DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

NDI

WORKING GROUP SUMMARIES AND ACTION ITEMS

The National Democratic Institute (NDI) hosted the 7th Implementation Meeting of the Declaration of Principles for International Election Observation in Washington, DC, on November 13-15, 2012. On November 13, NDI and the International Republican Institute (IRI) co-hosted a high level panel on: "The Importance of International Election Observation in Supporting Democratic Development", which was held at the United States Capitol Visitor Center. Working sessions on November 14-15 took place at NDI and focused on improving coordination around key challenges and innovations in international election observation.

SESSION I: FOLLOWING UP ON OBSERVATION MISSION RECOMMENDATIONS

- **Moderator:** Beata Martin-Rozumilowicz, OSCE/ODIHR
- Domenico Tuccinardi, NEEDS / International IDEA
- Gustavo de Unanue, OAS
- Peter Wolf, ACE
- Denis Kadima, EISA
- David Carroll, Carter Center

This working session built upon "Guiding Principles and Coordinated Approaches for Follow-Up on Election Observation Mission Recommendations", a document discussed at the 5th Implementation Meeting and accepted at the 6th Implementation Meeting. The session focused on ways to improve coordination in tracking and fostering local stakeholder follow-up on recommendations presented in international observation mission reports.

The first set of panelists presented current and developing tools for compiling and analyzing recommendations. Participants agreed that these tools could improve the formulation of recommendations to make them more consistent, actionable and targeted, and could facilitate monitoring follow-up on recommendations. The second set of panelists discussed case studies and models of coordination among observer groups to jointly encourage follow-up on recommendations.

Using Mozambique, Tunisia and Kyrgyzstan as recent cases of successful coordination among international observers, discussion emphasized the importance of promoting local ownership of

recommendations and coordinating international efforts around priority electoral reforms, including cooperating with efforts of citizen observer groups and other domestic election reform advocates. During the discussion, participants proposed upcoming elections in Georgia, Kenya, Nigeria and possibly Haiti and Pakistan as places for more coordinated efforts to encourage implementation of recommendations and track action on recommendation implementation.

ACTION ITEMS

Recommendation Formulation and Tracking

- Compile recommendations, including through submission of all IEOM statements and reports to the ACE portal database so that recommendations can be easily identified and compared.
- Track systematically implementation actions on recommendations and share such information.
- Formulate recommendations with more specific targets and outcomes.
- Distinguish between recommendations that can be implemented immediately and those that are medium and longer term.
- Prioritize recommendations, instead of issuing laundry lists, and note to whom they are directed.
- Increase the consistency of recommendation language and content across election cycles and countries.
- Ensure that recommendations reflect the findings and analysis presented in observation statements and reports.

Promoting Follow-up on Recommendations and Coordinating Follow-on Efforts

- Encourage national ownership of recommendations among relevant stakeholders.
- Track past recommendations to assess progress over the course of electoral cycles.
- Promote recommendation follow-up by coordinating with national stakeholders, including citizen election monitoring groups, legislative bodies and EMBs, consulting political actors as appropriate, and coordinating with international organizations that have a significant in-country engagement.
- Identify a pilot country or countries for follow-on coordination among international observer missions.

SESSION II: EVALUATING IMPACT AND ENGAGING ACADEMICS

- **Moderator:** Michelle Brown, NDI
- Larry Garber, USAID
- Betilde Muñoz-Pogossian, OAS

Participants in this panel identified key debates and challenges in evaluating the impact of

international election observation, reviewed past IEOM evaluation pilots, and highlighted common assumptions and misconceptions of academics that study election observation. The central challenges to evaluating impact identified during the discussion included: establishing indicators for assessing elections; accurately measuring attribution over contribution; and raising additional funding to conduct evaluations. With regard to engaging the academic community, participants agreed on the need to establish a clearer narrative about international election observation, to more actively share both the goals and methodologies of observation with academics and possibly to collaborate with academics on impact evaluation.

ACTION ITEMS

Establishing Standards for Impact Evaluation

- Establish consensus among international election observation organizations concerning a narrative about the goals, methods and limitations of international observation.
- Establish clear goals for program evaluation, as well as adaptable assessment methodologies that address counterfactual evidence and qualitative evaluation as well as direct and indirect impact indicators.
- Encourage collaboration with academics on efforts to evaluate international observation.

SESSION III: ELECTRONIC VOTING TECHNOLOGIES AND INTERNATIONAL ELECTION OBSERVATION

- **Moderator:** Betilde Muñoz-Pogossian, OAS
- Rakesh Sharma, IFES
- Michael McNulty, NDI
- Domenico Tuccinardi, International IDEA
- Robert Krimmer, OSCE/ODIHR
- Avery Davis-Roberts, The Carter Center

This working session sought to build on past Implementation Meeting consideration of challenges to observing electronic voting and counting (e-voting) technologies, particularly the paper entitled "Observing Electronic Voting" discussed at the 5th Implementation and accepted at the 6th Implementation Meeting. The session also took into account new developments and recent publications on the subject.

Each panelist discussed the upcoming or recently-published e-voting guidebooks produced by their respective organizations. Among a range of topics, those guides highlight ways for observation missions to build capacity and adapt methodologies and tools for observing e-voting technologies. The panelists agreed that creating a culture of transparency within

electoral management bodies is key component to developing public trust in e-voting technologies. Stakeholder engagement in all parts of the process was also discussed as critical to this end.

Discussion covered ways to address challenges for taking into account processes (such as procurement) that transpire before IOMs arrive in-country. The panel also recognized that the fast pace at which the field of e-voting technology evolves hinders the capacity of international observers to fully assess it and that rapidly building capacities is a priority in the next few years.

ACTION ITEMS

Observation of E-Voting Processes

- Before the next Implementation Meeting, the working group should draw on the panel discussion and recent/upcoming guidebooks to update and augment the "Guiding Principles on Observing Electronic Voting" presented on pages 5-9 of the 2010 "Observing Electronic Voting" discussion paper.
- Promote transparency, including observer access to all phases of e-voting decision-making, design and implementation processes.
- Foster citizen observer engagement with IT experts prior to public policy decision-making about adopting e-voting technologies and during the the implementation process to increase their understanding of the technologies and abilities to monitor.
- Coordinate with credible citizen observation groups throughout the design and implementation processes.
- Encourage election management bodies to take significant steps to build public trust, such as comprehensive audits and opening relevant source codes and documentation to public scrutiny and to consider using pilot projects and phased implementation.
- Encourage the use of "voter-verified paper trails" and mandatory audits even in the absence of electoral complaints.
- Be cognizant of the public perception and implications of international organizations endorsing specific e-voting technologies and avoid actions that could be seen as "certifying" e-voting technologies.

SESSION IV: COOPERATING WITH CITIZEN OBSERVERS

- **Moderator:** Meghan Fenzel, NDI
- Dinara Oshurahunova, ENEMO
- Sakool Zuesongdham, ANFREL
- Sahar Tabaja, ANDE
- Andy Bruce, ERIS
- Mark Stevens, Commonwealth

In this working session, participants reflected on the relationship between international and citizen organizations engaged in election observation, building on discussions of this topic in prior Implementation Meetings. Panelists discussed the distinct roles of international versus citizen observers across varying political contexts, the importance of cooperation between the two groups, the areas in which internationals and citizens might increase collaboration, and the current shortcomings in cooperation efforts.

The panelists agreed that the interaction of endorsers of the Declaration of Principles and endorsers of the Declaration of Global Principles for citizen election observers provides a sound basis for engagement and improved cooperation during specific elections as well as for addressing general challenges to election observation.

ACTION ITEMS

Cooperation among Citizen Observers and International Observation

- Meet with citizen observers regularly during assessment missions and long-term observation and take into consideration their political analysis.
- Include citizen observers among the briefers of international observer missions.
- Consider citizen observer findings when developing IEOM statements, reports and recommendations.
- Invite citizen observers to broader election observer coordination meetings.
- Share IEOM findings with citizen observers.
- Coordinate public outreach strategy with credible citizen observers as practicable.
- Work together on recommendation follow-up and electoral reform projects.
- Collaborate on the implementation process of both Declarations.
- Invite citizen observers on international missions to help them gain comparative experience.
- Encourage the political and diplomatic communities to engage with citizen observers.
- Weigh carefully whether a full-scale international observation mission is necessary in countries where credible, professional citizen observers are conducting nationwide observation efforts.

SESSION V: MITIGATING POTENTIAL FOR ELECTION-RELATED VIOLENCE

- **Moderator:** Pietro Ducci, EP
- Richard Atwood, ICG
- Isabelle de Ruyt, UNEAD
- Vincent Tohbi, EISA
- Dickson Omondi, NDI

The final working session continued the discussion on the role of international election

observation in mitigating election-related violence. The session highlighted ways in which many organizations have adapted their methodologies to focus more on contributing to mitigating the potentials for violence, such as engaging local stakeholders and considering reports of "early warning" systems. The session included a presentation by Richard Atwood summarizing the main points of his paper entitled "Towards EU Support for Peaceful Post-Elections Transitions of Power", which considers electoral related violence in several Sub-Saharan countries. In addition to the panelists opening remarks, Pat Merloe summarized main points of the discussion paper he prepared for the session entitled "How International Election Observation Can Better Mitigate Potentials for Electoral Related Violence".

Panelists agreed that the ability of observers – and the international community more broadly – to mitigate potentials for violence is dependent on an in-depth understanding of social and political contexts and is limited by local conditions. Such understanding in turn requires more targeted observer training and coordination with citizen election monitors, other national stakeholders and international actors with sustained engagements in-country. Panelists outlined an electoral violence framework, broken out by political context, that can inform the necessary political analysis. In discussing lessons learned from Kenya, Senegal and Lesotho, among others, participants identified nonpartisanship and consistency as among the key factors in enabling international observers to reduce election-related tensions and help mitigate potentials for political violence during elections.

ACTION ITEMS

Strategies for Mitigating Election-Related Violence

- Continue the working group addressing electoral violence mitigation and facilitate further discussion on the topic at the 8th Implementation Meeting.
- Include analysis of potentials for electoral violence in needs assessments and develop IEOM expertise in helping to mitigate potentials for such violence.
- Provide observers (LTOs and STOs) with training on the in-country political context, including potentials for electoral-related violence and possible actions to contribute to mitigating potentials for such violence.
- Engage local stakeholders, including citizen election monitors and others concerned with mitigating potentials for election related violence, and engage other international election observation missions and broader international actors on the ground to encourage a coordinated violence mitigation efforts.

CLOSING SESSION

- **Moderators:** Pat Merloe, NDI, and Beata Martin-Rozumilowicz, OSCE/ODIHR

The moderators presented a short summary of key points of agreement that emerged in the Implementation Meeting Working Sessions to be carried forward to the 8th Implementation

to be hosted in 2013 by the OSCE/ODIHR, including:

- Continuing the working group on recommendation follow-up and the working group on mitigating potentials for election-related violence.
- Further preparing discussion on the topic of the cooperation among international and citizen election observers and the topic of evaluating the impact of international election observation.
- Further considering advances in observing e-voting technologies.
- Considering approaches to the topic of observing gender-related issues in election processes and the topic of observing abuses of the powers of incumbency for electoral advantage.

The organizations that have hosted past Implementation Meetings and volunteered to host the next Implementation Meeting agreed to continue as an informal convening committee for the 8th Implementation Meeting, and NDI passed the chairmanship of the convening committee to the OSCE/ODIHR as the host of that meeting.