

Using International Law to Assess Elections



	LEGAL FRAMEWORK	ELECTORAL SYSTEM AND BOUNDARY DELIMITATION	ELECTION MANAGEMENT	VOTER REGISTRATION	VOTER EDUCATION	CANDIDACY AND CAMPAIGNING	THE MEDIA	VOTING OPERATIONS	VOTE COUNTING AND TABULATION	ELECTORAL DISPUTE RESOLUTION
Genuine Elections That Reflect the Free Expression of the Will of the Voters	●	●	●	●	●	●	●	●	●	●
Right and Opportunity to Vote				●	●			●	●	
Right and Opportunity to Be Elected					●	●		●	●	
Right and Opportunity to Participate in Public Affairs		●		●	●	●		●	●	
Freedom of Association				●	●	●		●	●	
Freedom of Assembly						●				
Freedom of Movement			●	●		●	●	●	●	
Freedom of Opinion and Expression						●	●			
Transparency and Access to Information			●	●		●	●	●	●	●
Right to Security of the Person			●	●		●	●	●	●	●
Freedom From Discrimination and Equality Before the Law	●	●	●	●	●	●	●	●	●	●
Equality Between Men and Women	●	●	●	●	●	●	●	●	●	●
Right to a Fair and Public Hearing			●							●
Right to an Effective Remedy	●	●	●	●	●	●	●	●	●	●
Universal Suffrage				●	●			●	●	
Equal Suffrage		●		●	●			●	●	
Secret Ballot					●			●	●	
Periodic Elections	●	●	●	●	●	●	●	●	●	●
Prevention of Corruption			●	●		●	●	●	●	
State Must Take Necessary Steps to Give Effect to Rights	●	●	●	●	●	●	●	●	●	●
Rule of Law	●	●	●	●	●	●	●	●	●	●

Data Collection

Long- and short-term observers collect data on all phases of the electoral process, as well as on the electoral environment in the weeks and months during which the electoral process unfolds.

Data Analysis

Election observation mission members analyze the collected data against international obligations and standards.

Provision of Information

Election observation missions provide information to the election authorities and release public statements on their findings about the election process.

Recommendations

Election observation missions provide recommendations for improving electoral processes to the government, electoral authorities, political parties, civil society, the international community, and citizens of the country.

Improvement, Reform and Follow-Up

Election observation recommendations, implemented by a variety of actors, improve current and future electoral processes. Election observation organizations follow up on their recommendations after the election mission to promote continued improvement of electoral process in advance of the next election.

- Macro-Level Obligations
- Individual Rights and Freedoms
- Process-Focused Obligations
- Foundational Obligations

There is now broad international consensus that genuine democratic elections are essential for establishing the legitimate authority of governments. Assessments by international and citizen election observers play an increasingly important role in shaping perceptions about democratic quality and the overall legitimacy of the electoral process. Almost every country in the world now accredits international or citizen observers, and these observers are increasingly using public international law as the basis for their election assessments.

Public international law, which has been voluntarily accepted by states, is a sound basis for electoral assessments because these sources are more transparent, objective, and acceptable to host countries. They also offer the best foundation for harmonizing a common understanding of obligations and standards for democratic elections.

In addition to international and regional treaties, international law includes judicial decisions and treaty interpretations, nonbinding political

commitments, and other sources that can provide evidence of the actual practice of states. Based on a review of almost 200 source documents, The Carter Center has identified 21 fundamental rights and obligations relevant to the electoral process. When these 21 obligations are associated with the 10 parts of the electoral process, a framework for consistent, thorough, and objective election assessments is created.

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