

## FORUM REPORT



United Nations Development Programme



# PRINCIPLES FOR INDEPENDENT AND SUSTAINABLE ELECTORAL MANAGEMENT

*International standards for electoral management bodies*

Global comparative experiences

**Cairo, Egypt, 9-11 April 2012**

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**Disclaimer:**

The content of this report reflects discussions that took place during the forum and should in no way be considered to represent a statement of fact or the official position of the United Nations, including UNDP, or their Member States.

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## Acronyms

<b>AEC</b>	Australian Electoral Commission
<b>EMB</b>	Electoral Management Body
<b>International IDEA</b>	International Institute for Democracy and Electoral Assistance
<b>IFE</b>	Instituto Federal Electoral
<b>ISIE</b>	Instance Supérieure Indépendante pour les Élections
<b>IFES</b>	International Foundation for Electoral Services
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme



## INTRODUCTION<sup>1</sup>

### 1.1. Overview

Although historically distinct in many ways, Egypt, Libya and Tunisia share some common political and cultural features. In the political and governing sphere, all were directly affected in 2011 by what became known as the 'Arab Spring', in which citizens publicly challenged entrenched dictatorships and expressed their desire to choose their governments. In all three cases, longstanding authoritarian rulers were overthrown after massive and continuous demonstrations, developments that launched ongoing transition periods of widely varying achievements, challenges, complexities and impact.

As a major first step in their transitions, all three countries opted to hold early parliamentary elections to advance the drafting of new constitutions. As part of that step, debates on electoral systems, electoral institutions and practices of elections were high on the political agenda. At the time this report was prepared (June 2012), the three countries were in different stages of the electoral cycle, with elections either having recently taken place or at the preparatory stage. In each country international technical assistance teams, albeit with very different mandates, were accompanying the respective processes.

Identifying, documenting and sharing the similarities and differences of electoral processes and developments can enhance understanding and engagement of all involved in the field of elections, including election administration officials, academics, representatives from civil society organisations and other key stakeholders. Based on that assumption, the United Nations (UN) and the International Foundation for Electoral Services (IFES) have promoted the importance and advantages of sharing comparative experiences and networking among personnel from electoral commissions in the region.

A notable example of their support to the electoral bodies of Egypt, Libya and Tunisia was a joint subregional forum organised by IFES, the United Nations Development Programme (UNDP) Regional Center in Cairo and UNDP elections teams in the three countries. Titled 'International Standards for Electoral Management Bodies – Global Comparative Experiences', the forum was held in Cairo from 9 to 11 April 2012. This report summarizes the content of the presentations, floor discussions and conclusions of that forum.

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<sup>1</sup> Since this publication was originally prepared in June 2012, a number of relevant legal reforms and other developments have taken place in several of the countries discussed. In Jordan, an independent electoral commission has been established. Egypt's 2014 reformed Constitution calls for the establishment of a single electoral management body (EMB), the National Electoral Commission (NEC), and further legislation is being drafted regarding its establishment and organization. The new commission will replace the two different commissions in existence at the time of the 2012 forum: the Presidential Electoral Commission (PEC), which focused on presidential elections, and the High Electoral Commission (HEC), which dealt with parliamentary elections. In Tunisia, a new Constitution has been enacted and electoral laws have been approved, including one leading to the establishment of an independent, permanent electoral commission, the Instance Supérieure Indépendante pour les Élections (ISIE). Finally, in Mexico in 2014, the name and some responsibilities of the federal electoral administration were changed, with the National Electoral Institute (INE) replacing the former Federal Electoral Institute (IFE).



# INTRODUCTION

## 1.2. Aim and focus of the subregional forum

At the time the forum took place, the three countries had either already changed their models of electoral administration, opting for an independent electoral management body (EMB), or were engaging in discussions on that issue. Therefore, a forum on key principles for EMBs was considered timely, offering an opportunity to help building and influence new EMBs in the region.

One main purpose of the forum thus was to provide both theoretical and practical comparative perspectives on the international standards and principles for EMBs to electoral administrators and other stakeholders – mainly from Egypt, Libya and Tunisia – as they continue their transitions toward consolidated democracy. The forum specifically aimed to present different models of independent EMBs, both from the region and abroad, and observations from international experts and members of EMBs from a range of countries. In addition, the forum sought to raise awareness among participants of the relevance of a professional association of EMBs in the region. If established and sustained, such an association could greatly enhance the exchange of experiences and challenges. The forum itself was an initial occasion for the kind of networking and sharing of knowledge that is considered useful in the region. (Annex 1 contains more detailed information on the structure of the forum as well as participants and speakers.)

This report summarizes the presentations, inputs and discussions at the forum. It is intended to contribute to the decision-making process in each country as stakeholders advance along the path of re-thinking the model of national electoral administration suitable in each context. In particular, it is hoped that the information and observations from the forum can help improve progress toward the consolidation of democracy in all three countries for which the forum was organised.

Opening session. From left to right: Hassan Krayem, UNDP RCC Governance Policy Specialist, Paolo Lembo, UNDP RCC Officer in Charge, Ashraf Abdel Wahab, Acting Minister, Ministry of State for Administrative Development (Egypt), Councilor Abdel Moez Ibrahim, Chairperson of the High Judicial Elections Commission (Egypt), Zeinab Abdelkarim, IFES MENA Regional Director.





## INTERNATIONAL EXPERIENCE FROM A COMPARATIVE PERSPECTIVE



This section focuses on some of the main conceptual dimensions of election management from an international perspective. In particular, it offers historical background regarding independent and permanent EMBs, summarizes five key principles constituting the ethical framework for the conduct of democratic elections, and discusses relevant tools for international electoral learning and networking.

### 2.1. The case for independent and permanent electoral management bodies

The main questions addressed in this sub-section are: i) Why set up an independent permanent electoral administration? and ii) What are the main types of EMBs around the globe and in the Arab world, and how did they emerge and evolve?

#### 2.1.1 EMBs as critical institutions of public service

Also known by the term electoral administration, EMBs are established to conduct elections democratically and efficiently. That responsibility is a public service such as tax collection or security and public order. More importantly, EMBs play a crucial function as administrators of the exercise of the popular will (universal suffrage) as well as guarantors of political legitimacy. Elections with varying degrees of democratic quality are currently held in around 200 national and semi-independent sub-national jurisdictions across the world.

In countries such as Egypt, Libya and Tunisia, where the holding or preparation of genuine democratic elections has been or is anticipated to be a priority, it is critical to seize the opportunity to ensure the development of an independent, permanent and efficient electoral administration as the undisputable neutral referee at all electoral events, now and in the future. The challenge is how to find the institutional shape for electoral administration that best fits the current needs of each democratizing society.

In this context, it is worth bearing in mind that as institution-building proceeds in each country, past country experience as well as international examples should be considered useful sources of inspiration. Egypt,

**“We understand that election management must be sensitive to the unique context of the country where it happens and we respect that electoral reforms are essentially nationally-owned processes that are most successful when they are the product of inclusive consensus-building among national stakeholders. Yet, electoral management experiences around the world have produced an accumulated body of technical knowledge that can be informative and beneficial to stakeholders involved in managing elections in their respective countries, especially in periods of political transitions, as we are witnessing in many Arab countries.”**

*Carlos Valenzuela, UNDP Chief Electoral Advisor*





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for example, can draw on thousands of years of history, from when one of the world’s first governmental administration structures was set up to irrigate land and control flooding. The challenge for survival was met by creating a body of professional administrators recruited largely on the basis of technical capacity rather than family ties or rulers’ whims. Similar approaches are useful in ensuring that elections are conducted in an impartial, transparent and efficient manner so that the will of the people is freely expressed.

## 2.1.2. Which authority should be in charge of elections?

Historically and today, elections have been managed by different types of authorities depending on a country’s political and cultural circumstances. In one model common in many older Western democracies, for example, interior ministries (sometimes known as ‘home offices’) and local municipal authorities traditionally conducted elections. In a second model, government-run elections in a number of countries were and have been supervised by electoral commissions typically comprising judges and representatives of political parties. (That is the so-called French model, which actually never existed in France). Under a third historical model, elections have been managed by electoral commissions that are independent from government and political parties. This third model has become the prevailing model of electoral administration in the last three decades of global democratization.

**Table 1.** Types of electoral administration in the world today

TYPE OF ELECTORAL MANAGEMENT BODY	NO. OF NATIONAL AND SEMI-INDEPENDENT SUB-NATIONAL JURISDICTIONS	PERCENTAGE (%) OF TOTAL
Government runs the elections	36	18
Government runs elections under the supervision of a commission	52	26
Independent commission is fully responsible for elections	112	56
<b>TOTAL</b>	<b>200</b>	<b>100</b>

Table 1 summarizes the detailed information in Annex 2, which lists the 200 national and semi-independent sub-national jurisdictions where some kind of elections are held today and categorizes them by type of electoral administration. As the table indicates, 56 percent have electoral administration in the form of an independent electoral commission.

An additional 26 percent have systems in which elections are run by the executive branch of government under supervision and certification by some sort of external commission. Only in 18 percent of the 200 electoral jurisdictions are elections run directly by governments either at the central or local level. In other





words, elections in 82 percent of all jurisdictions are run by independent electoral commissions either in a full manner (56 percent) or by supervising the work of agencies from the executive branch of government (26 percent).

Of note is that many older democracies continue to have elections run by the government's executive branch while independent electoral commissions are the trend in newer democracies. Part of the explanation for this anomaly is historical. Australia, New Zealand and many parts of Europe and the Americas, for example, have conducted regular elections for 100 years or more. Years of slow and progressive change, including eventual establishment of universal suffrage, have created conditions in which government entities overseeing elections – e.g., interior ministries and/or home offices and local authorities – fell under close scrutiny of external social and political agents. In most well-established democracies, parliaments are vested with real authority on legislation and checks on executive power, career civil servants and professional judiciaries are independent; the media sector is independent and strong; and political parties and trade unions (among others) are accepted and free to operate openly as part of the social contract. For the most part under such circumstances, the free expression of the will of the people is reasonably guaranteed in spite of elections being run by governments, national or local. Therefore, there is little need for an administrative body running elections that is external to the executive branch of government.

In most newer democracies, however, such solid and balanced structures often do not exist. Factors that guarantee governmental neutrality, such as independent media and strong labor unions and political parties, are weak or missing in these newer states.

Moreover, as was the case in Western democracies before they progressively transformed, political executives accumulate a great deal of unchecked power. Mistrust of government prevails among the populace for a variety of reasons, including oppressive ruling elites, lack of delivery following civil conflicts or the overthrowing of an authoritarian regime, and poor government delivery.

Under these circumstances, a new type of electoral administration emerged after the so-called third wave of democracy that began in the 1980s and continues through today: independent electoral commissions became the institutional model prevailing in a range of different regions of the world. Their prioritization has occurred because an independent referee for elections is seen as a necessary condition for the guarantee of the free expression of the will of the people.

In post-Communist Central and Eastern Europe, for example, most electoral administrations took the form of independent commissions, with a smaller number following a mixed model of government running elections under the supervision of a regulatory/supervisory body (e.g., Croatia, the Czech Republic, Hungary and Slovakia).



Prof. Rafael López-Pintor



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Elections have invariably been conducted by independent electoral commissions in most post-conflict contexts in the 1990s and afterward (e.g., Afghanistan, Bosnia and Herzegovina, Cambodia, El Salvador, Guatemala, Haiti, Iraq, Kosovo, Nicaragua, Palestinian territories, South Africa, Sudan, Timor-Leste, etc.). Sometimes within peacekeeping operations, there have also been electoral commissions either totally or partly staffed by international personnel (e.g., various elections in Afghanistan, Bosnia and Herzegovina, Cambodia, Iraq, Kosovo and Timor-Leste).

Prior to the more recent democratization wave, and for reasons similar to those stated above, a number of experiences with independent electoral commissions deserve mentioning. In Latin America, this type of authority had been established by the first quarter of the 20th Century when oligarchic governments were replaced by more liberal oppositions in a number of countries (e.g., Chile, Colombia, Costa Rica and Uruguay). In such countries, the term or title often used for the new EMBs was electoral tribunal, as there was a strong judicial component in these institutions (they were formed almost exclusively by judges).

The leading philosophy for this change was to take elections out of the hands of political executives in order to limit unfair practices that compromised the exercise of suffrage. In some countries, the EMB was constitutionally proclaimed a fourth branch of government – as, for example, in Costa Rica in 1949 after a political uprising that ended in the drafting of a new Constitution. In addition, after World War II, decolonization and other such trends created new democratic openings where electoral authorities in the form of independent electoral commissions were established (e.g., India in 1950, Ghana and Malta in the early 1960s).

As a later development, it is worth noting that independent electoral commissions have become such an established model to follow – perhaps because governmental and political party behavior is so distrusted nowadays – that even in some older democracies the model has been adopted since the second half of the 20th Century. (That has been the case in Australia, Canada, Iceland and New Zealand - the latter as recently as 2010).

Many older democracies have moved to the mixed model where the government runs the elections, which are supervised by an external electoral commission that often has regulatory, surveillance and adjudication authority.

Since 2000, well-established democracies such as Sweden and the United Kingdom have established a type of national electoral commission that has turned their electoral administrations into a mixed model. Earlier developments in a similar direction took place in the United States, when the Federal Election Commission was established in 1974 to control party funding and campaign finance.

### *2.1.3. Electoral management bodies in the Arab world*

In the Arab world today, the evolutionary trend is consistent with the global trend towards independent electoral commissions that either oversee or fully manage elections. Table 2 below summarizes the situation in 17 countries where elections are regularly held or are expected to happen (Libya).

Of those, only five have elections run by the government, seven have an election commission already established, and the remaining four fall under the mixed model of EMB. For example, in the case of



Tunisia, and lately in Libya, independent electoral commissions have been built from scratch: the Instance Supérieure Indépendante pour les Élections (ISIE) in Tunisia and the High National Elections Commission (HNEC) in Libya.

In a different way in Egypt, the EMB has maintained its existing structures while restoring and enhancing the supervisory role of the judiciary, and thus two entities are essential: the High Electoral Commission (HEC) and the Presidential Electoral Commission (PEC). The Ministry of Interior retains a central operational role.

**Table 2.** Types of electoral administration in the Arab world

TYPE OF ELECTORAL ADMINISTRATION	COUNTRIES	TOTAL
Government runs the elections	Bahrain, Kuwait, Lebanon, Oman, Syria	5
Government runs elections under the supervision of an electoral commission	Algeria, Djibouti, Egypt, Morocco	4
Independent electoral commission runs elections	Iraq, Jordan, Libya, Mauritania, Palestinian territories, Sudan, Tunisia, Yemen	7
<b>TOTAL</b>		<b>17</b>

## 2.2. Five key principles for electoral management

According to presenters at the forum, five main principles embody what can be considered the ethical framework for the conduct of elections:

- independence,
- impartiality,
- transparency,
- professionalism, and
- sustainability.

The credibility of and trust in an EMB, whatever institutional shape it might take, depend on the way these five principles are put into operation during the conduct of any electoral event. Put briefly, independence refers to an EMB having a degree of institutional and organizational autonomy and not receiving or responding to undue pressure; impartiality as being an honest broker, playing a fair game and overseeing



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From left to right: Rafael Martinez Puon, IFE Executive Director of the Professional Electoral Service (Mexico), Jose Maria Aranaz, UNAMI Chief Electoral Adviser and Paul Dacey, Former Chairperson of the Australian Electoral Commission.

the political process; transparency means being (and being perceived as) an honest broker; professionalism implies providing a good and cost-effective service; and sustainability means ensuring the possibility of having efficiently managed elections as periodic events.

An EMB should not only be independent from undue interference by the government, political parties, and interest groups. Perhaps more importantly, it should also act in an impartial, professional, transparent and efficient manner, and be perceived as such by citizens. Achieving such objectives enhances the credibility of the overall electoral process and acceptance of results by all stakeholders. Moreover, an EMB that is established as a permanent institution is more likely to act in such positive ways than if it is established on a temporary basis at only election times.

A number of questions arise in regards to these principles. The following are among those considered below in Sections 2.2.1 through 2.2.5: What are the key elements to ensure independence and impartiality of an electoral administration? How is an EMB typically structured? What are its main functions and responsibilities? How can transparency be enhanced? How does professionalism relate to the sustainability of an EMB?



## 2.2.1. On independence

Independence implies that electoral authorities have legally and in practice a degree of institutional autonomy, and are free from undue interference by the executive branch of government, political parties, interest groups and individual candidates. Equally, independence is compatible with and may entail cooperation with other institutions at the operational level as well as political and financial levels. Most importantly, independence is compatible with the following:

- the EMB does not implement by itself every election-related activity, but may share with other institutions, wholly or partly, the implementation of given activities (e.g., material preparation of voter lists, security and integrity of the polling and counting, civic education, or voting abroad);
- the EMB reports to or is accountable before parliament and the public via reporting on the conduct of elections;
- the EMB is not free from financial control, and is subject to internal audit and external oversight and investigation by the national accounting authority; and
- the EMB does not make electoral legislation, although it may be legally endowed with legal initiative or just consultative responsibilities on electoral matters. The EMB certainly should have full self-regulatory power in drafting and approving its functioning bylaws, secondary regulations and specific procedures for enforcing the electoral law and guaranteeing a proper conduct of elections. In none of these activities and responsibilities should it be subject to oversight by either the parliament or government.

Independence is not just a matter of political philosophy or progressive legal declarations. Some legal and organisational mechanisms should be put in place to enhance independence regardless of whether an EMB is staffed by political party representatives, independent professionals or a mix of both. Such mechanisms may include the following:

- Special legal arrangements are made for the EMB such as having it enshrined in the constitution and further regulated by a special law (for example, requiring approval by a two-thirds majority) in order to make it more difficult to make legal changes that are supported or pushed by an incumbent government.
- As with electoral legislation in general, legislation concerning the institutional status and composition of electoral bodies is more widely accepted and effective – and best ensures independence – when all relevant parties and factions participate in its drafting, at least on a consultative basis.
- Once the transition to democracy is completed, legislation regarding electoral matters, including composition and appointments or removals from an EMB, is not changed during the period immediately prior to an electoral event (usually from six months to one year).
- As an institution, the core components of an EMB – at least the central commission and the managing body – are permanent. Establishing *ad hoc* commissions before every election does not enhance the independence of the electoral referee and is not even cost-effective.
- Procedures for nomination and appointment of electoral authorities are widely supported by parliament and, hopefully, by citizens. Lists of candidates for electoral commissions submitted by parliament normally require special majority vote in order to encourage political parties to reach consensus on nominees. Frequently, a special nominating committee is established within a parliament; among





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its members are persons from outside the parliament (e.g., civil society organisations, professional associations, universities, etc.). The commission chairperson typically is selected from among the commissioners either by the highest executive of the country or by the commissioners themselves, and invariably appointed by the head of state.

- The term of office for key electoral officials is determined in a way that renewal would not take place for all of them at the same time (and such comprehensive renewal must be especially avoided during the year before elections). If there are commissioners, they are appointed in a staggered manner rather than appointing the entire body at the same time. Their term of office usually lasts for a period starting around the mid-term of a parliamentary term and ending by mid-term of the following one. The idea is to guarantee that a measure of institutional memory and experience is always preserved.
- Re-eligibility for office is usually allowed with or without a fixed number of successive mandates being established. Consideration should follow a procedure similar to that of original appointments. Ideally, mandates should not exactly coincide with the mandate of the president or parliament; the idea is to separate the timing of appointment of top electoral officials from the electoral calendar.
- Procedures for removal or dismissal of electoral officials are regulated in detail and subject to procedures similar to those for appointment. In case of dismissal, reasons should be clearly established by law. For example, dismissal of a top official should be requested through a special procedure (e.g., a majority of commissioners, depending on commission model), and then approved in parliament and signed by the chief political executive who had appointed that official (usually the head of state). This applies to dismissal based on election-related malpractice as well as to common crime.
- Civil service protection of the professional technical and administrative staff of the EMB must be ensured, at least for a core group of the staff.

Women participants to the subregional forum.



- Budgeting and funding, jointly with appointment and removal procedures, constitute the main mechanisms for guaranteeing independence of an electoral body. The electoral authority should be well endowed with public funding for both ordinary and election operations. The following are among notable good practices in regards to financing: i) ordinary and electoral budgets should be prepared by the EMB itself before having them forwarded to finance authorities; ii) the budget for a specific election is normally prepared and submitted by the electoral body to the parliamentary standing committee directly or through the finance ministry; and iii) *ad hoc* election budgets prepared and decided upon by the executive branch alone should be avoided as a potential risk to the independence of electoral bodies. Disbursement problems and stoppages,



often though not always due to delays or obstacles on the part of finance ministries, are not infrequent during electoral processes. A shortcut out of financial paralysis may be to establish legal provisions allowing the electoral authority to obtain bank credits, which would later be paid through an electoral budget approved in parliament.

- An independent electoral body is accountable to parliament, which has nominated and approved its top authorities and its budget. A specific mechanism of accountability is submission of performance reports to parliament of annual and post-elections cycles. In a less visible manner, an electoral body also engages with different parliamentary committees (usually budget and legislation). Moreover, in a broader sense, an electoral body is accountable before the general public through regular communications and timely reporting after each electoral event.
- A most relevant aspect relating to independence is the sharing of responsibilities between an EMB and other governmental agencies when implementing electoral operations. A distinction should be made between legal institutional responsibility and technical implementation. When an independent electoral body exists, it should play a central role in the overall electoral process notwithstanding the fact that other governmental agencies, political parties and civil society organisations could assist in the implementation of very specific and well defined election related tasks. Among the most common examples of these agencies are statistical and information technology (IT) offices, security forces, post offices, regional and municipal governments, and consular offices abroad.

## *2.2.2. On impartiality*

An impartial electoral administration is an absolute requirement for credible elections and legitimate results. At a minimum, impartiality means acting as an honest broker so that all electoral processes are undertaken in an objective, fair manner. In addition, a level playing field is necessary for genuine democratic electoral competition.

Therefore, all stakeholders should be treated as equally and impartially as possible, including political parties and candidates; mass media (written press, radio, TV and social media, etc.); electoral observer groups, both national and international; lobbying and interest groups such as those representing businesses, labour unions and professional associations, etc.; highly influential individuals and opinion makers (media agents, intellectuals, businessmen, religious leaders, etc.); and external or international powers either political (foreign governments and embassies), economic (businesses) or other.

In particular, international experience shows that impartiality is closely linked to independence from government and political parties. If requirements for independence are codified in law and enforced in practice, then impartiality of electoral authorities vis-à-vis other political and social actors is more likely to be guaranteed.

Being impartial does not necessarily mean non-partisan. An EMB may comprise representatives of various political parties, but the functions carried out by its members and staff must be performed in a politically neutral and impartial manner. All EMBs must be impartial but capable of operating in a political environment of competing actors.

Impartiality is also required for the recruitment of personnel, for the allotment of public funds to political parties and candidates, for the election campaign and for public outreach programmes. Finally, impartiality





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is closely connected to the respect of the rule of law and compliance with the existing legal framework in an equitable manner.

## 2.2.3. *On transparency*

The critical component of transparency refers to providing access to information, explaining the rationale for decisions and acting in a consistent and predictable manner. Transparency contributes to 'being perceived as' an honest broker: it is not only important to be honest, but also to be seen as being honest. Thus there must also be means of allowing stakeholders to clearly and easily determine whether the electoral administration is playing by the rules.

The following are among the good practices that can enhance the transparency of an EMB:

- providing public information on all stages of the electoral process and on criteria and procedures for decision making;
- advocating for the participation of all political parties;
- making a special and systematic effort related to public relations, especially with the media and civil society organisations;
- promoting the dissemination of voter education and information; and
- using a proactive approach in ensuring that all stakeholders are confident about the integrity of the process. (Part of this approach consists of being accountable to the parliament and to the public).





Transparency also implies that the integrity of the vote is respected, and therefore that the results genuinely reflect the will of the people and that all stakeholders accept them. The timely publication of detailed results by polling stations helps achieve this objective.

And although transparency is not a prerequisite for accountability, it is of great importance in promoting accountability. It is absolutely essential to uphold trust in the electoral process and to promote public confidence in the electoral administration by ensuring that procedures and decision-making processes are transparent, eliminate the appearance of impropriety, and limit the possibility of electoral fraud, corruption and/or favoritism. The best way to build trust is through transparent actions, backed by proactive, vigorous marketing, communications and public relations efforts.

#### *2.2.4. On professionalism and structure*

Professionalism is a necessary quality to guarantee effectiveness and efficiency. As with most other public- and private-service entities, providing good services to the public on a massive scale – as is the case with elections – requires permanent and highly professional administrative organizations. It has been said that elections are the most difficult operation a country conducts in times of peace. For each electoral event, electoral processes constitute a complex and sensitive operation with extensive inter-linkage among a variety of agencies and individual actors as well as a relentless sequencing of multiple tasks to be performed in a short period of time.

Given such demanding administrative and operational challenges, the importance of strategic, managerial and operational planning must be emphasized. That is why a permanent structure is crucial for the core elements in an EMB at the very least. In the case of electoral commissions, this applies to the governing body of commissioners and even more so to the managing or executive body. In general, professionalization of an EMB is essential.

## Typical organisation of an EMB

In the case of independent electoral commissions, a standard organizational structure has two main components: a governing body of collective nature and varying size (commonly with between three and nine members), and an administrative or managing body structured along the lines of typical executive elements of complex organizations. In the case of a mixed model, the characteristics of the governing body apply to the collective supervisory responsibilities while the executive agency is in charge of operations. In the case of elections exclusively run by governments, non-operational responsibilities are held by parliaments, judiciaries, monitoring organizations or a mix of two or more of them.

The governing body at the national level has responsibilities associated with regulation, political oversight and certain complaints adjudication. Where there are sub-national governing bodies, powers in some or all of these areas may be delegated to them. The managing body at all levels is responsible for administrative and operational tasks under the guidance and supervision of the governing bodies.



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## Governing body of an EMB

Governing bodies usually comprise a national electoral commission, and may also include regional or provincial electoral commissions as well as local (e.g., municipal) electoral commissions. All of these are usually collective bodies with small membership (three to five persons) except for the national commission, which might be larger depending on political arrangements. At its highest governing level the commission may be staffed exclusively by representatives of political parties, judges and other independent professionals, or a mix of one or more of those categories.

## Managing body of an EMB

As for the managing bodies, sub-national offices are normally established along the same lines as governing bodies. A major difference is that managing bodies at all levels tend to be permanent offices, while governing bodies, except for the national commission, are usually established only for a specific election period. The standard practice in countries where election authorities have a permanent status is a permanent staff at the central unit, with some permanent employees at the level of returning officer or its equivalent position in sub-national offices. Temporary assistance is obtained elsewhere as the need arises, which usually means hiring hundreds if not thousands of employees at election times.

A managing body at national headquarters comprises a number of departments or directorates following the model of standard bureaucratic organisations, and in line with the nature of an electoral operation. Different departments might have responsibility for, among other things, planning, general management, finance, human resources, legal, administrative, voter registration, election operations, public relations and information, information technology (IT), and international relations. The size of the permanent professional staff varies with the size of the country, among other factors.

The main staff positions of a managing body typically include a director or secretary-general of elections, heads of department and others. Eligibility requirements for those positions, as well as procedures and regulations regarding nomination, appointment and term of office, usually follow the same rules as for other similar positions in the civil service. The chief electoral executive is usually recruited by the commission governing body among cadres of the civil service or outsourced from other professions, and is appointed by the chairperson of the commission. As a career officer, he/she can be re-appointed or even serve until retirement if there are no problems with performance or other challenges.

## Decentralization

The main guiding principle on election management by different electoral bodies is that of centralized direction, but with decentralized implementation of operations (e.g., in regards to recruitment, training, production and distribution of materials). Although decentralization is thus necessary for the success of electoral operations, the degree may differ. Generally speaking, the degree of decentralization of electoral



management is associated with the basic difference between the common law system of the Anglo-Saxon world, which follows a fairly decentralized pattern, and the civil law system that stems from continental Europe, where the central government concentrates a higher degree of authority.

## Functions

The functions of an EMB cover the entire electoral process. In practice, most of these functions are split between a regulatory and supervisory dimension on the one hand and an implementing, operational one on the other hand. The former (supervisory) is the responsibility of a governing body, with the latter (operational) the responsibility of a managing and administrative body within the electoral institution.

An EMB's main functions and responsibilities for the conduct of elections include the following:

- legal initiative or advisory role on electoral matters and self-regulatory powers;
- election planning (both strategic and operational);
- voter registration;
- political party and candidate registration;
- regulation of financing of political parties and campaign expenses;
- media access for parties and candidates;
- conducting polling operations and tabulation of votes;
- transmission and announcement of preliminary and final results;
- civic education and voter information;
- accreditation of domestic and international observers; and
- adjudication of electoral grievances (e.g., claims and complaints directly related to electoral issues, procedures and results). The adjudication function is usually shared to a some extent with a judiciary element, either the regular one or a panel specifically established for electoral matters, depending on the country.

## Sharing operations with other agencies

As already mentioned, EMBs generally share operational responsibilities with other stakeholders, mainly governmental agencies and to a lesser extent those from the civil society and private sectors. Such sharing not only enhances professionalism, efficiency and transparency, but sometimes even offers substantial cost savings. Within the range of responsibilities of electoral authorities in a given country, the following are most likely to be shared for implementation by other governmental or non-governmental stakeholders:



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- Voter registration may be organised by technical bodies different from an EMB, albeit under its authority and oversight. Such bodies frequently include a civil registry and statistical and information technology (IT) agencies.
- Electoral security is the responsibility of the police and (sometimes) the army, although electoral authorities should retain authority for strategic planning and coordination.
- Political party and candidate registration is usually conducted in a decentralized manner through sub-national electoral authorities. (A separate political party registry often exists under the authority of some government ministry.)
- Control over and oversight of political party financing and campaign expenses is usually shared with a finance ministry, the highest national accounting authority and the judiciary.
- Oversight and control of media access by political parties and candidates is frequently the responsibility of a media commission from within or attached to the electoral commission.
- Voter information and civic education is usually shared with political parties and civil society organizations.
- Polling operations and vote counting, which require recruitment and training of thousands of poll workers, are frequently shared with other governmental institutions, mainly municipal governments, the school system and certain institutions of professional training.
- Transmission and announcement of preliminary results through the use of new information and communication technologies (ICTs) put electoral commissions under significant time pressure. As a result, outsourcing this service with some specialized agency, either public or private, has become a common practice.
- Adjudication of electoral grievances can be fully or only partly the responsibility of the electoral commission, depending on tradition and the legal system.

## 2.2.5. *On sustainability*

Holding a credible election is an achievement, but that alone is not sufficient to ensure that an electoral administration becomes consolidated. It is necessary to reach the point where organising multiple credible elections in a regular and periodic manner is possible. That is why sustainability is such an important principle for electoral administration.

An EMB becomes sustainable once its structures and processes enable it to fulfill its mandate and responsibilities in the longer term, and this can only happen over a series of elections. At least three main elements of sustainability should be considered, all of them important for the consolidation and efficiency of an EMB over time:

- *Financial sustainability* requires proper budgeting ideally tied to the consolidated budget of a nation. An important challenge is related to the rising costs of election goods and services, such as the use of new technologies, and the increasing frequency of elections for different levels of political institutions. The



pressure and need for cost reductions and controls are likely to be persistent.

- *Technical and operational sustainability* relates to an EMB's professional capacity to efficiently deliver over time. Staffing procedures and civil service protection for at least the permanent core of electoral officials at different levels are crucial in this regard.

Indicators of financial and operational sustainability for a well-functioning EMB include the following, among others:

- good planning and strategic vision,
- sufficient and appropriately skilled and trained staff,
- adequate infrastructure,
- realistic and carefully analysed choice of technologies,
- adequate nature and level of funding and expenditure, and
- minimization of reliance on external inputs and resources.
- indented come technical and operational sustainability
- *Political and social sustainability* is achieved when the electoral results are consistently accepted by all electoral stakeholders. For this to be obtained, the following factors are useful and often necessary:
  - the political will exists to foster credible electoral processes;
  - the electoral legal framework (constitution, laws and regulations) as well as related administrative and other policies are suited to the political environment, and have become acceptable to all relevant stakeholders;
  - an EMB's policies and practices promote social equality and political inclusion, minimize conflict, and promote environmental sustainability; and
  - major stakeholders have sustained confidence in the electoral process and in the EMB.

## 2.3. International electoral learning and networking

### 2.3.1. Tools for global learning

Two main tools for global learning are available to interested audiences: the ACE Encyclopedia on Administration and Cost of Elections, and the training system Building Resources in Democracy, Governance and Elections (BRIDGE).

The ACE encyclopedia is a learning interactive resource created more than a decade ago that is regularly updated. It is funded and supported by a wide range of organizations and institutions, including the United Nations Electoral Assistance Division (UNEAD), UNDP, the United Nations Department of Economic and





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Social Affairs (UNDESA), the International Institute for Democracy and Electoral Assistance (International IDEA), Elections Canada, IFES, the Instituto Nacional Electoral (INE) from Mexico, and the Electoral Institute for Sustainable Democracy (EISA) from South Africa. The instrument is user-friendly to any person interested in any areas of the following electoral processes either in general or pertaining to a given country: electoral system design, voter registration, electoral administration, civic education, polling operation, vote counting, electoral grievance adjudication, etc. Currently, all of this information is available in Arabic. *Website: <http://www.aceproject.org>.*

The BRIDGE methodology combines participatory adult education techniques with a distinctive value-based approach. Rather than relying heavily on traditional lecturing, BRIDGE is focused on practical issues and is activity-based, with each module offering a range of activities designed to convey clearly identified key understandings, and to achieve specific learning outcomes. It reflects the insight that people learn best when they take responsibility for their own learning, and rely on material that is relevant to them and presented in a memorable and innovative way. *Website: <http://bridge-project.org>.*

From left to right: Antonio Spinelli, Chief of Party IFES (Egypt), Paul Dacey, former Chairperson of the Australian Electoral Commission, Zolton Toth, former Chairperson of the Association of European Election Officials.







### *2.3.2. Social media and networks*

Social media and networks are playing increasingly important roles in political processes and political mobilization. The use of mobile phones and internet tools such as Facebook and Twitter is especially noteworthy in recent years. Of particular interest to social-political researchers, democracy practitioners and political actors all over the world is how this ongoing technology revolution may further affect the politics of democracy in the 21st Century. An informative presentation regarding such developments in the Arab world may be found at: [prezi.com/q7rxh65gd1m/social-networking-for-electoral-systems](http://prezi.com/q7rxh65gd1m/social-networking-for-electoral-systems).

### *2.3.3. Regional professional associations*

International networking by EMBs and electoral officers is an excellent tool for learning and exchange, mutual professional support, and trust-building in electoral administration across countries. Establishing regional networks has proved effective and beneficial in other regions of the world, and there is no reason to believe that it should be different in the Arab world.

In the Americas, networking entities include the Association of Electoral Bodies of Central America and the Caribbean, created under the Protocol of Tikal in Guatemala in 1985; the Association of Latin American Electoral Tribunals, created under the Protocol of Quito in Ecuador in 1989; the Association of Caribbean Electoral Organizations (ACEO), created in 1998; and the Inter-American Union of Electoral Organisations (UNIORE), created in 1991, which integrates these associations and includes Canada, Mexico, and the United States as well. In developing democracies of Central and Eastern Europe, as well as in Africa, associations have recently been created under the auspices of IFES: the Association of Central and Eastern European Election Officials (ACEEEO), established in 1991, and the Association of African Election Authorities (AAEA), which was endorsed by 14 countries and established in 1997; later in 1998 the Electoral Commissions Forum of Southern African Countries (ECF-SADC) was created. In Asia, there is the Association of Asian Election Authorities (AAEA) created in 1998; later in 2013 eight countries created the Forum of Election Management Bodies of South Asia (FEMBOSA); and also in the region, the Pacific Islands, Australia and New Zealand Electoral Administrators (PIANZEA) Network was created in 1997. In addition, there are the Commonwealth Association of Election Officers and two United States-based international bodies: the International Associations of Clerks, Records, Election Officials and Treasurers (IACREOT), and the International Institute of Municipal Clerks (IIMC). And finally, most recently, a worldwide encompassing electoral network, the Global Electoral Organization (GEO), was created in 1999. All these associations have been active in organising regional conferences for election officials and providing a large number of professional services to their members.

The following are among the benefits that can be obtained from this kind of networking:

- group learning through annual conferences and topical workshops;
- connecting with some other regional associations and the more recently created club of Global Electoral Organization;
- direct consultation, often online, with colleagues from other EMBs;
- exchange of experts among EMBs from different countries to provide temporary support in specific areas;



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- borrowing or renting certain electoral materials if the need arises (for example, ballot boxes, voting machines, software on voter registration, vote counting or results transmission);
- access to a dynamic updated website at an association's Secretariat; and
- producing guidelines and manuals; conducting training courses for members; producing, testing and supplying software products; and conducting applied research on needed areas.

These last activities help ensure the sustainability of a Secretariat, a matter of utmost importance for the continuing delivery of these organizations.

## Focus on: Association of Central Eastern European Election Officials (ACEEEO)

ACEEEO is a non-profit association in the form of an independent regional organisation, which is subject to international law. It was established in Budapest, Hungary in 1991, under IFES initiative, after the first democratic elections took place in Central and Eastern Europe. The seven founding countries were Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia. On average, one new member joined ACEEEO each year between 1992 and 2008; after Kosovo and Slovenia joined in 2009, ACEEEO reached its current level of 26 members.

Programmes and services offered by and through the association include the following:

- election observation missions are deployed on the association's own initiative, upon request of an international organization, upon request of a member country, or upon request of a civil society organization;
- technical consultation by giving expert opinion on electoral systems, election standards, election procedures and anti-fraud measures;
- education and training to certain target groups (e.g., first-time and young voters);
- organising lectures and discussions, creating online information tools, preparing teaching materials, and joining relevant international initiatives;
- information and research on national elections, annual reports providing information on elections and referendums in member countries, professional analysis on the management of particular elections, and information on experiences and lessons learnt from international election observation missions; and
- regular events such as annual conferences.

The main organs and functions include a General Assembly comprising all 26 members, which serves as the supreme organ of ACEEEO; an Executive Board made up of eight members elected for three-year terms; and the Secretariat. Funding comes from membership fees, programme revenues, grants from the Hungarian Parliament to cover operational costs, contributions from sponsors and vendors, and grants from the European Union and UN.



ACEEEO has worked in partnership with organisations such as the UN, European Union, the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE), the European Parliament, IFES and the Global Electoral Organization. In the Arab world, ACEEEO has engaged in cooperation activities such as the following: participation in the International Mission for Iraqi Elections (IMIE), led by Elections Canada in 2005-2006; monitoring of the Iraqi elections from Amman, Jordan; a workshop in Ramallah, the West Bank (part of the Palestinian territories), in 2005 titled 'Promoting Democracy by Means of Elections'; and an electoral management study tour – to Budapest and Zagreb, Croatia in 2008 – for selected members of the Jordanian Ministry of Interior and representatives of the country's parliament and judiciary. That tour also was supported by IFES.

## 2.4. Main questions and comments raised during floor discussion

Forum participants made numerous comments, and asked questions, during floor discussion on the topics presented above in Sections 2.1 through 2.3. Listed below are summaries of some of the main points and issues raised:

- **The presence of a permanent electoral commission in the largest number of countries suggests that this option is particularly effective and efficient, even if the commissioners change completely or partially over time.** This indicates that an electoral commission should be permanent to function efficiently and neutrally.
- **The difference between permanency and sustainability deserves mentioning.** Permanency means having at least a core body of electoral officials in place between electoral events. However, sustainability refers to a different timeframe, specifically the ability of the commission to function in the long run. Thus, permanency is an element of sustainability. Because it is based on budget allocations, financial sustainability is much more difficult to maintain than technical sustainability, but it can lead to political sustainability in which the results of elections are accepted by stakeholders over time.
- **Independence does not imply lack of collaboration with other governmental agencies** for the conduct of elections. There is not a single case in the world where electoral administrators undertake 100 percent of electoral operations. An EMB might have complete authority and responsibility over the process, but in terms of technical capacity it cannot conduct all the operations alone. That fact underscores the importance of other governmental agencies sharing operational responsibilities and being held accountable.
- **Independence does not mean lack of accountability.** All public servants are accountable. The key question is: to whom? This depends on the institutional model. In general, an EMB is politically accountable before its country's parliament and citizens. As for financial accountability, specific mechanisms vary by country. In general, an EMB is subject to an internal audit as well as to national accounting authorities.
- **Impartiality does not require non-partisanship.** An EMB can be impartial and still be political party-based in the composition of its governing body. There are no fixed recipes, and the particular context of a country produces its own unique developments. The stakeholders themselves have to



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decide on the road map that will be adopted to ensure impartiality and trust in the administration of elections.

- **Is the hiring of volunteers during elections a compatible practice with professionalism and sustainability?** A distinction has to be made between 'core staff' and 'operational staff'. Members of the core staff are permanent and comprise professional administrators whose jobs are on a full-time basis so that they are able to deliver quality civil service work. However, the largest part of operational polling staff can be made up of unpaid volunteers. Both the professional and volunteer staff require adequate training, albeit of a different nature. For instance, the operational staff, especially volunteers, can be given briefings and trainings on the general practice in their particular electoral activities, while the core staff, requires capacity-development sessions and tools oriented more to the long term.
- **Finality of adjudication decisions by an EMB.** There are countries where adjudication decisions by the EMB cannot be appealed and are final. Whether that is a good or bad idea depends on political and legal traditions in particular. A key thing to keep in mind is that electoral legal frameworks are dynamic and may be changed over time because they are the result of political negotiations among relevant actors. Therefore, one cannot call the practice of an EMB's decisions being final as bad practice unless the process goes against international standards. In some cases, final decision-making capacity can make the members of the EMB unaccountable, while in others such a capacity can protect the professionalism and impartiality of the EMB.
- **The connection between civil society organisations and the electoral administration** should be strengthened because they depend on each other to ensure transparent and fair elections. However, sometimes there is a lack of communication; therefore, more effort should be exerted to exchange views and share responsibility for some operational activities, especially civic education and voter information.
- **On election administration and people living with disabilities,** several country experiences were described during the forum. For example, several by-laws were passed in Yemen in 2006 to engender awareness in this regard. Also, a pilot project was recently conducted regarding elections and people with disabilities by IFES in different regions of the world, and references are included on its website. In the governance programme section of UNDP's website, there is information regarding the voting of people with disabilities and the mechanisms of assistance that can be provided. Civil society also plays a key role in this field in regards to accountability and support.
- **Social media networks** can be successful tools for building the capacity of the youth while addressing electoral topics. UNDP and its Regional Center in Cairo are working closely on a programme to empower youth in the Middle East, including in regards to monitoring elections (particularly through civil society organizations). More broadly, it is increasingly clear that the use of social media may affect the credibility of elections. As in the rest of the world, Arab countries are facing a new era in communications and social networking and this puts more responsibility on youth and communications ministries to develop codes of conduct. In particular, it is important to raise awareness among youth about the relevance of elections.

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- **It will be a challenge to create a regional network among EMBs in the Arab world.** Some skepticism exists about the likelihood of success of such an initiative given the large number of EMBs that are currently present in the Arab world and the diversity of context in which they operate. This heterogeneity might be an obstacle to mobilizing the required resources to keep such a network functional and efficient. Alternatively, a joint website could be created where direct communication may occur among EMBs, rather than among governments. Such a project has been under consideration by electoral practitioners, and could be a starting point for discussing the possible establishment of an Arab EMB network. In any case, the network would have to start out as a small undertaking, with the EMBs joining it informally.

Members of the Egyptian delegation to the subregional forum.







# APPLYING THE KEY PRINCIPLES OF ELECTORAL MANAGEMENT: COUNTRY EXAMPLES

# 3

## APPLYING THE KEY PRINCIPLES OF ELECTORAL MANAGEMENT: COUNTRY EXAMPLES

This section provides country case studies grouped as per the five main principles of electoral management articulated at the forum: independence, impartiality, transparency, professionalism and sustainability. The objective is to consider how the principles are viewed and implemented in different political, cultural and institutional environments.

One common thread throughout the case studies was that the commitment of an EMB to the five principles can be measured through i) the perception of stakeholders involved in the elections, as well as the public, and ii) self-monitoring and evaluation.

Commitment to the principles should be reflected in the systematic behavior of all those involved in the electoral management process. An EMB provides a public service and the public should believe that is the case. If an EMB sees an opposite image of what the people see, then the EMB should recognize that it is doing something wrong.

### 3.1. Independence: Costa Rica, India and Jordan

#### 3.1.1 Costa Rica

Costa Rica's EMB, the Supreme Electoral Tribunal, has been working uninterruptedly since 1949 when it was established after a civil war following fraudulent elections. The Constitution established after the civil war protects the independence of the electoral institution and enshrines all of its main powers and responsibilities. Of note are the following features of the EMB:

- the Supreme Electoral Tribunal is composed of three members and six alternates, all of them appointed by the Supreme Court of Justice for a six-year period with the possibility of being re-elected;
- the Tribunal has the same institutional rank as the other three powers of the State (i.e., the parliament, the executive branch and the judiciary). Therefore, its members enjoy the same immunities and prerogatives as the members of the other branches of government;
- the Tribunal is responsible for the organisation, direction and supervision of all electoral operations and enjoys an administrative, adjudication and quasi-legislative authority;
- the civil registry, the electoral registry and all election boards are under the Tribunal's jurisdiction;
- expenditures budgeted for electoral purposes cannot be objected to by the Ministry of Finance;
- the Tribunal has the authority to interpret the law on electoral matters (such power is generally a prerogative of a parliament as the law-making institution); and
- no appeal can be filed against the Tribunal's decisions except for actions related to breach of public duty.



### 3.1.2. India

The Election Commission of India (ECI) is an autonomous quasi-judicial constitutional body created in 1950. Its independent nature and structural characteristics are part of the political context of the newly independent country. Below are some of its main features, including several relating to independence:

- ECI is constitutionally entrusted with responsibility for conducting elections for the national and state parliaments as well as for the posts of president and vice-president. For elections of local governments, there are separate election commissions in each state. Though those state election commissions are independent of ECI, they are guided by it nonetheless because ECI is the sole authority in the country on all matters related to elections. Its responsibilities, structures, appointment and removals procedures are constitutionally established.
- ECI consists of a chief election commissioner and two election commissioners appointed for six years (or for a shorter period, as they must step down after reaching age 65) as well as a permanent Secretariat. Because it is a permanent independent body, the chief commissioner can be removed only through a manner similar to that governing the removal of a Supreme Court judge, and other commissioners can be removed by the government only on recommendation of the chief commissioner. The Secretariat consists of senior government executives from all over India on deputation for five years, and a permanent support structure consisting of support staff (nearly 350 persons total).
- ECI does not have separate electoral apparatuses in the field, but is assisted at the sub-national level by temporary seconded governmental staff either from the central or state governments. In each constituency, a returning officer – who is an official from the government or a local authority – is appointed before elections. ECI has direct responsibility for the voter roll.
- ECI sets the dates of elections independent of all authorities, political parties, etc.

**“Learning from our experience in successfully implementing elections in Egypt, we believe in establishing a permanent, transparent, and independent entity for governing the whole elections process and to foster innovation for democracy.”**

*Ashraf Abdelwahab, Acting Minister,  
Ministry of State for Administrative Development in Egypt.*

### 3.1.3. Jordan

As in other Arab countries, the situation in Jordan<sup>2</sup> as far as election administration is concerned should be considered one of reform in progress. The political context relevant to elections included continuing public discussions, debates and demands regarding the need for electoral reform, which resulted in the appointment of a 57-member National Dialogue Committee (NDC) by the Council of Ministers in March 2011.

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<sup>2</sup> At the time the forum was held, discussions on the establishment of a new EMB were underway. Jordan’s Independent Election Commission was established in May 2012.





# APPLYING THE KEY PRINCIPLES OF ELECTORAL MANAGEMENT: COUNTRY EXAMPLES

NDC, which included participants from political parties and the civil society sector, was tasked with developing a detailed set of recommendations regarding electoral reforms that were deemed appropriate for Jordan. In early June 2011, the Committee recommendations were submitted to the government and also were made public. Recommendations focused primarily on i) modifying the electoral system, ii) encouraging political party development, and iii) establishing an independent legal entity to be named the Higher National Commission for Elections and Political Parties.

Constitutional reform was introduced in October 2011 via an amendment reading as follows: “An independent commission shall be established by a law to supervise the parliamentary electoral process and administer it at all stages. The commission shall supervise any other elections decided by the Council of Ministers” (Art. 67). The amendment also included suggestions that such a commission should have financial and administrative independence (Art. 3) and undertake all the necessary procedures that enable it to perform its tasks in a manner of transparency, integrity and impartiality (Art. 4).

The main problematic areas during the drafting of the electoral commission law have been those related to structure, appointment method, responsibilities and budgeting. In regards to structure, for example, the debate has revolved around the autonomy and permanency of the commission (e.g., whether the commission should have its own permanent staff or government-seconded staff). In regards to appointment, notable questions have included whether appointments should be for one term only and whether staggering of mandates should be done. Some consensus was found early on – e.g., that a nominating committee would propose a list of names for the head of state (the king) to choose five members, including the chairperson, to work on a full-time basis during a six-year period. Also agreed was that a secretary-general would be appointed by the commissioners and would work on a full-time basis. Regarding budgeting, the discussion has been around guarantees for a proper financial endowment of the electoral commission as well as how to ensure that emergency funds can be obtained, if needed.

During and after the independence-oriented country case studies, questions and comments during open discussion mainly revolved around the following themes:

- **Context was frequently emphasized in regards to the extent of an EMB’s independence.** For instance, Costa Rica experienced a civil war that resulted in part from electoral fraud. That particular history was conducive to creating an independent EMB as there was a need to guarantee the autonomy of the EMB and democratic suffrage. In short, the majority of citizens approved wholesale independence of the EMB as an attempt to avoid electoral fraud.
- **Measures against electoral fraud were considered.** For example, the Election Commission of India has undertaken a number of recent initiatives to reduce fraud, such as increasing the use of information technology (IT) and creating a voter roll in which photographs are included for more than 90 percent of voters. The use of identity cards with photographs is considered especially helpful to verify identity. Voter awareness also can greatly help to reduce electoral fraud. Civil society organizations can play an important role in helping raise awareness, and their ability and inclination to work with an EMB on that issue largely depends on the level of independence of the EMB.
- **The structure of an independent EMB in constitutions and laws.** In Jordan, the relevant constitutional amendments are limited and therefore the structure of the EMB is being determined through laws, particularly one specific to the electoral commission. In addition, there has been discussion regarding



whether it is more effective to have that law explicitly cover most aspects of the EMB – including administrative, financial and management issues such as the recruitment of the EMB’s employees – or whether it is preferable to leave such issues for the EMB to decide by internal and secondary regulations. The situation in Jordan also is complicated by other difficult considerations regarding independence. As currently proposed, the electoral commission is solely responsible for recruiting its employees according to international standards and to have its own private salary scale that is different from the public sector. However, the commissioners themselves would be appointed by the king, and therefore, the government would have some leverage in selecting commissioners.

- **The size of the EMB was raised, including whether there is an ‘ideal’ and most ‘suitable’ size for the governing body of an independent EMB.** Responses indicated that there is no fixed answer as the size depends on many factors. Tunisia’s EMB has 17 members on its governing body, while in India there are three commissioners. In the Indian case, the country’s Constitution does not provide for a fixed number of commissioners; however, for practical reasons, an odd number of commissioners was adopted so that if there is a need for voting then there will be no possibility of a split vote. The small number of commissioners in India has been functional and so there has been no need to expand the size of the Election Commission of India.

## 3.2. Impartiality: Mexico and South Africa

### 3.2.1. Mexico

About two decades ago, the main challenge in the Mexican democratic transition was how to build trust and credibility when elections – especially the 1988 presidential one – had been widely perceived as fraudulent after more than half a century of authoritarian politics. Consensus emerged that the electoral institutions, laws and procedures had to be reviewed and amended to cope with and reverse a dramatic crisis of credibility.

Systematic efforts and huge investment of financial resources have been made in the last 20 years to overcome and reverse that situation. First, a number of constitutional and legal reforms were initiated, including the establishment in 1990 of a permanent and autonomous public institution vested with ample powers to organise and conduct federal elections ruled by principles of certainty, legality, independence, impartiality and objectivity. The EMB created that year, the Instituto Federal Electoral (IFE), was charged with two major roles and responsibilities: to organise elections and to act as a referee of electoral contests (such as by enforcing regulations and adjudicating complaints, etc.).

The EMB is structured so that all stakeholders are treated equally and respectfully, without partiality or preference. Nine voting members of the IFE general council are elected by two-thirds majority of the Chamber of Deputies (the lower parliamentary house at the national level) and should not have political party links. All political parties have representatives in the IFE decision-making bodies (voice but no vote); all political parties have representatives in polling stations and must receive a copy of the tally sheets; domestic and international observers are permitted throughout all electoral process; and all IFE staff are bounded by a code of conduct.



# APPLYING THE KEY PRINCIPLES OF ELECTORAL MANAGEMENT: COUNTRY EXAMPLES

The arbitration role implies that impartiality has to be reflected in deliberation and decision-making processes that deal with conflicting interests. Regulations are to be enforced and complaints adjudicated in an objective manner, without any prejudice, distortion or favouritism.

Moreover, sessions of the general council are open to the media and the public, and broadcast live on television. All IFE decisions and acts are open to public scrutiny and may be challenged before an electoral court, whose resolutions are definitive and may not be challenged.

Concerning staffing, all IFE staff dealing with core executive functions are members of a professional electoral service. Polling officers are selected through a double draw based on the electoral rolls. Public servants are obliged to use public resources in an impartial manner so as not to influence the equity of electoral contests.

## *3.2.2. South Africa*

As with other developing democracies and given South Africa's political past, it seemed imperative at the time of transition in the early 1990s to establish an independent EMB. The political purpose was to start building a tradition of independence and impartiality, in order to engender confidence of the electorate and political parties in the electoral process.

In this regard, the Constitution and ensuing legislation on electoral administration provided for measures to safeguard and insulate the Electoral Commission of South Africa from pressures that might impair its impartiality. Chapter 9 of the Constitution states that the Electoral Commission is one of the state institutions created to strengthen constitutional democracy.

It is independent and subject only to the Constitution and the law, and it must be impartial. An obligation is placed on other organs of state to assist and protect the Electoral Commission through legislative and other appropriate measures to ensure its impartiality and independence. It is further stated that no person or organ of state may interfere with the functioning of the Commission.

The Electoral Commission Act includes specific rules regarding the composition of the Commission, appointment of commissioners and their conduct, as well as powers, duties and functions of the institution. For example, in order to ensure the integrity of the EMB, commissioners are obliged to:

- serve impartially and independently and perform their functions without fear, favour or prejudice;
- not be appointed or nominated to any political office or serve as a member of a national, provincial or municipal parliament;
- not be appointed to serve as a member of a national, provincial or municipal parliament for a period of 18 months after their terms of office have expired;
- not give support to or oppose any party or candidate in an election;
- not put in jeopardy their independence through questionable membership, association, statement or conduct of any sort;



- not in any other manner harm the credibility, impartiality, independence or integrity of the Commission;
- not make private use of or profit from confidential information gained as Commission members; and
- disclose any conflict of interest concerning any matter on the agenda of a Commission meeting. In any situation involving a potential conflict of interest, a commissioner also should not be present during or participate in the relevant meetings, or cast a vote in regards to it.

The Electoral Commission Act further makes provision for structured liaison and interaction between the Electoral Commission and political parties, including through special committees at the national, provincial and municipal levels.

During and after the impartiality-oriented country case studies, questions and comments during open discussion mainly revolved around the following themes:

- **Elections before a constitution is established.** Holding elections during times of difficulty is part of finding a solution and may become necessary – thus, it should be considered acceptable, possible and feasible to conduct them even before a constitution is finalized. For instance, in South Africa in 2004, the new Constitution was not yet finished, but an election commission was constituted in less than six months to deliver the elections on time. In such a situation (when elections are still not addressed in the constitution), whether those elected are granted immunity or not depends on the legal process for each country.
- **Addressing fraud problems by the current electoral management systems of South Africa and Mexico.** In South Africa, there is a high level of fraud in every election. Therefore, more time and money has to be invested on training the Electoral Commission of South Africa's staff on relevant legislation because doing so will ensure better quality elections and more public trust. Moreover, technology is constantly and rapidly changing, and the Commission should try to build the capacity of its staff at the same rate as technological change occurs. This can help maximize the benefit from technology in making the election management process faster and easier. As for Mexico, the extremely sophisticated electoral management system makes it hard to respond to every case of fraud, a challenge that affects the security of elections and consequently their credibility from the public's perspective. Small mistakes or omissions can lead to big problems. As a result, IFE should focus on simplifying its systems to be able to respond immediately to any allegations of fraud and thus safeguard the credibility of elections.

### 3.3. Transparency: Costa Rica and Australia

#### 3.3.1. Costa Rica

The constitutional principle on accountability reads: "The public administration in a general sense is subject to a procedure for the evaluation of results and accountability, with the corresponding personal responsibility for the officials in the compliance with their duties" (Art.11). That wording implies that updates and reforms can and should be undertaken on a regular basis to ensure accountability, an essential factor in transparency.



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Recent measures and steps taken to bolster the accountability of the member judges of the Electoral Tribunal include the following:

- hearings of electoral judges at the Supreme Court of Justice (since 2005);
- incorporation of the Public Transparency Agency Network (2005);
- accountability reports are prepared by individual electoral judges at election times or during their final period in office (since 2006);
- general information about electoral judges – e.g., email address, telephone number, and CV – is made available on the institutional website (since 2006);
- systematization of relevant electoral jurisprudence (since 2006); and
- annual accountability reports are prepared by the court (since 2007).

Regarding accountability of the managing body, the following provision and practices deserve mentioning:

- the civil registry is part of the electoral registry, which holds public information;
- the electoral roll is photo-based;
- political party control is maintained through party representatives at election boards either as full members of the board or with an oversight capacity;
- elections results are transmitted on election day;
- the institutional website has electoral, political parties and election results information; and
- analysis, monitoring and decision-making practices are broadcast live broadcast during electoral processes (since 2007).

Additional steps and measures taken to boost transparency in the public eye include the following:

- creation of the Communication Office within the Tribunal (2000);
- creation of the Political and Institutional Advisory within the Tribunal (2007);
- publication of articles in newspapers raising awareness about elections (since 2007);
- appointment of thematic spokespersons (since 2009);
- creation of a Tribunal website (1998)<sup>3</sup>;
- training political parties on electoral legislation and jurisprudence (since 2004);

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<sup>3</sup> See [www.tse.go.cr/](http://www.tse.go.cr/).



- creation of the Electoral Law Journal (2005) and associated website<sup>4</sup> ;
- service information on electoral law and jurisprudence for consultation purposes (since 2008);
- creation of a training and research institute on democracy, the Instituto de Formación y Estudios en Democracia (IFED), in 2010; and
- building the Tribunal's presence in social media and networks (since 2010)<sup>5</sup> .

### 3.3.2. Australia

The current structure and procedures of the Australian Electoral Commission (AEC) were established in 1984. However, independence, impartiality and transparency have always been recognized features of Australian electoral administration. Under the Commonwealth Electoral Act of 1918, the primary functions of the Commission regarding transparency are, among others: to consider issues referred to it by the Special Minister of State in charge of electoral matters and to respond as it thinks fit; to promote public awareness of electoral and parliamentary matters through education and information programmes and by other means; to provide information and advice on electoral matters to parliament and the government; to conduct and promote research into electoral matters and other matters that relate to its functions; to publish material on matters that relate to its functions; and to provide, in cases approved by the Department of Foreign Affairs and Trade, assistance in matters relating to elections and referendums (including the secondment of personnel and the supply or loan of material) to authorities of foreign countries or to foreign organisations.

Accountability is a core characteristic of many of these functions. The following are among the mechanisms in place that aim to ensure accountability:

- decisions made by AEC, and its overall conduct of elections, are subject to legal review;
- AEC must comply with orders from either parliamentary chamber. In particular, AEC witnesses must cooperate with parliamentary committees such as the Senate Estimates Committees and the Joint Standing Committee on Electoral Matters. That second committee has the right to request persons, papers and records from the EMB;
- AEC is obliged to provide reports, including an annual report, which are tabled in parliament;
- AEC's financial management is subject to oversight by the Department of Finance and the Auditor-General;
- AEC's handling of information is subject to the Freedom of Information Act 1982; and

<sup>4</sup> See [www.tse.go.cr/revista/revista.htm](http://www.tse.go.cr/revista/revista.htm).

<sup>5</sup> See Facebook (<https://www.facebook.com/#!/TSECR>), Twitter (<http://twitter.com/#!/TSECostaRica>) and YouTube ([www.youtube.com/TSECostaRica](http://www.youtube.com/TSECostaRica)).



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- AEC has endorsed and implemented the code of conduct for the ethical and professional administration of elections prepared by the International IDEA in 1997.

More generally, the obligation to be transparent is currently the subject of renewed focus within AEC. Recent transparency-related initiatives include the following:

- undertaking research, including through academic institutes and the regular use of focus groups, to provide evidence-based data for the formulation of future policies and operational procedures;
- meeting on a regular basis (not just during election periods) with senior representatives of the major political parties. These meetings are held at both the national and state levels and serve as a valuable platform for AEC to discuss and explain new policies and procedures;
- meeting regularly with the government minister responsible for electoral matters and, as necessary, with the relevant opposition spokesperson;
- actively seeking comments and input from stakeholders and focus groups on proposals for major policy and procedural initiatives and changes;
- formally establishing networks with other EMBs;
- setting up liaison committees with particular groups of voters, especially those who for some reason or other are marginalized or disadvantaged in participating in the electoral process. Such groups include people living with disabilities, indigenous communities, the homeless, and those with low literacy skills, including newly arrived citizens;
- maintaining and updating a comprehensive website that details all election policies, procedures and publications as well as the ability for users to subscribe to regular website updates;
- establishing administrative processes, including in annual individual staff performance agreements, to ensure that all senior AEC staff are mindful of the impacts on stakeholders of the Commission's decisions; and
- recognizing in the AEC strategic plan the importance of stakeholders' roles in the electoral process.

As for parliamentary assistance, one of the greatest aids to transparency in the Australian context is the Joint Standing Committee on Electoral Matters. That parliamentary committee comprises members of the House of Representatives and Senate from all major political parties. It conducts regular inquiries into electoral matters as well as a comprehensive review of each electoral event.

Another important player in regards to transparency is the media. AEC has established a permanent media unit with responsibility for ensuring a fully informed media at all stages of an electoral cycle. Regular media releases are issued, media briefings are conducted during the election period and media guides are prepared and disseminated.

Vote counting and publication of results greatly affect transparency of elections. In Australia, the law provides for votes to be counted in each polling place immediately following the close of the polls at 1800 hours on



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election day. All candidates in an election may appoint representatives or agents to observe the counting process and to challenge any decisions of the returning officer during the process. As soon as the count is completed, usually within a couple of hours (depending on the size of the polling place), the preliminary results are made publicly available through AEC's election results system.

During and after the transparency-oriented case studies, questions and comments by participants at the floor discussion mainly revolved around the following points:

- **Political stability and electoral transparency.** Generally speaking, political stability and transparency are closely linked. However, unlimited transparency can be problematic during transitional periods, and so a balance should be maintained between transparency and stability, particularly at the start of the process. Ultimately, one should aim for a culture of transparency, which will require time to spread throughout the society.
- **Transparency and confidentiality.** There is a fine balance between the two. In the case of Australia, AEC only publishes what is already public information. Obligatory registration has been the law for a long time, and once citizens are registered on the voters list, all personal information becomes public. However, during electoral processes AEC ensures that voters' information is kept confidential. It will consider requests for the disclosure of data in certain cases only, for example in regards to the safety of the family. In Costa Rica, laws codify transparency limits and expectations. The country's EMB, the Tribunal, must differentiate between personal confidential data (such as ideology, sexual orientation or personal photos), and public data (such as the date of birth which is published on websites for the purpose of identifying eligible persons to vote). Thus, it is important that private information is not published and that people are made aware of what is public data and what is private data. Of note too is that the distinction might differ or change depending on the particular socio-political context of the country.
- **Accountability and relationship with parliaments.** Transparency of an EMB is closely linked to its accountability. As noted in the case of Australia, the parliament ultimately has the final word on the legislation of the EMB. AEC is obliged to provide reports that are tabled in parliament and to respond to any request from the Joint Standing Committee on Electoral Matters. Based on submissions received from all relevant stakeholders, as well as public hearings, the Committee may then prepare a report to the parliament that includes recommendations for procedural and legislative change. In Costa Rica, the Tribunal has quasi-legislative functions, and thus has a close relation with the parliament in terms of recommendations. Thus, accountability to the parliament is associated with legislation and not the EMB's decisions.
- **Financial transparency is an important factor in the overall transparency of an EMB.** Costa Rican law obligates the EMB – and all governmental institutions – to have a financial budget disclosing all the details related to the budget and any contractual agreements issued. However, some important exceptions may occur during an electoral period, such as if unexpected expenses arise. Similarly, AEC in Australia is obliged to provide financial statements to parliament following the defined legislative and financial rules.
- **Marginalized voters from vulnerable populations.** There are many ways to deal with particular groups of voters who for some reason are marginalized or disadvantaged in participating in the electoral



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process. In Australia, AEC introduced electronic voting to better facilitate the electoral process. In addition, mobile polls are taken to the streets for the homeless to vote. As for indigenous communities, there is a possibility to reach them for their votes via sending aircrafts or vehicles to their homes or communities.

## 3.4. Professionalism: Australia and Mexico

### 3.4.1. Australia

AEC as currently structured is headed by three commissioners. The chairperson of the Commission must be either a serving or retired judge of the Federal Court of Australia. The electoral commissioner, who is the chief executive of the agency, is appointed by the government following a merit-based selection process. The third member of the Commission is known as the non-judicial member and has to be a permanent head of another Australian government agency; since 1984, that third member has always been the head of the Australian Bureau of Statistics. All members are appointed for a period of up to seven years and are eligible for reappointment. The chairperson and the non-judicial member serve in a part-time capacity, while the electoral commissioner is a full-time position. The three commissioners and the deputy commissioner are all statutory office holders and are appointed under the Electoral Act.

In addition to a national office in Canberra, the Australian capital, AEC has an office in each state capital headed by an electoral officer. Like the three members of the Commission and the deputy, these positions are also statutory with the same merit selection processes in place for their appointments. AEC also has a permanent office in each of the 148 constituencies represented in the House of Representatives; those offices are managed by a full-time returning officer, supported by a small number of permanent staff. Factors aimed at ensuring the professionalism of these staff include that they all must be public servants, are subject to a stringent selection process, and are bound to practice strict political neutrality.

In addition to conducting all federal elections, by-elections, and referendums, AEC staff are responsible for assisting with the delimitation of electoral boundaries (redistricting), maintaining Australia's permanent register of voters, conducting elections for nationally registered industrial organisations (unions), educating and informing the Australian public about their electoral rights and responsibilities, and assisting with AEC's widespread international activities. In total, AEC has around 750 permanent staff. At election times, it may employ about 70,000 people.

*Standards for recruitment and merit selection panels.* To ensure the maintenance of a cadre of professional staff, AEC has instituted an annual programme of recruiting recent tertiary graduates with academic records relevant to the functions of the institution. In recent years, it has recruited between 10 and 15 such students each year.

All permanent positions at AEC are advertised upon vacancy, and common selection criteria are established for each position in regards to ability, expectations and personal skills, among others. Selection panels are established to oversee the interviewing of candidates, with referees seeking comments and references.

*Induction.* All new recruits to AEC are given basic induction into the work of the organisation. Much of this induction is managed through the use of self-directed online tutorials developed for AEC's intranet. A more



recent development has been to bring all new recruits into the Comission's Canberra office for a three-day, face-to-face session in the six-month period following their appointment.

*Internal training.* As electoral administration continues to be supported by more – and more complex – information technology (IT) systems, it is important that staff members fully understand how such systems operate. It would be prohibitively expensive to provide face-to-face training for all 750 permanent staff; instead, AEC reaches them through a large number of online training packages. These packages vary in complexity, depending on the specific systems individual staff members need to operate. To ensure that staff comply with the requirement to be adequately trained, they can only be granted access to certain systems after successful completion of the relevant training. The more complex systems used by more senior managers can be supplemented by face-to-face training if required.

### 3.4.2. Mexico

IFE is an independent public organ created in 1990. In addition, a special civil career service for IFE, known as profession electoral service, was created in 1992 to assist it in ensuring professional performance. This is a body of 2,246 staff from among a total of 15,000 IFE employees, with 90 percent of positions distributed in 332 local offices and 10 percent at national headquarters in Mexico City.

The professional electoral service was established mainly in response to the lack of trust in the electoral authority by political parties. Professional, independent staff are expected to be impartial and thus not under the influence of any party. Setting such conditions also was seen as vital to building confidence among citizens and helping to ensure that electoral results would be acceptable to everybody (or at least the vast majority).

The main activities of the professional staff during and after elections are the following:

- planning and executing electoral events,
- guaranteeing that political parties have equitable access to radio and TV,
- promoting and conducting electoral trainings,
- choosing the most adequate locations for polling places,
- coordinating the distribution of documentation and electoral materials,
- receiving the electoral packages for distribution and retrieval, and
- counting the ballots.



Carlos Navarro Fierro, IFE Director of International Studies and Projects (Mexico).



# APPLYING THE KEY PRINCIPLES OF ELECTORAL MANAGEMENT: COUNTRY EXAMPLES

IFE makes an effort to continuously improve the professionalism of the electoral structures and processes through rigorous recruitment and training of its employees. In addition to boosting its credibility across all stakeholders (including the public), these steps are considered vital to consolidating democracy.

During and after the professionalism-oriented country case studies, questions and comments during open discussion mainly revolved around the following themes:

- **Measuring professionalism.** How can the professionalism of an EMB be measured? Professionalism is based on efficiency and good practice, yet it also relates to perception. To help evaluate and measure professionalism, an EMB can place targets for itself, such as increasing voter turnout and decreasing invalid votes, with specific strategies drafted to achieve such targets. For instance, responding to complaints should be quick and efficient. In Australia, AEC has to respond to all complaints within a maximum of 24 hours. If the Commission has no answers to particular complaints or queries, it can seek external advice.
- **Relationship between professionalism and impartiality.** An EMB should employ its staff exclusively based on professional technical criteria: in other words, to be professional, an EMB has to be impartial. It is necessary that mechanisms and systems are in place to instill a culture of professionalism, such as codes of conduct that specify ethical rules and behaviour. In Australia, the Australian Public Service Commission develops such codes by taking into consideration international standards. A new version comes out every two years, and all staff must abide by the codes of conduct. There are a number of sanctions, including fines and demotion, depending on the severity of breach. In Mexico, IFE has developed disciplinary procedures to address improper behaviour.
- **Operationalization of the principle of professionalism.** Conceptual principles can often prove hard to implement in practice, and thus achieving professionalism can be a difficult and slow process. However, it is important to go through a professionalization process because trust and confidence will be lost if stakeholders, candidates and voters perceive a lack of professionalism.

## 3.5. Sustainability: South Africa and Yemen

### 3.5.1. South Africa

A number of legal provisions and other factors contribute to the sustainability of the Electoral Commission of South Africa. One is that other organs of state must assist and protect the institution to ensure its independence, impartiality, dignity and effectiveness.

In regards to funding to fulfill its mandate, the Electoral Commission Act states that the costs of the Commission should be covered by funds appropriated by the national parliament. In line with that provision, the Commission consults directly with the National Treasury on its budget and reports to the parliamentary committee on home affairs by submitting annual financial statements and strategic plans.

A 1999 Constitutional Court ruling further codified factors related to the ability of the Commission to determine its own budget. According to the ruling, the Commission's "financial independence" relied on



its ability to have access to funds “reasonably required to enable [it] to discharge the functions it is obliged to perform under the Constitution and the Electoral Commission Act.” Thus although the Court ruled that only the national parliament (and not the Commission itself) can set the EMB’s budget, it “must consider what the Commission reasonably requires and deal with requests for funding rationally, in the light of other national interests.” The Court also stated that the Commission should have “adequate opportunity to defend its budgetary requirements before parliament or its relevant committees.”

### *Other sustainability-related issues*

Also in the 1999 ruling, the Constitutional Court discussed the Commission’s “administrative independence,” stating that no government agency can “instruct” the Commission on how it operates, including who to employ, how to register voters, etc. The government is only allowed to provide personnel if requested by the Commission.

In line with the Court’s judgments, all state institutions are obliged to assist the Commission in executing its mandate. In particular, the following institutions are expected to provide election-related services such as the following:

- Police: securing voters, voting stations and materials
- Intelligence: providing information on possible areas of instability
- Military: transportation of ballot papers in inaccessible areas
- Education ministries: provision of classrooms in schools as voting stations
- Department of Home Affairs: identity documents
- Department of International Relations and Cooperation: voting abroad
- Ministry of Justice: prosecution of election-related criminal acts
- Penitentiary officials: voting of prisoners

### *International cooperation*

International cooperation ensures that the Commission is kept abreast of best practices in the management of elections and also shares innovative ideas and good practices with its counterparts. Such cooperation is also considered an important way to consider approaches and strategies to ensure sustainability. The Commission is a member of the following international and regional organisations: International IDEA; the Southern African Development Community (SADC) Electoral Commissions Forum; and the Association of African Election Authorities (AAEA). Moreover, the Commission has signed cooperation agreements with counterpart electoral bodies in India, Mexico and Brazil. Finally, the Commission also participates in various observer missions and capacity-development activities with its counterparts.



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## 3.5.2. Yemen

Yemen's EMB was the first to be established in the Arab world, in 1992. The Constitution stated that a "supreme, independent and neutral commission shall administer, supervise and monitor the general elections and general referendums." The composition of the electoral commission has been changed six times since: as of the latest revision, in 2010, commissioners comprise exclusively judges. That situation is considered an interim basis only, until a new constitution (which may specify a different structure and composition for the EMB) is drafted.

Known as the Supreme Commission for Elections and Referendums (SCER), the EMB's sustainability strategy concerns policies on human resources, financial and political fronts. Regarding human resources sustainability, SCER has more than 400 employees in headquarters and about 270 in sub-national branches. SCER has received support in the form of funding and training from international organisations including UNDP and IFES. During election periods, SCER also offers extra wages and financial incentives for employees, as well as promotion incentives, in an effort to help improve performance and prompt innovation.

In an effort to strengthen its financial sustainability, SCER aims to prepare timely and accurate estimates for all electoral requirements, ranging from voter registration to counting ballots. It shares its analysis with governmental authorities and works directly with them to determine financial needs over time.

To enhance its political sustainability, SCER has been devoting enormous efforts to strengthening its relations with a range of stakeholders including political parties, civil society organizations, offices of international organizations operating in Yemen, and governmental authorities concerned with elections. In particular, SCER communicates regularly with political parties to explain its actions and decisions, and in an effort to reach satisfactory arrangements regarding such important issues as formation of temporary field polling stations and electoral constituency delimitation. SCER always exerts huge efforts to ensure representation from political parties at as many polling stations as possible; similarly, it aims to include a full range of stakeholders during voter-registration and vote-counting exercises.

During and after the sustainability-oriented country case studies, questions and comments during open discussion mainly revolved around *financial sustainability* issues. Budgeting was presented and discussed as being closely tied to both the independence and sustainability of an EMB. National and international funding of political parties and electoral campaigns as well as limits and vigilance on funding and expenditures were also discussed. A main concern expressed was possible undue interference from big funders.

Other issues such as cost of elections and trends in the cost per voter were brought into the discussion. For example in Yemen, the cost per registered voter has been decreasing since 1993. In Australia, AEC's budget represents almost 0.5 percent of the national budget, and the cost per voter is estimated at approximately US\$10.

And finally, also emphasized was the role of parliaments in overseeing the way EMBs conduct their everyday operations, voter registration and polling.





## THE EGYPTIAN, LIBYAN AND TUNISIAN ELECTORAL MANAGEMENT EXPERIENCE



This section summarizes the electoral management experience and situation in three main target countries of the forum: Egypt, Libya and Tunisia. Also referred to below are floor discussions in response to presentations.

### 4.1. Egypt

Egypt<sup>6</sup> has a long electoral history under various regimes, including different stages of the regime prior to the 2011 revolution. Elections have been held with different degrees of freedom and fairness. For example, the 1976 elections were considered a step forward in the pursuit of multiparty democracy, but the political will to continue along that path failed.

In 1971, judges began serving as presiding officers at polling stations. After being removed from that role after the 2005 elections, they were reinstated as the main electoral officers at polling stations during the referendum in 2011 and the 2011-2012 electoral events.

The current electoral system and structure, intended to exist on an interim basis only, is somewhere between an independent model and a mixed one in which the government runs the electoral operation under the supervision of an electoral commission. The roles and responsibilities of two key entities – the High Electoral Commission (HEC) and the Presidential Electoral Commission (PEC) – are in the process of being analyzed and considered, as are those of the Ministry of Interior. It is assumed that a new constitution will indicate what model of electoral administration will be established on a permanent basis.

At the forum, many challenges observed during the 2011-2012 electoral processes were highlighted. They include widespread doubt among the public as to the political will to move towards real democratic change; a lack of trust in parliament; deficiencies related to

**“Technical co-operation and exchanges among EMBs are indeed key factors to ensuring higher levels of credibility for future elections. To this effect, this forum provides an important opportunity for networking and cooperation, bringing together a wide array of electoral stakeholders from the region and internationally renowned experts in electoral management from across the world to compare country experiences and debate opportunities for cross-fertilization.”**

*Antonio Spinelli, IFES Country Director in Egypt.*

<sup>6</sup> Egypt’s 2014 reformed Constitution calls for the establishment of a single electoral management body (EMB), the National Electoral Commission (NEC), and further legislation is being drafted regarding its establishment and organization. The new commission will replace the two different commissions in existence at the time of the 2012 forum: the Presidential Electoral Commission (PEC), which focused on presidential elections, and the High Electoral Commission (HEC), which dealt with parliamentary elections.



# THE EGYPTIAN, LIBYAN AND TUNISIAN ELECTORAL MANAGEMENT EXPERIENCE

the independence of electoral administration; and various challenges resulting from the need to implement court decisions on the morning of election days. Similarly, the lack of skills and experience with democratic elections led to the dissemination of inaccurate or incomplete information, which may have decreased trust in (and the credibility of) electoral management structures among civil society organisations as well as the general public.

At a more technical level, there were a number of administrative problems and setbacks, including the lack of a coherent database of eligible voters that could be provided by different governmental institutions. Regarding criteria for verifying voter eligibility, prior to the revolution of 25 January 2011, any citizen interested in voting had to apply for a pink voter card. However, after the revolution, it was decreed that voting can be done using national IDs to better facilitate the process.

Complications nevertheless persisted due to lack of information confirming eligibility. For example, eligibility is restricted to people aged 18 or over with no court rulings issued against them, and police officers and members of the armed forces are not allowed to vote. In addition, inaccurate information stemmed from the expectation that voters revise their personal data recorded in the system and report the death of any family members if their names are still in the voter registry.

Other problems were associated with the limited availability of financial resources due to the country's economic hardships and the lack of coordination with executive authorities during the electoral process. To address concerns about the EMB's finances, there was an agreement that its budget should be a part of the

Members of the Egyptian delegation to the subregional forum.





government budget because a permanent budget will ensure the sustainability of the EMB. Also agreed was that there should be a periodic budget that is specified by the Ministry of Finance and mentioned in the Constitution for all types of elections. As for the remaining balances of the EMB, these should be transferred to the following year's budget.

A major hindrance for the efficient administration of elections in 2011-2012 was the multiplicity of legislation and regulations that had to be implemented in a short timeframe. However, judiciary supervision of elections seemed helpful to ensure that the votes and voices of people were transparently and efficiently delivered.

Regarding out-of-country voting, Egyptians abroad were only entitled to vote following a court ruling that was issued within a very short timeframe prior to the elections. This resulted in putting PEC under substantial pressure, and consequently it was difficult to have an accurate voter database outside Egypt. In the end, only a few thousand of some eight million Egyptians abroad ended up voting.

A number of recommendations emerged from the open discussions. They included the following, some of which referred specifically to Egypt but others which were broader in nature:

- given the multiplicity of electoral legislation pieces in Egypt, some sort of codified legal framework is needed. This would facilitate, among other effects, the work of electoral authorities in the preparation and conduct of elections;
- prioritizing the five main principles, particularly independence, is essential; so too is establishing a permanent body, rather than an *ad hoc* one. Independence can only be achieved through clear separation of roles and responsibilities of an electoral supervisory body and the executive body dealing with electoral operations;
- EMBs should be able to make independent decisions regarding the spending of their budget based on what they consider to be appropriate and necessary for the proper conduct of elections;
- ensuring that EMBs are representative of all segments of society is vital;
- the roles and responsibilities of other governmental agencies in charge of implementing election-related operations (e.g., interior and foreign affairs ministries) should be clearly defined in the law;
- establishing an independent judicial court for electoral matters might be desirable;
- adding national ID numbers to death certificates would avoid having the names of deceased citizens in the voter registry;
- in an effort to uphold transparency, and therefore the legitimacy of elections, systematic communication between EMBs and other stakeholders is necessary;
- public outreach activities enhancing political awareness of citizens through civic education and voter information campaign are crucial. Creating a department in an EMB is necessary to address voter needs, particularly for those who might face difficulties while voting (such as people living with disabilities and Egyptians abroad); and
- international technical cooperation for elections, such as that which could be provided by the sponsor organizations of the forum (UNDP and IFES), should especially focus on areas such as training, drafting legislation on structuring EMBs, internal regulations of EMBs, and introducing electoral issues in school curricula.





# THE EGYPTIAN, LIBYAN AND TUNISIAN ELECTORAL MANAGEMENT EXPERIENCE

## 4.2. Libya

Libya<sup>7</sup> is in the midst of political change following armed conflict. An electoral component of a UN political mission is offering assistance in operationalizing the electoral administration. Its efforts may prove relatively successful since the political will exists in the Interim National Transitional Council (INTC) as well as among the people to overcome the political damages of the authoritarian regime overthrown in 2011.

The Libya case is quite different compared with the Egyptian and Tunisian cases in that there was a huge political vacuum due to the lack of essential electoral infrastructure including political parties, electoral institutions and civil society organizations. In addition, the presence of strong and entrenched tribal affiliations, identities and social structures has proved challenging. Given the absence of electoral experience for decades before 2011, Libya has essentially had to start from the very beginning in regards to developing a democratic state and an independent, efficient and transparent electoral administration.

A distinct model of electoral administration, different from Tunisia and Egypt, is being set up to accommodate the various political factions in the country – and with only a little time for the preparation of the first election. An important early step consisted of the establishment of the High National Elections Commission (HNEC) in January 2012 as an independent body under the supervision of INTC.

<sup>7</sup> The information and observations were up to date and valid as of the time the forum took place in April 2012.

Members of the Libyan delegation to the subregional forum.





A number of proposals and instructive inputs were presented to better facilitate and manage the Libyan electoral process, particularly in terms of the implementation of the five key principles of electoral management. Such extensive engagement partly explains the large HNEC membership, with 17 members plus a president.

HNEC has a governing body and a central administration. Its members were appointed by INTC; the Commission's governing body includes a chairperson and three deputies, all of them judges appointed by the Court of Appeals. The other 14 members include two lawyers, two university professors, four members from the civil society sector (two men and two women), an expert in administrative affairs, a youth representative, and a representative of the Libyan diaspora.

The administrative body or central administration follows a rather standard structure with a director-general (chief electoral officer) and three departments: operations, public relations, and administration and finance. The operations department is in charge of training, procedures, logistics, and the voter database as well as all other information technology (IT) issues.

The public relations department is in charge of media and public relations, voter education, electoral observation, and international liaison. Finally, the administration and finance department is charged with human resources, finance, procurement, and general services.

A field structure is in the process of being established with five persons to be appointed by the Board of Commissioners, with the remaining staff to be recruited by the central administration. Current planning envisages offices in each of the country's 13 districts to support the conduct of the upcoming parliamentary elections – scheduled (at the time the forum was held) for June 2012.

In addition, the HNEC Board of Commissioners has responsibility for the following functions:

- establish a voter registry;
- ensuring civic and voter education;
- regulating the registration and certification of candidates and political entities for the purpose of contesting elections, with vetting conducted by a specialized committee;
- overseeing and monitoring electoral campaigns and processes;
- accrediting election observers, political party agents and media representatives;
- certifying the structure of the electoral administration;
- establishing internal committees responsible for different areas of the electoral process; and
- setting HNEC's financial structure.

HNEC is facing many difficulties in overseeing the electoral process. The tight timeframe to organise the elections is a particular challenge, and various logistical and technical obstacles exist due to the lack of specialized expert knowledge in both the government and civil society sectors. Such circumstances may not allow for a satisfactory level of professionalism.

Another major challenge has to do with the absence of legislative reform that would ensure judicial monitoring of the electoral process. Under current legislation, there is no possibility of resorting to judges for support in the electoral process.



# THE EGYPTIAN, LIBYAN AND TUNISIAN ELECTORAL MANAGEMENT EXPERIENCE

One main logistical difficulty concerns the inadequate coordination between the national government and sub-national authorities and field agents in general. Such a problem is likely to prove difficult to overcome given the size of the Libyan territory.

Two other challenges are worth mentioning:

- **Lack of financial resources.** Despite being a rich country in terms of per capita gross domestic product (GDP), Libya is experiencing a weak cash flow that the UN is trying to alleviate. The UN is playing an important role in providing technical assistance to INTC and is eager to similarly assist HNEC.
- There is also a **lack of political** awareness among citizens about elections and the democratic process. Effective outreach efforts are stymied by the impact of 50 years without any democracy or viable elections.

## 4.3. Tunisia

This case study considers the October 2011 elections for Tunisia's National Constituent Assembly. Prior to those elections, there was a lack of credibility in the Ministry of Interior as an election manager during the previous regime. As a result, an interim electoral commission, the Instance Supérieure Indépendante pour les Élections (ISIE), was created for the October 2011 elections.

The lack of efficient electoral institutional infrastructures, including an executive electoral body, had to be surmounted in the midst of a highly uncertain transitional environment. The same situation applied to the lack of valid standards for evaluating electoral performance.

In addition, the lack of any certified database of eligible citizens led to the development of a new database – but despite major efforts, the voter registry remained incomplete. In this, as in other respects, ISIE had the authority but did not have the proper implementing tools. ISIE was also criticized for including partisan representation quotas in its structure, a decision made to limit obstruction on the part of one or more political parties.

Nevertheless, the elections were properly conducted after facing tight timeframes and technical challenges, both for voter registration and for the polling operation. Despite the lack of time, experience and other shortcomings, the work of ISIE in Tunisia was valuable and should be used as a foundation for future work. After the elections, ISIE published a detailed and useful report on the conduct and lessons learnt from the electoral exercise.

The next elections will be a direct competition for power and Tunisians are likely to be more strict in their judgment of ISIE's performance. Adequate preparation is needed to face future challenges. Based on the strengths and weaknesses of the past experience, some immediate priorities should be given special attention, such as the following:

- the EMB is not an isolated island, but the product of the societal and political developments of the country, including government and citizens. Therefore the EMB should be institutionalized in a manner that is suitable for all stakeholders;





- the importance of cross-cultural, comparative experiences and the necessity of trying new models before identifying one as most suitable for the Tunisian case should be emphasized, since professionalism requires practice and experience. The Mexican model was cited as a possible useful reference, given that country's similarities in regards to lack of political confidence, security needs and ethnic diversity;
- legislation establishing the EMB should be produced and approved as soon as possible to avoid time constraints in the future electoral process. The composition and structure of the EMB, precise provisions regarding its attributions, and a clear distinction between its supervisory and operational role should be established.

At the time of writing, a new law for the establishment and structuring of a permanent electoral commission was being drafted. It is expected that approval will be granted before the constitution is completed as there is consensus among the political parties and other stakeholders on the need for this legislation;

- a more professional election administration is needed to establish clear standards for recruitment, to complete the voter registry, and to increase electoral awareness through educational programmes in collaboration with civil society organisations and governmental agencies;
- better time-management planning and processes are needed for both the preparation of elections and the transmission of results;
- monitoring the EMB's performance both financially and operationally requires specific mechanisms to be established. Such monitoring should be undertaken post- rather than pre-elections in order not to hinder the electoral operations;
- getting feedback from all actors that participated in the post-revolutionary elections would help identify future organization and procedural priorities;
- greater efforts should be made to coordinate with different local and international actors to enhance election administration. In this sense, international technical cooperation, which is tailored to the specificities of a country's needs, is important and welcome in Tunisia.

Members of the Tunisian delegation to the subregional forum.





# 5

## CONCLUDING REMARKS

Some summary remarks are offered in this section about key issues raised during the forum presentations and open discussions. They refer to election management experiences from 10 different countries, all referred to during the forum, of which three were those constituting the forum's main focus: Egypt, Libya and Tunisia.

### Five interlinked guiding principles on election management

The five main principles are interlinked and sometimes can raise tensions and conflicting demands among themselves. Three constitute the ethical political umbrella of elections management: independence, impartiality and transparency of an electoral administration.

The other two – professionalism and sustainability – are more associated with administrative, technical, operational guidance. In all cases, the five principles are not merely a matter of political and organisational philosophy. They are all important to recognize and prioritize. The main challenge lies in how to make these principles operational or applicable under the specific circumstances of a given country and, more dramatically, in a transitional environment towards democracy.

Tensions may arise between different pairs of principles, such as professionalism versus impartiality, independence versus accountability, independence versus transparency, and sustainability versus cost-effectiveness as a dimension of professionalism. There is no universal recipe to overcome such tensions, but each country's EMB must find its own way under the prevailing circumstances in a way that does not seriously compromise the overall credibility and legitimacy of the electoral process. An overarching essential goal for all EMBs is building and maintaining trust among all relevant stakeholders. Yet trust is hard to build; it does not come quickly as it is usually a mid- and longer-term achievement, and often it is also costly in financial terms to build.

### Context matters

History, tradition, political culture as well as more recent events associated with political change necessarily affect, and may even determine, the institutional shape and functioning modalities of an EMB. Early on, the emergence of different types of electoral administration was a product of political history and legal tradition. Historical analysis shows that an evolutionary trend exists whereby changes in the institutional shape of EMBs are intricately related to the history of expansion of universal suffrage.

As noted in this report, elections were and are still run directly by governments in a number of older democracies as a result of a historical evolution of struggling for democracy since the last quarter of the 19th Century. As new democracies began emerging by the middle of the 20th Century in Latin America and a number of independent countries in other regions, the type of institutional response to the need for free elections came in the form of an electoral commission that would be independent from interference by government



and political parties. Moreover, a mixed model of governments running elections under the oversight of an electoral commission seems to have worked in some contexts as an intermediate step between the older and newer models of electoral administration.

## Issues of special concern

Some specific issues, priorities and concerns emerged in the discussions with particular emphasis and frequency. These include the following:

- desirability of financial and political accountability of an EMB,
- permanent electoral staff should be part of the civil service in order to facilitate an EMB becoming professionalized,
- increasing women's involvement in EMBs,
- establishing and maintaining a cooperative relationship between an EMB and different government agencies for the implementation of electoral operations,
- concern about personal data protection with regard to voter registries,
- facilitating and increasing out-of-country voting,
- clearly defining the role of the judiciary in elections,
- the role of the civil society sector in electoral operation, and
- facilitating the vote of people living with disabilities.

## Moving forward

Appealing opportunities exist for exploring and increasing international cooperation for elections, using global tools for learning and communication, and networking among electoral officers from within the same region or from different regions of the world.

International cooperation for elections has been increasingly offered since the mid 1980s. It takes multilateral or bilateral forms, and tens of countries have benefitted from it. The UN as well as regional intergovernmental organisations have deployed a variety of projects in support of elections. Bilateral cooperation between countries also has played a role. The increasing importance of South-South cooperation among electoral stakeholders is another trend with potentially useful and instructive benefits. Collectively, the growth of international cooperation indicates that the expansion of democracy has been responsible for the rising number of electoral experts and administrators coming to maturity all over the world. Electoral practitioners



## CONCLUDING REMARKS

are advised to use tap into this rich experience, which also includes global tools of learning such as the ACE encyclopedia and the training modules of BRIDGE.

In regards to international networking, developments in recent years offer enhanced possibilities for the establishment of a regional association of electoral officers in the Arab world – as has been the case in practically all the other regions of the world. Numerous benefits can stem from this kind of international networking. Initial steps toward creating a viable regional association in the Arab world might take the form of a coordinating or steering committee for the building of a professional association.

History shows that democratic progress and consolidation take time. It is not a matter of years, but of decades or even longer. Elections are a crucial step towards democracy. Although in the Arab world experience in and commitment to holding multiparty elections vary among countries, these are times of transition that may lead to the enhancement of rights and freedom, and democratic consolidation. Consequently, strategies towards establishing EMBs should be thought of as long-term undertakings. Institutional memory aimed at improving electoral processes from past and current elections should be preserved in order to support capacity-building for the future of democracy.

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## ANNEXES

### Annex 1. Forum Structure, Speakers and Participants

#### Structure

The 9-11 April 2012 subregional forum included plenary sessions with presentations and open discussion as well as smaller country group discussions to ensure extensive and intensive dialogue among participants. During the smaller group sessions, participants from each of the three main target countries (one from Egypt, one from Libya, and one from Tunisia) were assisted by a facilitator as they discussed the challenges faced in electoral administration, lessons learnt, and ways in which an independent and sustainable EMB that upholds international principles might be established. Each group then reported back to the plenary session through a chosen group rapporteur.

As for the plenary sessions, speakers gave short presentations that were followed by floor discussions. The floor discussions were facilitated by moderators who summarized the main observations, conclusions and recommendations of the presentations for the participants at the end of each session. The presentations and discussions were conducted in both Arabic and English, and simultaneous interpretation to both languages was provided.

#### Speakers, moderators, facilitators and rapporteur

At the opening session, opening speeches were given by the following: Dr. Ashraf AbdelWahab, Acting Minister, Ministry of State for Administrative Development (Egypt); Councilor Abdel Moez Ibrahim, Chairperson of the High Judicial Elections Commission (Egypt); Dr. Paolo Lembo, Director of the UNDP Regional Center in Cairo; and Zeinab Abdelkarim, Regional Director of MENA at IFES. Hassan Krayem, Governance Policy Specialist at the UNDP Regional Center in Cairo, acted as Master of Ceremony.

The following were speakers at presentations on each of the three countries that were the focus of the forum: from Egypt, Hatem Hamad Abdallah Bagato, Secretary-General at the Presidential Electoral Commission (PEC), and Hesham Mokhtar, member of the technical committee at the High Electoral Commission (HEC); from Tunisia, Mourad Ben Mouelli, Director of the Legal Department at the Instance Supérieure Indépendante pour les Élections (ISIE); from Libya, Fathi Baja, member of the National Transitional Council (NTC).

As for the international speakers, these included – in order of presentations – Rafael López Pintor (Spain), a leading electoral expert and keynote speaker; Carlos Valenzuela (Colombia), UN Chief Electoral Advisor in Egypt, Libya and Tunisia; Luis Diego Brenes Villalobos (Costa Rica), Political and Institutional Advisor at the Electoral Supreme Tribunal of Costa Rica; Sudhir Kumar Rakesh (India), Chief Electoral Officer at the Indian



Administrative Services; Carlos Navarro Fierro (Mexico), Director of International Studies and Projects of the Electoral National Institute of Mexico; Rafael Martínez Puón (Mexico), Executive Director of the Professional Electoral Service at the Instituto Federal Electoral of Mexico; Terry Tselane (South Africa), Vice Chairperson of the Electoral Commission of South Africa; Paul Dacey (Australia), ex-Chairperson of the Australian Electoral Commission; Mohammed Alsayani (Yemen), member of the Shoura Council (Advisory Council) of Yemen and ex-Chairperson of the Yemeni Supreme Commission for Elections and Referenda; Malek Twal (Jordan), Secretary General of the Jordanian Ministry of Political Development; Antonio Spinelli (Italy), Chief of Party at IFES Egypt; Zoltan Toth (Hungary), ex-Chairperson of the Association of European Election Officials; Aleida Ferreyra (Mexico), Electoral Policy Specialist in the Democratic Governance Group (DGG) in the Bureau for Development Policy at UNDP New York; and Iyad Abymoghli (Jordan), Knowledge Management Team Leader at the UNDP Regional Center in Cairo.

The moderators – whose role was to introduce the speakers and facilitate the floor discussions during the plenary sessions – included Nicolas Kaczorowski, Country Director of IFES Tunisia; Omar Abdalla, Project Manager at IFES Egypt; Fida Nasrallah, Deputy Chief of Party at IFES Egypt; Geoffrey Prewitt, Practice Coordinator and UNDP Regional Center Deputy Head; Mitra Motlagh, Human Rights Specialist at UNDP Regional Center in Cairo; Jose Maria Aranaz, Chief Electoral Advisor at the United Nations Assistance Mission for Iraq (UNAMI); Danakhan Malhas, Capacity Development Specialist at the UNDP Regional Center in Cairo; Donia Ben Romdhane, Gender Advisor at UNDP Tunisia; Paul Dacey, ex-Chairperson of the Australian Electoral Commission; and Armando Martínez-Valdes, Team Leader of the Strategic Partnership and Resource Mobilization cluster at the Electoral Assistance Division in the United Nations.

The facilitators – whose role was to facilitate the 90-minute group discussions conducted by the Egyptian, Tunisian and Libyan country groups separately – included Amr Hashem Rabea, Head of the Democratic Transition Unit at Al Ahram Center for Political and Strategic Studies (Egyptian group); Marwan Abi Samra, Social Policy and Civil Society Organizations Advisor at the UNDP Regional Center in Cairo (Tunisian group); and Hassan Krayem, Governance Policy Specialist at the UNDP Regional Center in Cairo (Libyan group).

Rafael López-Pintor conducted a final session as the forum rapporteur, offering concluding remarks based on the forum's various sessions.

At the final session, closing remarks were delivered by James Rawley, UNDP Resident Representative in Egypt, and Antonio Spinelli, Chief of Party at IFES in Egypt.

## Participants

The participants represented a variety of the more relevant election stakeholders from Egypt, Libya and Tunisia, as well as experts and practitioners from other countries in view of the objective of the conference. The Egyptian delegation included members of the High Electoral Commission and Presidential Electoral Commission; members of various ministries such as the Ministry of Interior and the Ministry of State for Administrative Development; members of the Egyptian Parliament; members of the Egyptian Cabinet's Information and Decision Support Center; members of the State Information Service; judges; academics;





opinion leaders; and members of civil society organisations. As for the Tunisian delegation, participants included members of the National Constituent Assembly; members of the Instance Supérieure Indépendante pour les Élections; government representatives; journalists; members of civil society organisations; and members of UNDP Tunisia. Similarly, the Libyan delegation included members of electoral commissions (electoral administrators), including the High National Elections Commission, Misrata Electoral Commission and Tripoli Electoral Commission; members of the National Transitional Council; other government representatives; journalists; and members of civil society organisations. Overall, there were more than 55 participants, not including speakers, moderators and other staff from sponsor organisations.





## Annex 2. Type of EMB in 200 Electoral Jurisdictions Worldwide

The table below classifies 200 national and semi-independent sub-national jurisdictions according to their type of electoral management body. The information was relevant as of the time this report was prepared (June 2012).

TYPE OF ELECTORAL ADMINISTRATION	NORTH AMERICA AND WESTERN EUROPE (25 JURISDICTIONS)	LATIN AMERICA AND THE CARIBBEAN (43 JURISDICTIONS)	
<b>Government runs elections</b> (36 jurisdictions: 18% of total)	Belgium, Denmark, Finland, Gibraltar, Guernsey, Luxemburg, Ireland, San Marino, Switzerland, United States of America <b>10</b>	Anguilla, Antigua and Barbuda, Falkland Islands, Grenada, Montserrat, Netherlands Antilles, Turks and Caicos Islands. <b>7</b>	
<b>Government runs elections under the supervision of a commission</b> (52 jurisdictions: 26% of total)	Austria, France, Germany, Greece, Italy, Monaco, Netherlands, Norway, Portugal, Spain, Sweden, United Kingdom <b>12</b>	Argentina, Aruba, Belize, Bermuda, Cayman Islands, Cuba, Guyana, Jamaica, Virgin Islands <b>9</b>	
<b>Independent election commission is fully responsible for elections</b> (112 jurisdictions: 56% of total)	Canada, Iceland, Malta <b>3</b>	Bahamas, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Saint Lucia, Saint Kitts and Nevis, Saint Vincent, Surinam, Trinidad and Tobago, Uruguay, Venezuela <b>27</b>	



	<b>ASIA AND THE PACIFIC (45 JURISDICTIONS)</b>	<b>MIDDLE EAST AND NORTH AFRICA (15 JURISDICTIONS)</b>	<b>CENTRAL AND EASTERN EUROPE (22 JURISDICTIONS)</b>	<b>SUB-SAHARAN AFRICA (47 JURISDICTIONS)</b>
	Iran, Marshall Islands, Micronesia, Nauru, Pitcairn Islands, Singapore, Tonga, Tuvalu, Viet Nam <b>9</b>	Bahrain, Cyprus, Kuwait, Lebanon, Oman, Syrian Arab Republic <b>6</b>		Burundi, Congo, Seychelles, Saint Helena <b>4</b>
	Japan, Lao People's Democratic Republic, Maldives, Palau, Tokelau <b>5</b>	Algeria, Israel, Morocco, Egypt, <b>4</b>	Albania, Croatia, Czech Republic, Hungary, Romania, Slovakia <b>6</b>	Benin, Burkina Faso, Cameroon, Cape Verde, Chad, Côte d'Ivoire, Djibouti, Gabon, Guinea, Madagascar, Mauritius, Niger, Senegal, Zimbabwe <b>15</b>
	Afghanistan, Armenia, Australia, Azerbaijan, Bangladesh, Bhutan, Cambodia, Fiji, Hong Kong, India, Indonesia, Kazakhstan, Kiribati, Kyrgyzstan, Malaysia, Mongolia, Nepal, New Zealand, Pakistan, Philippines, Papua New Guinea, Republic of Korea, Samoa, Solomon Islands, Sri Lanka, Thailand, Taiwan, Tajikistan, Timor-Leste, Turkmenistan, Vanuatu <b>31</b>	Iraq, Libya, Mauritania, Palestinian territories, Jordan, Tunisia, Turkey, Yemen <b>8</b>	Bosnia and Herzegovina, Belarus, Bulgaria, Estonia, Georgia, Kosovo, Latvia, Lithuania, Macedonia, Moldova, Montenegro, Poland, Russian Federation, Serbia, Slovenia, Ukraine <b>16</b>	Angola, Botswana, Central African Republic, Comoros, Democratic Republic of the Congo, Eritrea, Ethiopia, Gambia, Ghana, Guinea-Bissau, Kenya, Lesotho, Liberia, Malawi, Mali, Mauritania, Mozambique, Namibia, Rwanda, Sao Tome and Principe, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Uganda, United Republic of Tanzania, Zambia <b>28</b>

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