of the territory of Mali was under government control and that the UN and national troops were deployed to guarantee security. There was also an agreement between the political parties and the government, based on a road map, that all would accept the results.

- Floor discussions regarding the gender presentations focused on whether women would rather vote for male or female candidates (of if gender made no difference) and also on the fact that while having women in Parliament is important, it is not sufficient in itself to ensure gender sensitive reforms. More work is needed to explain to citizens (men and women) why they should consider voting for a women candidate. Furthermore, after a woman candidate is elected, there needs to be a commitment to continue the capacity-building of women representatives and to support the creation of gender equality committees or cross-party women's caucuses in Parliament, etc.

# A REGIONAL PERSPECTIVE:

## CHALLENGES AND OPPORTUNITIES OF REGIONAL COOPERATION BETWEEN AND AMONG EMBS TO ENHANCE CREDIBILITY

*The remaining of the conference's fourth day was devoted to bringing together EMBs from the same geographic groups to assess how their respective regions are progressing in terms of horizontal cooperation.*

In regions where there is no formal EMB association in place, discussion centred on how cooperation could be improved. Issues tackled during the sessions included: (1) the areas that EMBs thought should or could be addressed by their cooperation, (2) how EMBs envisage regional cooperation throughout the electoral cycle, (3) what mechanisms are already in place to facilitate intra-regional cooperation, (4) assessment of existing level of cooperation, and (5) if no formal cooperation or association currently exists, whether it would be positive to create one and what should be the areas of cooperation.

# Arab Region

No association of EMBs currently exists in the Arab Region. Discussions therefore first centred on whether it would be positive to have one, with all participants expressing the view that a regional association would provide important support for EMBs in the region. Discussions also focused on which kind of format such an association should have. Some suggested that it could be established within the structure of the Arab League, while the majority felt that it should be an independent entity, separate to existing multilateral structures. Participants agreed that the decision should come from the EMBs and not governments or other entities. International partners could support the creation of the association by providing comparative knowledge.

With regard to what issues could be addressed and prioritised in an association, key areas mentioned included out-of-country voting, capacity-building, voter education, money in politics, comparative analysis of the regulatory framework for elections in the different countries, electoral systems, relationships between EMBs and governments, and international standards for elections.

It was agreed that an association could nurture the transfer of knowledge and provide capacity development training to staff. The association could start with EMBs that are already willing and able to engage with each other at this point, with others becoming members at a later stage. The overwhelming opinion among participants was that governments as such should not be part of the association. However, if an EMB is based on the governmental model, only ministries in charge of elections would be members.

Participants stressed that an association could help to improve relations with other stakeholders and create trust. Courts and constitutional councils already have an association in the region that could be of help to EMBs in their efforts to engage regionally with other stakeholders. CSOs also have regional coalitions, stretching across some 17 countries in the region. No regional association regional association currently exists for media, but they should also be encouraged to create a similar body. Close cooperation between a regional association of EMBs and associations of other stakeholders should be envisaged whenever possible.

The main challenges identified during the discussions relate to the fact that EMBs in the region comprise a range of models (governmental, independent and mixed). These differences may affect the way they operate and, furthermore, their levels of experience also vary. It was agreed that an annual meeting would be a useful forum to exchange experiences, but that such a gathering should preceded by visits among various EMBs in the region to get themselves better acquainted with the situation of their regional counterparts.

# Europe

The Association of European Election Officials (ACEEEO) was created in 1991 by six EMBs and now has a total of 25 members. It is registered as a non-profit NGO and cooperates with other actors in the area of elections in the region, including the UN, the Commonwealth of Independent States (CIS), the Office for Democratic Institutions and Human Rights (ODIHR), the Council of Europe (CoE) and the International Foundation for Electoral Systems (IFES).
The structure of the association comprises a General Assembly with all 25 members and an executive board composed of seven people. It has a rotating presidency and a secretariat. The secretariat was first managed by one EMB, but later on an independent secretariat was created as a permanent institution which currently employs three people full-time. Membership in the ACEEEO is open to all EMBs in the region.

The association undertakes numerous activities, but most notably it (1) supports the creation of independent EMBs in the region, (2) motivates members to be active on specific issues, (3) creates and sustains relationships with other stakeholders, (4) drafts and publishes documents and other information items, and (5) has a website to educate first-time voters. The annual work plan focuses on different thematic areas each year which are implemented inside and outside the association.

# Africa

The democratization process is ongoing in Africa. EMBs across the region are of different models of EMBs and are at varying levels of development, which is to be expected given the diversity of the countries. There are a number of regional and continental bodies that as part of their overall work are involved in elections; they include the Association of African Election Authorities (AAEA), the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC). These organisations' main goal is to enhance the credibility and sustainability of elections. They share experiences and pool resources together, with peer-to-peer support being strongly supported and facilitated. Legal mechanisms are important to be established in order to support cooperation.

Challenges relate to funding of the AAEA: it should be done by EMBs, but this does not happen always. Specific member states are free to apply the recommendations the associations provide as they are of a voluntary nature. There are also cases of double membership, with the same EMBs being a member of various bodies. One issue that makes moving forward difficult for many EMBs is that sometimes governments do not ratify necessary legal instruments.

EMB members consider South-South cooperation to be of key importance throughout the electoral cycle. Specifically, participants highlighted the following critical issues: sustainability (funding of elections), use of technology, election violence, electoral justice and gender awareness.

The AAEAundertakes fact-finding and evaluation missions to member states. It was noted however that the methodology needs to improve. It is recognized that in general, electoral democracy and voluntarism need to be further developed, especially in regards to the recruitment of polling staff, in order to reduce costs and improve people's commitment. Another issue highlighted was the need to improve fundraising to be able to undertake far more activities than are possible with the regular budget.

- A meeting attendee from the Arab Region suggested a check to see if there was a clear commitment on the part of participants from his region for the creation of a regional association for EMBs. A showing hands made evident that the majority of Arab region participants in the plenary were in favour of establishing one. Furthermore, it was agreed that based on experiences in Africa and Europe, countries that are already willing and ready should engage now in setting the ground for an association of Arab EMBs, with others joining at their own pace.

- A concern was raised about the suitability of the ACEEEO to play this role, given that some of its members had questionable credentials, having previously been involved in cases of fraudulent activities or having permitted such activities to take place. In addition, some EMBs members are not independent.

- One issue raised was whether an association should be created from the top down or from the bottom up. Participants noted that the most successful experiences have accrued from a bottom-up approach. Support can be sought from international partners for this endeavour. A new regional association should first start working and not focus too much on funds, procedures, etc.

## Remarks emerging from floor discussions

- A request was made for a technical committee to meet in June 2014 to follow up on discussions during the conference. The first goal should be to agree on how to create the association. ACEEEO representatives expressed willingness to host a delegation of Arab representatives at their headquarters to share their experiences and suggestions in greater depth.

- Discussions focused on how and if to differentiate between technical and the political levels, both of which need to be managed by EMBs. Participants from African countries expressed a desire to learn from the experience of other regions in this regard.

- CSOs members' present from the Arab Region expressed their willingness to support an association of EMBs in the region.

# IMPROVING THE WORK BETWEEN EMBS AND STAKEHOLDERS:

## SUMMARY OF WORKING SESSIONS AND RECOMMENDATIONS

*On the last day participants were asked to break into four separate working groups. Each group was tasked with making recommendations for how the relationship between EMB and one of their electoral stakeholders could be enhanced. Stakeholders under discussion were (1) political parties, (2) civil society, (3) media and (4) other state institutions.*

## GROUP 1

EMBs and political parties/ candidates

The independence of an EMB was deemed to be a determining factor. When an EMB is independent, it is easier for political parties to engage with it. However, relations are more difficult when an EMB is part of the government, as there can be a perception that the EMB does and will favour the ruling party. An EMB has to do extra work to show the political parties that this is not the case by working in an impartial manner with all parties.

It was noted that EMBs can be subject to political pressure from government—and in some cases, this can translate into limited or non-existent dialogue with opposition parties. Participants were unanimous in stating that an EMB should always act in an impartial manner, both with regard to the government and opposition political parties.

It was seen as extremely important to create permanent structures to encourage collaboration between political parties and EMBs in a non-hierarchical manner, with both sides aware of the mutually beneficial aspect of them working together.

A challenge to the relationship between EMBs and political parties is the fact that political parties are in a struggle to obtain power, with each party being in a different sparring corner. This struggle is more accentuated during elections, when EMB have to act as mediator. The creation of codes of ethics or conduct, jointly negotiated between political parties and EMBs, can help to facilitate the mediating task. Experience from some countries shows that the overall environment is much calmer in such cases and the participation rate higher.

After elections, EMBs' cooperation with political parties tends to be easier, as the issues touched upon are of common interest—e.g., on civic education and increasing citizens' participation. On the other hand, motivation is lower as there are no urgent issues to be dealt with. An EMB can invite political parties to participate in some activities, with agreement beforehand on those of interest to both. An EMB could also play a role in promoting coordination among political parties. The lessons learnt exercises normally conducted by an EMB after an electoral process can also benefit from feedback from political parties, thereby helping an EMB to improve its performance in the next elections.

In some countries, the legal framework includes provisions on how an EMB should interact with political parties. If no legal provisions exist, voluntary arrangements can be found to create permanent collaboration structures between EMBs and political parties.

One challenge for EMBs is when political parties register on a once-off basis to compete in a specific election. In such cases, it is difficult to engage with them on a permanent basis. Also, it is almost impossible for an EMB to have effective working relationships with every party in situations where hundreds of political parties exist. Setting down criteria for interaction with

political parties may be advisable in such cases. For example, it might be useful to have one or more thresholds related to having participated in the most recent election, percentage of votes obtained in past elections, nationwide presence, etc.

**GROUP 1**

EMBs and political parties/ candidates

Existing legislation is one subject that can have a major impact on relations between EMBs and political parties. EMBs are not responsible for electoral legislation, yet their main tasks are to implement the provisions contained in the legislation. An EMB can set regulations and executive instructions within the legal framework provided. If a legal framework is weak or deficient, this may create an environment which is not conductive for the participation of political parties affecting the overall credibility of the electoral process. However, there is little an EMB can do to resolve such situations. Technically well-managed elections conducted under deficient legal frameworks almost always result in deficient elections.

Another challenge for EMBs is when political parties are divided into different internal factions, and disagreements arise over who is to represent the party in an EMB. A possible solution is to rely on party statutes. As to situations in which bigger parties sometimes do not want to grouped together with (or work with in any way) smaller parties, working group participants agreed that in principle all parties should engage with an EMB in a similar manner—and vice versa. However, various options could be considered to ensure that all parties participate, either together or in different settings, etc.

The working group also discussed how to engage with Independent candidates. Most participants agreed that engaging with such candidates at executive level elections (e.g., president, governor) was easy, but that is not the case for councillor and legislative elections.

In terms of how to control the activities of political parties, general opinion was that legal requirements to register political parties should be sufficient and contain clear provisions on how to monitor that parties follow these rules. The overwhelming consensus agreement was that an EMB should not be in in charge of the registration of political parties, as such a responsibility would create an additional burden and possibly create tension in its interactions with political parties. It is better if another institution is tasked with this role.

Working group participants largely agreed that the regulation of political party finances should also be the responsibility of another body. Experiences vary greatly, however, from one country to another. In some the national legislature is responsible for monitoring, whereas in others it is the role of the EMB. Generally speaking, participants stressed that EMBs should focus their work on conducting elections. In cases of irresolvable disputes between an EMB and one or more political parties, the judiciary should step in to adjudicate.

Suggestions were offered for ways to engage with political parties between election cycles. Among them were conducting consultations with parties for their feedback on electoral issues such as the electoral system, minimum number of candidates for national lists, funding issues, procedures, and electoral justice. Nearer to the elections, an EMB could share draft executive instructions with political parties and support training of party agents on electoral procedures.

And finally, participants from this working group stressed the importance of recognizing that while an EMB is a major stakeholder in the elections, it is only one of them. Representatives from each stakeholder sector (political parties, civil society, media, state institutions) have to implement tasks in the best possible way for the elections to be successful and credible. While consultative committees with political parties are extremely useful and should be encouraged to be established on a permanent basis, final decisions and responsibility lies with an EMB.

Differentiating between the different stages of the electoral cycle is helpful in assessing the various areas of possible cooperation between civil society and EMBs. Whether activities can and should be done together often depends on if they are implemented in the pre-election, election or post-election period.

**GROUP 2**

EMBs and CSOs

Areas of cooperation mentioned included capacity-building, gender awareness, voter education and electoral observation. A distinct added value of CSOs is that they are capable of providing reliable information from grassroots level to an EMB; in most cases, EMBs do not have the capacity or ability to do that themselves. CSOs are also partners in providing audits of the electoral process and supporting discussions around electoral reform.

There are multiple challenges and opportunities associated with efforts to improve collaboration between EMBs and CSOs. It was agreed that communication and mutual trust underpin such relationships. Trust needs to be built over the long term and through joint activities. Working on specific issues of interest to both partners can also enhance the mutually beneficial nature of relationships.

Legal frameworks are sometimes unclear as to the duties and responsibilities of both EMBs and civil society. This can create conflicts, which can be overcome through the holding of targeted capacity-building activities to clarify the specific responsibilities and build mutual knowledge.

Some working group participants noted in some cases there is competition for donor resources between EMBs and CSOs—for example, in the area of conducting voter education activities. The best solution is the most basic one: work together to achieve the best possible outcome. Consensus needs to be built on what to achieve, by whom and when. Once a clear delimitation of roles, responsibilities and activities has taken place, implementation usually proceeds without major difficulties.

Some participants argued that CSOs are sometimes co-opted by political views. In such cases, it is difficult for an EMB to create a conducive working relationship with them. Other noted that an EMB may lack the political will to work with civil society, seeing CSOs as threats or opponents.

One of the main challenges cited was how to maintain cooperation throughout the electoral cycle. A possible way forward could be to work together on broader electoral issues, such as voter registration, party and candidate registration, and electoral systems.

Overall, working group participants were in agreement that the level of credibility of elections increases when EMBs collaborate extensively and effectively with CSOs. However, the level of independence of CSOs often makes a difference, with best and most successful relations possible with the most independent and strong civil society groups which complement the work done by the EMB.

**GROUP 3**

EMBs and the media

Media landscapes vary greatly from country to country. The quality and the level of independence of a country's media have a direct impact on the type of relationship an EMB can have with the media. Working group participants agreed that uncensored free media is a pillar of democracy. However, in some cases media outlets are corrupted by interested parties.

It was deemed to be positive for an EMB to interact with the media throughout the electoral cycle on specific topics, relevant to the specific stage in the cycle. The frequency of meetings varies according to the specific electoral period. Between elections meetings could be held every three months or so, but during electoral processes they should ideally be on a weekly basis if possible.

Participants agreed on the importance of a code of conduct for the media; such a code could be prepared by media representatives themselves, with the support of an EMB. A code of conduct ideally would facilitate the work of the media and an EMB, as it would state clearly the rules of the game. For such a code to be effective, it should contain a monitoring mechanism with some punitive measures, even if it is only publicly publishing the name of culprits.

It was generally agreed that it is not a good idea to try to censor the media. This was seen as counterproductive and likely to backfire on whoever tried to censor the sector. It would be better to cooperate with rather than work against the media, whether traditional or social media.

Media professionals in the working group expressed their view that EMBs need to be far better equipped to deal with the media. In their opinion, it is advisable that EMBs recruit professional media-savvy staff to oversee cooperation and engagement. One suggestion was for EMB staff together with media representatives to be trained together on electoral issues. Various possible locations could be found for such training, including universities, media associations or even an EMB itself. A context-rooted media strategy should be developed by EMB and the media, not a superficial events-driven media strategy. The support of international partners would be beneficial in helping an EMB draft this strategy.

Given the core priority of credibility to electoral processes, it was seen as necessary to address any issue that may affect an EMB's credibility immediately after it arises and in a professional manner.

Close collaboration with the media also offers the opportunity to directly address the issue of hate speech. On this issue, according to working group participants, an EMB's best approach may be to report breaches of the law to law enforcement agencies, instead of trying to solve them by itself.

The issue of insecurity of media practitioners was also raised, with some participants requesting the help of EMBs to improve the working conditions of media representatives.

Working group participants considered challenges regarding equitable elections coverage and the various ways a level playing field might be created. At a minimum, most agreed, free time in public media should be made available for all contestants. The increase in money spent on campaign advertising was deemed to be alarming, and participants stressed that finding ways to mitigate and control this trend is necessary so as to avoid jeopardizing the credibility of the electoral process as a whole.

On media monitoring during elections, it was felt that this job should be left to professional non-governmental entities and that an EMB should not be directly implementing media monitoring by itself. It could, however, contract media monitoring companies to do this job under the EMB's supervision.

**GROUP 4**

EMBs and other state organisations

State institutions have an important role to play in any election cycle. This role can entail providing security, supporting an EMB with temporary staff, implementing electoral activities (e.g., voter registration), among others. The level of governmental involvement can have an impact on the credibility of elections. For example, credibility is affected negatively when state institutions have too much influence on the electoral process. The same impact occurs when work is carried out without sufficient transparency and there is no clear legal framework for the activities or duplication of activities between an EMB and other state institutions. Working group participants also assessed budget size and its timely disbursement as closely related factors that can negatively affect the credibility of an election. Finally, a lack of training and knowledge about electoral processes and structures among public servants also runs the risk of negatively affecting the quality of electoral processes.

A major obstacle to collaboration is when there is poor coordination and cooperation among the different state institutions involved in an electoral process. Such a situation can greatly affect how they relate to an EMB, regardless of the model. Sometimes there is also no clear definition of the parameters for cooperation. Lastly, there is a trade-off between independence and credibility on one hand and cost-effectiveness and sustainability on the other. This is specially the case for newly created EMBs, which have to work much harder to establish credibility if relying on state institutions.

Working group participants considered a range of recommendations to improve the working relationship between EMBs and other state institutions. Most felt that EMBs should set the rules and that the relevant state bodies should abide by them in a professional and impartial way. For this to happen, clear procedures for engagement should be drawn up and made publicly known. These procedures should be grounded for example in memorandums of understanding (MoUs) or contracts, with clear operational plans. It is necessary to clearly define the respective mandates in the law and these provisions should be applied consistently. Work planning and consultation should be done both formally and informally on a regular basis throughout the electoral cycle. It is important that budget provided for EMBs are decided and disbursed without political interference. For this to be the case, working group participants said, it is preferable for most budget-related activities to be overseen directly by Parliament, rather than by a governmental body. Lastly, state institutions were deemed to be an important partner for capacity development (notably in the area of literacy development) and should be engaged with by EMBs throughout the electoral cycle.

# Closing remarks

During the closing sessions, representatives of the Independent Election Commission of Jordan, the European Union and UNDP congratulated all participants and the organisers for the fruitful exchange of experiences. They expressed confidence that the exchanges over the past few days would create momentum for election administrations and other electoral stakeholders to work to improve their engagement in the future.

However, they also stressed that elections are a competition for power and thus are sometimes intensely fought in a way that tests the limits of what is legally allowed. While it is the job of election administrations to deliver technically credible elections, the credibility of elections is ultimately out of their hands because they do not have control of or influence on all factors that can make sure all stakeholders play by the rules of the game. In certain cases, even the rules are not accepted by some stakeholders, thereby undermining the whole electoral process—regardless of how well an election administration does its job.

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Joint EC-UND
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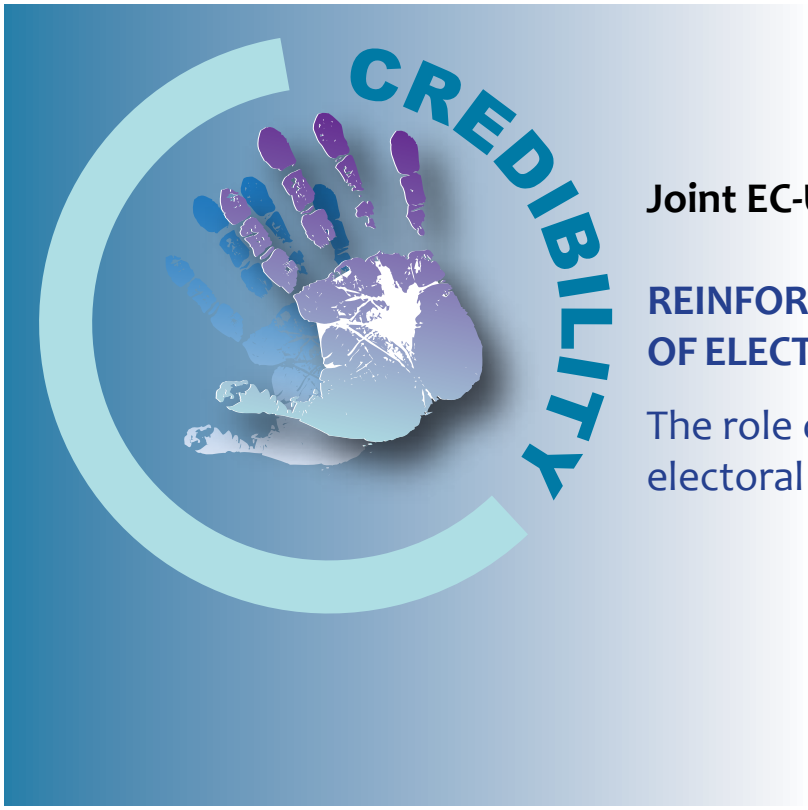
# ANNEX

## AGENDA OF THE CONFERENCE

European Commission

Independent Election Commission
A New Beginning in Electoral Administration

UNDP
Empowered lives.
Resilient nations.




## Joint EC-UNDP Thematic Workshop

# REINFORCING CREDIBILITY AND ACCEPTANCE OF ELECTORAL PROCESSES:

## The role of electoral stakeholders and electoral administrations

Dead Sea, Jordan 7-11 April 2014

# AGENDA

EC-UNDP
Joint Task Force on Electoral Assistance
**www.ec-undp-electoralassistance.org**

Day 1

Monday
7 April

## OPENING CEREMONY

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|---|---|
| **09.30 – 11.00** | Registration of participants at the conference room:<br>Grand Ball Room - Movenpick Hotel |
| **11.00 – 11.30** | Coffee served at the Grand Ball Room |
| **11.30 – 12.15** | **Opening ceremony**<br><br>Keynote by<br>H. E. *Riyad Al Shaka,* Deputy Chairman of the Independent Election Commission/ of Jordan<br>Keynote by<br>H. E. *Joana Wronecka,* EU Ambassador to Jordan<br>Keynote by<br>H. E. *Sima Bahous,* UN Assistant Secretary General/UNDP Assistant Administrator and Regional Director Regional Bureau for Arab States |
| **12.15 – 13.00** | Group picture |
| **13.00 – 14.00** | Lunch Break |

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|---|---|
| **14.00 – 14.30** | **Conference aims, presentation of the agenda and national delegations** |
| Speakers: | *Gianpiero Catozzi,* UNDP Senior Electoral Assistance Advisor, EC-UNDP Joint Task Force on Electoral Assistance |
| | *Raquel Rico-Bernabe,* UNDP Electoral Assistance Advisor, EC-UNDP Joint Task Force on Electoral Assistance |

## DEFINING CONCEPTS

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|---|---|
| Moderator: | *Badrieh Belbisi,* Deputy Secretary General of the Independent Election Commission of Jordan |
| **14.30 – 14.50** | **Defining the conceptual framework: What do we understand by credibility of electoral processes?** |
| Speaker: | *Rafael Lopez-Pintor,* Independent electoral expert |
| **14.50 – 15.10** | **The impact of EMBs and other election stakeholders on the credibility and acceptance of an electoral process** |
| Speaker: | *Carlos Valenzuela,* Chief Electoral Advisor, UNDP Electoral support in Egypt, Libya and Tunisia |
| **15.10 – 15.30** | **Key principles that promote the credibility of electoral processes and acceptance of results** |
| Speaker: | *Hiroko Miyamura,* Team Leader Country Support, UN Electoral Assistance Division, Department of Political Affairs |
| **15.30 – 16.00** | **Questions and discussion** |
| **16.00 – 16.30** | Coffee Break |

## THE IMPACT OF OTHER STATE INSTITUTIONS IN THE CREDIBILITY OF ELECTIONS

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|---|---|
| Moderator: | *Notemba Tjipueja,* Chairperson of the Electoral Commission of Namibia |
| **16.30 – 16.50** | **The involvement of government and its impact on the credibility of the process** |
| Speaker: | *Ilona Tip,* Operations Director, Electoral Institute for Sustainable Democracy in Africa (EISA) |
| **16.50 – 17.10** | **Electoral justice and the role of electoral dispute resolution mechanisms on the overall acceptance of the elections** |
| Speaker: | *Adriaan Stoop,* Lawyer, independent electoral expert |
| **17.10 – 17.30** | **Electoral security and its impact on electoral processes** |
| Speaker: | *Niall McCann,* UNDP Lead Electoral Advisor |
| **17.30 – 18.00** | **Questions and discussion** |
| **20:00** | **Welcome dinner hosted by the Independent Election Commission of Jordan** |

Day 2

Tuesday
8 April

# POLITICAL PARTIES AND CANDIDATES

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|---|---|
| Moderator: | *Bouah Mathieu Bile,* UN (BINUCA/PNUD) Senior Electoral Advisor, Central African Republic |
| **09.00 – 09.20** | **The role and impact of political parties and candidates in ensuring credible and accepted elections** |
| Speaker: | Dr. *Arianit Shehu,* Senior Country Director, National Democratic Institute (NDI) Jordan |
| **09.20 – 09.40** | **What mechanisms can electoral administrations put in place to increase the collaboration with political parties and candidates?** |
| Speaker: | *Francisco Cobos-Flores,* Independent electoral expert |
| **09.40 – 10.00** | **What is the role and responsibility of electoral authorities and electoral contenders in a potentially conflict/delicate situation?** |
| Speaker: | Honorable Justice *Salvador Nava-Gomar,* Justice, Electoral Tribunal of the Federal Judiciary, Mexico |
| **10.00 – 10.30** | **Questions and discussion** |
| **10.30 – 11.00** | **Coffee Break** |
| Moderator: | Dr. *Ali Darabkeh,* Secretary General of the Independent Election Commission, Jordan |
| **11.00 – 11.20** | **What mechanisms can electoral administrations and political parties put in place to combat electoral fraud and political corruption?** |
| Speaker: | *Hermann Thiel,* Chief of Party IFES Jordan |
| **11.20 – 11.40** | **Money in politics: Should electoral administration have a role in monitoring party financing and electoral campaign financing?** |
| Speaker: | *Carlos Navarro,* Director of International Studies and Projects, Federal Electoral Institute of Mexico (IFE) |
| **11.40 –12.00** | **Is a code of conduct sufficient to ensure that political parties and candidates abide to an electoral contest?** |
| Speaker: | *Jerome Scheltens,* Programme manager Tanzania and Libya, The Netherlands Institute for Multiparty Democracy (NIMD) |
| **12.00 – 12.30** | **Questions and discussion** |
| **12.30 – 14.00** | **Lunch Break** |

## COUNTRY EXPERIENCES

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|---|---|
| Moderator: | Dr. *Iuri Ciocan,* President of the Central Electoral Commission, Moldova |
| **14.00 – 14.20** | **Bosnia Herzegovina:** How does the Central Election Commission deal with political parties and ethnicity issues? |
| Speaker: | *Irena Hadziabdic,* Member of the Central Election Commission, Bosnia and Herzegovina |
| **14.20 – 14.40** | **The Americas:** The challenge of accepting electoral results |
| Speaker: | *Manuel Carrillo,* Chief of Staff, International Affairs Unit, Federal Electoral Institute of Mexico (IFE) |
| **14.40 – 15.00** | **Liberia:** The role and impact of political parties and candidates in ensuring credible and accepted elections |
| Speaker: | *C.A. Lamin Lighe,* Executive Director, National Elections Commission of Liberia |
| **15.00 – 15.30** | **Questions and discussion** |
| **15.30 – 16.00** | **Coffee Break** |
| Moderator: | *Laguerre Nael Mitchel,* Office of the Prime Minister, Haiti |
| **16.00 – 16.20** | **Pakistan:** Lessons learned from recent experience |
| Speaker: | *Syed Sher Afgan,* Additional Secretary, Election Commission of Pakistan |
| **16.20 – 16.40** | **Madagascar:** The participation of political parties within the EMB deliberations: challenges and opportunities |
| Speakers: | *Beatrice Attalah,* President of the Independent National Electoral Commission of the Transition (CENI-T) of Madagascar<br>*Fatma Samoura,* UNDP Resident Representative in Madagascar |
| **16.40 – 17.30** | **Questions and discussion** |

Day 3

Wednesday
9 April

# MEDIA, CIVIL SOCIETY AND ELECTORAL OBSERVERS

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|---|---|
| Moderator: | *Andre Mpungwe Songo,* Vice President, National Independent Electoral Commission of the Democratic Republic of Congo |
| **09.00 – 09.20** | **The role of the media on the overall trust and acceptance of electoral processes** |
| Speaker: | *Younis Mjahed,* President, Journalists Union of Morocco (SNPM) |
| **09.20 – 09.40** | **Has social media changed the role of media in electoral processes?** |
| Speaker: | Dr. *Annette M. Fath-Lihic,* Senior Programme Manager Electoral Processes, International IDEA |
| **09.40 – 10.00** | **Measures that EMBs can take to foster media´s impact on the credibility of the process** |
| Speaker: | *James Deann,* Director, Policy and Learning, BBC Media Action |
| **10.00 – 10.30** | **Questions and discussion** |
| **10.30 – 11.00** | **Coffee Break** |
| Moderator: | Honorable Justice *Esau Elliot Chulu,* Commissioner of the Electoral Commission of Zambia |
| **11.00 – 11.20** | **Civil society and electoral administration:** working together in voter education |
| Speaker: | *Oscar V. K. Bloh,* Director, Search for Common Ground, Liberia |
| **11.20 – 11.40** | **Domestic Electoral observation: impact and responsibility over the electoral process** |
| Speaker: | *Luis Jimbo,* President of the Angolan Institute of Electoral Systems and Democracy (IASED) |
| **11.40 –12.00** | **Civil Society, a watchdog or an implementing partner? Is there a conflict of interest?** |
| Speaker: | *Roman Udot,* Director of GOLOS regional association, Russia |
| **12.00 – 12.30** | **Questions and discussion** |
| **12.30 – 14.00** | **Lunch Break** |

## COUNTRY EXPERIENCES

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|---|---|
| Moderator: | *Lothar Boksteen,* Head of the Central Main Polling Station of Suriname |
| **14.00 – 14.20** | **Tunisia:** Democracy in transition: The role of Civil Society in the electoral process<br>*Lessons learned from the 2011 election and the way forward* |
| Speakers: | *Mourad Ben Mouelli,* Vice President of the Independent High Authority for Elections (ISIE), Tunisia<br>*Leila Bahria,* representative of Marsad Chahed, Tunisia |
| **14.20 – 14.40** | **Nepal:** Efforts made to include civil society, media and observers in the electoral process |
| Speaker: | *Neel Kantha Uprety,* Chief Election Commissioner, Nepal |
| **14.40 – 15.00** | **Lessons learned from international observation:** impact on the credibility of electoral processes |
| Speaker: | *Emanuele Giaufret,* Head of Division, Democracy and Election Observation, European External Action Service |
| **15.00 – 15.30** | **Questions and discussion** |
| **15.30 – 16.00** | **Coffee Break** |
| Moderator: | *Tatevik Ohanyan,* Member of the Central Electoral Commission of Armenia |
| **16.00 – 16.20** | **Palestine:** Positioning CEC towards fostering ties with civil society |
| Speakers: | *Hisham Kuhail,* CEO Central Elections Commission, Palestine<br>*CSO representative from Palestine* |
| **16.20 – 16.40** | **Kenya:** The Kenyan election 2013: the role of the media in general and the factual discussion programme Sema Kenya (Kenya Speaks) |
| Speaker: | Dr. *Angela W. Muriithi,* Research Manager, East Africa BBC Media Action, Kenya |
| **16.40 – 17.00** | **Jordan:** Efforts made to include civil society, media and observers in the electoral process |
| Speaker: | *Bushra Abu Shahout,* Director of Policies and Institutional Development, Independent Election Commission of Jordan |
| **17.00 – 17.30** | **Questions and discussion** |

# Day 4

Thursday
**10 April**

## STAKEHOLDERS AT WOR
## SHARING LESSONS LEARNE

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|---|---|
| Moderator: | *Mchanga H. Mjaka,* Commissioner, National Electoral Commission of Tanzania |
| **09.00 – 09.45** | |
| **GHANA** | **Accepting Electoral results: Ghana Joint Party Election Results Monitoring Project (J-PERM)** |
| Facilitator: | *David Ekow Appiah,* UNDP Ghana |
| Speakers: | *Georgina Opoku Amankwaa*, Deputy Chairman (Finance & Administration), Electoral Commissi of Ghana<br>*Hamid Kodie Fisa*, Principal Electoral Officer, Electoral Commission of Ghana<br>*Emmanuel Wilson,* representative of the People's National Convention (PNC)<br>*Peter Mac Manu,* representative of the New Patriotic Party (NPP)<br>*Ahmed Gedel,* representative of the National Democratic Congress (NDC)<br>*William Dowokpor,* representative of the Progressive Peoples Party (PPP)<br>*James Kwabena Bomfeh,* representative of the Convention Peoples Party (CPP) |
| **09.45 – 10.15** | **Questions and discussion** |
| **10.15 – 10.45** | **Coffee Break** |
| Moderator: | *Maarten Halff,* UNDP Chief Technical Adviser, Jordan |
| **10.45 – 11.30** | |
| **MALI** | **Cooperation between electoral stakeholders: The experience of Mali in the post-conflict elections** |
| Facilitator: | *Alain Ayadokoun,* UNDP Chief Technical Advisor, Mali |
| Speakers: | *Moussa Sinko Coulibaly,* Minister of Territorial Administration<br>*Mamadou Diamoutani,* President of the National Independent Electoral Commission of Mali (CENI<br>*Colonel N'Tio Bengaly,* Director of the Electoral Registry Bureau<br>*Moriba Sinayoko,* President of the Electoral Logistics Commission<br>*Traoré Nana Sissako,* Groupe PIVOT (Centre AOUA KEITA) – civil society<br>*Aliou Djim,* URTEL Media |
| **11.30 – 12.00** | **Questions and discussion** |

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| Moderator: | *Lefterije Lleshi,* Chairwoman of Central Election Commission of Albania |
| **12.00 – 12.30** | |
| GENDER | **Integrating gender equality into electoral processes: stakeholders at work** |
| Speakers: | *Errebbah Khadija,* National Coordinator, member of the Women Democratic Association, Morocco<br>*Mamosebi Pholo,* Independent Electoral Commission, Lesotho<br>*UN Women representative* |
| **12.30 – 13.00** | **Questions and discussion** |
| **13.00 – 14.00** | **Lunch Break** |

## A REGIONAL PERSPECTIVE: CHALLENGES AND OPPORTUNITIES OF REGIONAL COOPERATION

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| Moderator: | *Rafael Lopez-Pintor,* Independent electoral expert |
| **14.00 – 15.30** | |
| BreakoutSessions | **Group 1: Arab League** |
| Facilitator: | *Luis Martinez-Betanzos,* UNDP Regional Electoral Advisor, Arab States |
| | **Group 2: ACEEEO** |
| Facilitator: | *Zsolt Szolnoki,* Secretary General Association of European Election Officials |
| | **Group 3: Africa** (AU, ECOWAS and SADC ECF) |
| Facilitator: | *Ricardo Godinho Gomes,* Programme Manager, UNDP Cape Verde |
| **15.30 – 16.00** | **Coffee Break** |
| **16.00 – 17.30** | **Facilitators report and plenary discussion** |

Day 5

Friday
**11 April**

# IMPROVING THE WORK BETWEEN EMBs AND STAKEHOLDERS

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| Moderator: | *Gianpiero Catozzi,* UNDP Senior Electoral Assistance Advisor, EC-UNDP Joint Task Force on Electoral Assistance |
| **09.00 – 09.15**<br>Plenary Room | *Presentation of groups work and methodology* |
| **09.15 – 10.30**<br>Breakout Sessions | *Group 1:* **EMB and political parties/candidates** |
| Facilitator: | *Raquel Rico-Bernabe,* UNDP Electoral Assistance Advisor, EC-UNDP Joint Task Force on Electoral Assistance |
| | *Group 2:* **EMB and CSOs** |
| Facilitator: | *Dieudonné Tshiyoyo,* UNDP Regional Electoral Advisor, Africa |
| | *Group 3:* **EMB and the media** |
| Facilitator: | *James Deann,* Director, Policy and Learning BBC Media Action |
| | *Group 4:* **EMB and other state organizations** |
| Facilitator: | *Aleida Ferreira,* UNDP Electoral Policy Advisor |
| **10.30 – 11.00** | **Coffee Break** |
| **11.00 – 12.30** | **Plenary discussion and recommendations** |

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| Moderator: | *Pierre Harzé,* Deputy Country Director, UNDP Brussels office |
| **12.30 – 13.00** | **Closing of the Conference**<br>Keynote by<br>H. E. *Mr. Riyad Al Shaka,* Deputy Chairman of the Independent Election Commission of Jordan<br>Keynote by<br>H. E. *Jean-Louis Ville,* Head of Unit, Governance, Democracy, Gender and Human Rights, European Commission/ EuropeAid<br>Keynote by<br>H. E. *Magdy Martínez-Soliman,* Director, a.i. Bureau for Development Policy, UNDP |
| **13.00 – 14.00** | **Lunch** |

# EC-UNDP
# Joint Task Force on Electoral Assistance

**www.ec-undp-electoralassistance.org**

This conference was organised by:

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A New Beginning in Electoral Administration

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Global Programme for Electoral Cycle Support

UNDP Office in Jordan
Regional Electoral Support project for Middle East and North Africa
UNDP