Electoral Management Bodies

Independence, Professionalism and Capacity Development

Thematic Workshop:
Elections, Violence & Conflict Prevention

Barcelona, 22-26 March, 2010
An EMB is an organization or body which has the sole purpose of, and is legally responsible for, managing some or all of the elements that are essential for the conduct of elections.
An EMB has...

The Board of Commissioners

The Secretariat
### ELECTORAL MANAGEMENT STRUCTURES

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<th>Independent Model EMBs</th>
<th>Mixed Model EMBs</th>
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#### Policy making component

#### Electoral implementation component
Independence

(1) **Structural independence:**
It is a formal independence that can only be found in the constitution or the electoral law.
Independence

(1) **Structural independence:**
It is a formal independence that can only be found in the constitution or the electoral law.

(2) ‘**Fearless independence/ behavioural independence**’:
Normative independence of decision and action that is expected of all models of EMBs in that they do not bend to governmental, political or other partisan influences on their decisions.
What factors promote/ affect independence of decision and action and influence EMB behaviour? Meaning, what is required for an EMB to be truly independent?
Factors that can promote independence of decision and influence EMB behaviour

- Legal framework that embeds EMB independence
- Range of powers
- Composition of EMBs
- Appointment mechanisms and recruitment procedures
- Conditions of service and security of tenure for EMB members
- Level of transparency
- Cultural environment and political and social expectations
- The commitment of EMB members to independent decision making
- Whether the EMB has a legal personality and is able to sue and be sued

**When is full-time appropriate?**
- Workloads may be high throughout the electoral cycle
- Recurring electoral activities
- Ongoing voter education and information
- Continuous voter registration
- Continuing electoral law reforms

**Division of EMB appointment powers between the executive and the legislature**

- Selection, nomination, appointment to office of EMB members
- Open advertisement and screening mechanisms
- Unilateral appointment
- Consultative appointment
- The commitment of EMB members to independent decision making
- The President nominates candidates, the legislature shortlists, the President appoints
- Whether the EMB has a legal personality and is able to sue and be sued
- Legislature shortlists candidates for the president, the president chooses some of them and submits back to the legislature for approval
Values characterising professional EMBs

- **Integrity**: being non-partisan and independent and ensuring that election rules and policies are interpreted and implemented without fear and favour
- **Impartiality**: being fair and affording all stakeholders equitable and honest treatment at all times - promoting a ‘level playing field’ for all
- **Transparency**: ability to be open and truthful and ensuring stakeholder access to key election information and records
- **Efficiency**: optimal use of resources of all kinds to ensure sustainability
- **Service-mindedness**: maintaining high-quality services to all stakeholders: including ‘special voters’
When is an EMB Professional?

- When it encompasses experiences, skills and wisdom that are necessary for understanding the workings of democracy
- When it is able to uphold the law, principles, values and norms for democratic elections; and
- When it is able to deliver high quality electoral services
EMB Professional and the Electoral Cycle

- EMB Professionalisation takes place during each of the three key phases in the electoral cycle:
  - During the **pre-electoral period** when EMBs adopt appropriate strategic/operational plans, including staff recruitment, retention, and promotion strategies: *seeking out and keeping best skilled personnel*
  - During **elections** with staff training on operational issues (how to register voters, candidates, and conduct voting and vote count)
  - During the **post-electoral period** through effective staff capacity development programmes and long-term strategic planning
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Group Discussions
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The Role of the EMB in Preventing Election-Related Violence

**Group A:**
Relationship EMB - Media

**Group B:**
Relationship EMB - Political Parties

**Group C:**
Enhancing Peer-to-Peer and Regional Networks of EMBs