



Joint EC-UNDP Task Force on Electoral Assistance
International Institute for Democracy and Electoral Assistance

Thematic Workshop on Elections, Violence and Conflict Prevention



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2nd edition

International Observation

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Aim of Election observation

- Not validate results!**
- Deter fraud and violence**
- Create confidence for contestants and voters to participate in election process**
- Evaluate process against international standards for democratic elections**
- Provide a “snapshot” analysis of a wide range of issues related to democracy and the rule of law**
- Produce constructive recommendations**



History of EU Election Observation

- ❑ **Started in 1993 in Russian Federation and 1994 in South Africa**
- ❑ **Until 2000 ad-hoc, case by case approach**
- ❑ **In 2000 Communication on Election Assistance and Observation, endorsed by European Parliament and Council in 2001**
- ❑ **Since 2000 Communication on Election Assistance & Observation, some 90 EOMs deployed to 54 countries in Africa, Asia, Central & South America**



The Communication of 2000: EU strategy for electoral observation and assistance

Reference: COM(2000) 191 final

- ❑ **Supporting free and fair elections contributes to peace and security.**
- ❑ **Annual programming of election observation which takes into account all aspects of the relations with a country.**
- ❑ **A standardised and comprehensive methodology**
 - impartiality
 - independence
 - observation of all stages of the electoral process and full geographical coverage
 - by invitation



- Elections as a panacea for conflict resolution?**
- International community too quick to exit before sustainable democracy institutionalised?**

“Instead of signalling consolidation of democracy, the coming elections present at best a logistical problem and at worst a new cause of destabilisation for a country that has still not recovered from the long wars that marked the end of the Mobutu era” (ICG, May 2011 on DRC)

“timely, transparent, credible, peaceful and secure, offering all Congolese a full opportunity to participate freely without fear of harassment and violence. We have invested much – and there is much to lose.” (UNSG Ban Ki-Moon)

- Do elections cause violence? Or do corruption, poverty and ethnic division?**



Violence – results?

Undermine's the election:

- 1. voters stay at home,**
- 2. candidates withdraw,**
- 3. elections are postponed**

Legitimacy of the result is jeopardised when observers judge that the election was marred by violence



Causes of violence are complex

Different types of electoral violence?

1. Deep-rooted power asymmetries...revolutionary change
2. Electoral mismanagement...violent reactions

Different potential causes?

1. Structural weakness in election management
2. Electoral systems ("winner takes all")
3. Identity



Violence - can international EOMs prepare better?

- Identification: the EU prepares 6-12 months in advance (priority countries)**
- Missions are deployed by invitation**
- Deployment is based on an exploratory missions (E-4 months)**
- MoUs signed with host country**



Exploratory Mission – improved assessment?

Minimum conditions required:

- suffrage is generally universal
- political parties & individual candidates are able to take part
- freedom of expression & movement
- reasonable access to the media for all

Three main criteria on which assessment is based:

- Useful?** Added value?
- Feasible?** Security, logistics, timely deployment, welcome?
- Advisable?** Genuine election?

ExM report - EU internal document (summary distributed to MSs)

1. political situation, legal framework, electoral preparations,
2. logistics & security conditions for an EU EOM, indicative budget.



- Holistic assessment of all facets of the cycle (political as well as technical)**
- Not only election related events**
- Conduct of security forces and their training**
- Police deployment plans (discussed with stakeholders?)**
- Hot-spots can be identified (for EMBs and EOMs)**
- Uncertainty – allegations of fraud more likely to frustrate**

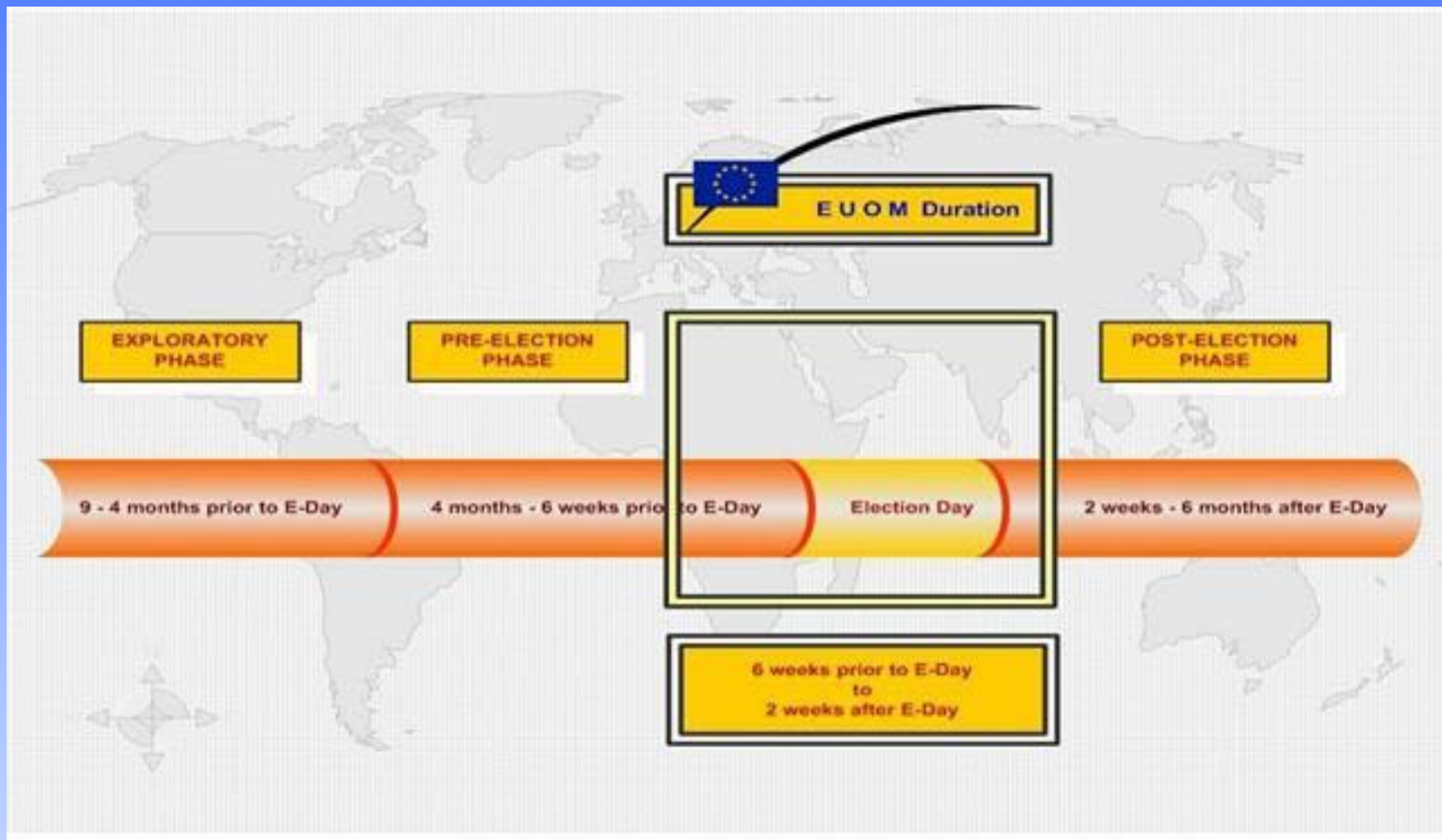


An example – Kenya

- Use of inflammatory campaign rhetoric**
- ECK lacked cohesion; inexperienced commissioners**
- Mechanisms for verification lacking**
- Use of state resources**
- Low confidence in the judiciary**
- Flawed party nominations**
- ExM detected signals, underestimated conflict potential**

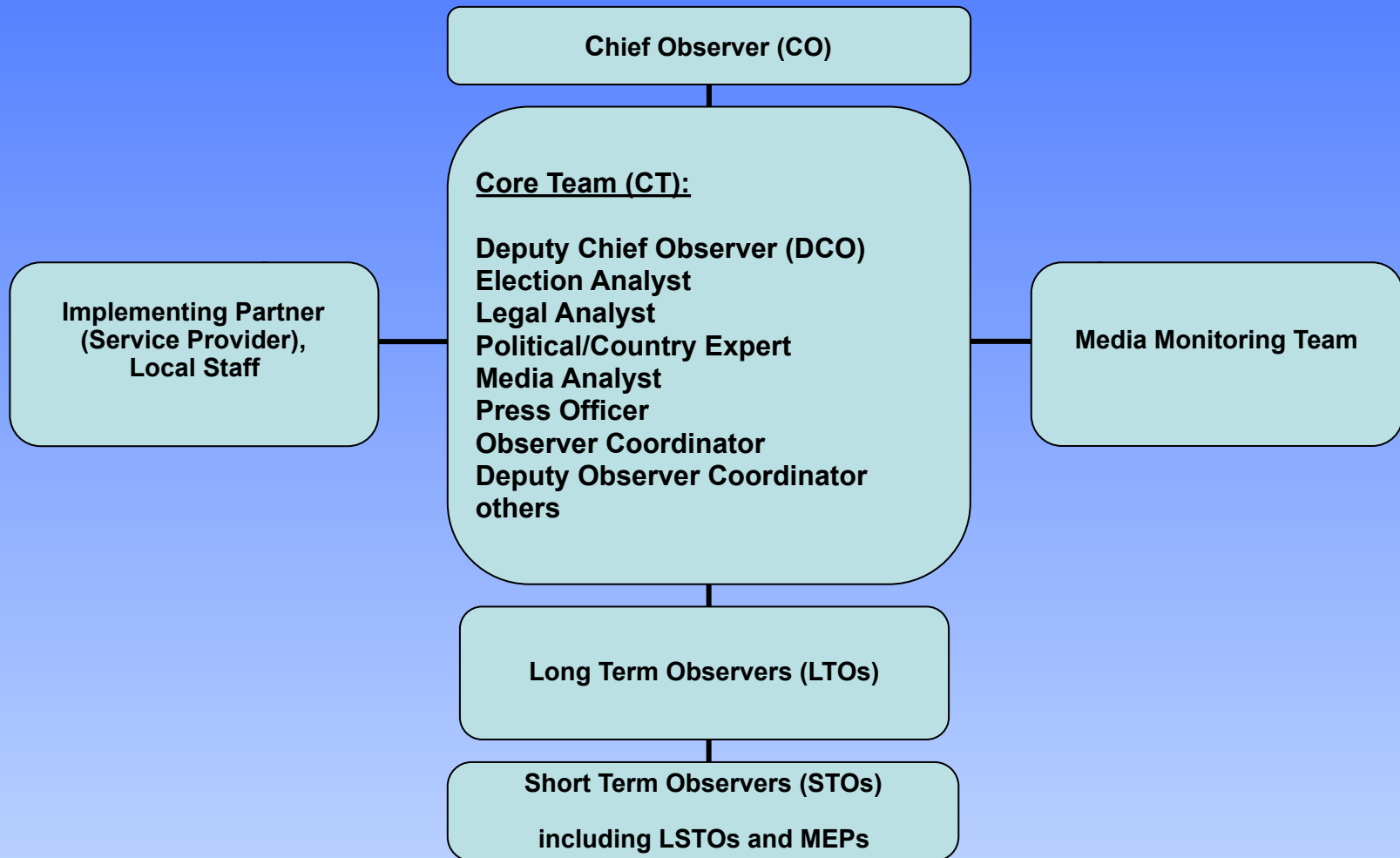


Election observation timeline





Mission composition





A comprehensive election observation methodology

- ❑ **Assessment of the electoral process in relation to international standards for democratic elections**
 - Political rights and fundamental freedoms, included in international and regional instruments
 - Observation of all aspects in accordance with the Declaration of Principles for International Election Observation:
 - Institutional, political, legal and electoral framework
 - Work of the electoral administration
 - The electoral campaign
 - Civil society
 - Election day, polling, counting, tabulation and post-electoral environment
 - Complaints and appeals.
 - Assessment of the electoral process in relation to international standards for democratic elections

- ❑ **Ascertain the role of alternative dispute resolution mechanisms**




- Key operational concern**
- Security features at every stage (ExM to mission end)**
- What about when we cannot deploy?**
- Security escorts – in some cases security forces perpetrate electoral violence**



Mission output – preliminary statement

- ❑ Within 48 hours
- ❑ Most important document?
- ❑ Focus of media attention



European Union Election Observation Mission to Malawi 2004

**Peacefully conducted elections with a wide choice of political contestants
marred by serious shortcomings in the electoral process**

Harare, 22 May 2004

The European Union Election Observation Mission (EU EOM) has been present in Malawi since 2 April to observe the presidential and parliamentary elections, originally scheduled for 18 May 2004 but postponed until 20 May 2004. The EU EOM came to Malawi at the invitation of the Malawi Electoral Commission (MEC) and after the conclusion of a Memorandum of Understanding between the Government of Malawi and the European Commission covering its presence in Malawi.

The Mission is led by Chief Observer Mrs Marijke Sanders van Helle from the Netherlands, Member of the European Parliament, Vice President of its Development and Cooperation Committee, who headed a core team of five experts based in country for a total of eight weeks. A total of 21 Long-Term Observers (LTOs) were deployed throughout the country for six weeks and 21 Short-Term Observers (STOs) joined the mission to observe voting, counting and the tabulation of results. A total of 24 observers from 13 Member States of the European Union and Norway were therefore present in country. A delegation of five members of the African, Caribbean Pacific-European Union (ACP-EU) Joint Parliamentary Assembly, headed by Mrs Karin Janker and Mr Ephraim Kamukama, was also present in the country over the election day period and shared the conclusions of this preliminary statement.

PRELIMINARY CONCLUSIONS

- The 2004 presidential and parliamentary elections were conducted in a generally peaceful environment and provided a wide choice of political contestants. Voters demonstrated awareness and interest in the electoral process.
- On election day, voting and counting were unusual problems in the vast majority of polling stations visited by EU observers. Party and candidate representatives and domestic observers were present in polling stations throughout the country. The security of the vote was properly maintained and linking of voters and tickets in virtually all polling stations visited.
- The EU EOM wishes to congratulate election officials, party and candidate representatives and domestic observers for their dedication and contribution to a peaceful and transparent election day. The EU observers were impressed by the patience and orderly behaviour of the public throughout the day, even though problems with the voter roll were apparent in around one-third of polling stations observed.



- After 1-2 months**
- Detailed analysis**
- Recommendations**
- Return visit**
- Follow-up**



SRI LANKA

PARLIAMENTARY ELECTIONS
2 April 2004

EUROPEAN UNION
ELECTION OBSERVATION MISSION

FINAL REPORT



- Preliminary statement – before or after official results?**
- What is the public perception of the nature of the statement?**
- Risk of instrumentalisation by incumbents or opposition**
- Final report – return visit (now MoU requirement)**
- Final report – delayed during mediation processes (Kenya)**
- Important to make clear what the outputs are, and what they are not**



Mediation and election observation

- ❑ **Sovereignty vs. responsibility to protect**
- ❑ **Dilemma of intervention / mediation**
- ❑ **Complementarities between observation and mediation: data, insights on political and electoral process, identification of flashpoints**
- ❑ **Avoid same organisation playing both roles in the same electoral cycle**
- ❑ **But a well substantiated EOM can give legitimacy for wider international community to engage in dialogue**



- Election observation an important check on conduct**
- International observation crucial in post-conflict (domestic observation weak)**
- Develop sensitivity to electoral violence among observers (training, observation of indicators of violence, warning mechanisms, mitigation strategies on the ground)**
- Additional deployment of observers to volatile areas**
- Link between observation and security strategies**



- ❑ **Encourage non-partisan observation (Declaration of Principles), common standards – avoid different assessments from different EOMs**
- ❑ **“Outsiders” pushing initiatives may be met with resistance**
- ❑ **Encourage domestic observation – greater possibilities of mediation? PVT and other confidence building measures?**



- For the EU, EOMs facilitate policy coherence, support for human rights, democracy support**
- Following up the EOM needs to be better integrated into political dialogue**
- The electoral cycle approach**



2010

- ❑ **EOMs deployed to Togo, Sudan, Ethiopia, Guinea, Burundi, Tanzania, Ivory Coast**
- ❑ **Election Assessment Teams (EAT): Iraq, Afghanistan**
- ❑ **Election Expert Missions (EEM): Nicaragua, Rwanda, Solomon Islands, Niger, Haiti, Kosovo, Zambia (voter registration)**

2011

- ❑ **EOM priorities: Sudan, Niger, Chad, Uganda, Nigeria, Peru, Zambia, Tunisia, DRC, Nicaragua, Yemen, Nepal, Egypt**
- ❑ **Election Assessment Teams (EAT): Central African Republic**
- ❑ **Election Expert Missions (EEM): Benin, Thailand, Guatemala...**