The future of International Election Observation

Election Observation is a highly visible demonstration of international commitment to supporting democracy and promoting respect for human rights around the world. The EU and other international and regional organisations deploy Election Observation Missions globally but these missions are also increasingly exposed to public scrutiny and new challenges. High Level Conference co-hosted by the European External Action Service and the European Parliament brings together partners from around the world to discuss the Future of International Election Observation, key challenges and opportunities.

The conference brought together election observers, electoral stakeholders, donors, civil society and conflict prevention practitioners to take stock of these new challenges including the increasing use of
social media for electoral campaigning, the use of ICT in the conduct of electoral processes, and electoral violence. In addition, the conference explored the role and best practices of Parliamentary observation, and how to enhance collaboration between the EU, African Union and United Nations in this area.

“Election day is only the tip of the iceberg. Democracy is a daily exercise – that goes well beyond the ballot box. It is about equal rights for all voters and a level playing field for all parties. It is about freedom of speech, with diverse and independent media. It is about a lively civil society, and the daily participation of citizens from all backgrounds to a country’s public life. Our election observation missions represent a contribution to all this, and to improving the overall quality of each democracy in full respect.” - Federica Mogherini, EU High Representative
"Since the end of the Cold War, electoral observation has become an integrated part of European foreign policy, as one of most effective and transparent Instruments for promoting core values and strengthening democracy around the world." - Antonio Tajani, President of the European Parliament

The Conference participants highlighted issues around the use of ICTs and social media in electoral contexts. The digitalisation of elections to streamline their management, from voter registration and identification to voting and counting of results, raises concerns about the integrity of the process as well as affects trust among politicians, voters and electoral authorities. Similar questions arise around the role of social media, sometimes involving complex disinformation operations. While the debate on Internet governance has so far centred on the respect for freedom of expression, these new trends have revived the questions of its limits when it comes to hate speech and the role of social media in opinion formation, and whether that requires regulation. Still, the red line between regulation to prevent interference and restriction of freedom of expression is very thin and needs to be carefully thought through. In this challenging context, observer's teams also face difficulties in keeping up with fast technological progress. Their technical capacities and methodology need revision and updating if they are to properly monitor digital systems and social media, and to assess their impact on electoral processes.

"We have been addressing the challenge of disinformation: it damages people's trust in the institutions, undermines an essential part of the democratic vote which is the right of citizens to make an informed choice at the ballot box. The new technologies provide valuable solutions to assuage concerns, while safeguarding our values and democratic principles" - Mariya Gabriel,
European Commissioner for Digital Economy and Society and former Chief Observer

“The use of digital technology does not replace the need for trust in electoral processes. It has to be accompanied by optimal checks and balances and transparency to build confidence in the system.” - Marietje Schaake, MEP and former Chief Observer

Understanding and addressing the complex processes that make violence or the threat of violence a concern during elections requires collective multi-disciplinary perspectives and efforts should be made to identify potential conflict triggers well in advance. During the Conference, the debate focused on the need to develop long, medium and short term strategies for preventing violence and conflict. Long-term strategies of strengthening state institutions including through a systematic approach to implementing the recommendations of observer missions can generate more trust and credibility in electoral processes, which can in turn help to ensure peaceful and smooth political transitions. Short-term strategies include mediation, the promotion of dialogue and dispute resolution. There is a need to integrate the existing tools of preventive diplomacy, conflict prevention, peacebuilding and mediation together with election observation and assistance. Mediation and prevention work should not only be focused on political leaders but also on the grassroots and the role of women, youth and minorities is vital. Election Observation Missions’ long-term presence and their independent and impartial assessments often play a key role in enhancing the credibility of electoral processes and have a mitigating role against violence and conflict. By improving the
transparency of the electoral process, they make an election less prone to escalate into violence.

“You can marry the requirement of neutrality by international observers with their contribution to peace.” - Jason Carter, Chair of the Board of Trustees of the Carter Center

The participation of parliamentarians in election observation missions, most of the time in the framework of regional organisations (EU, OSCE, NATO, the Council of Europe, OAS, Pan African Parliament etc.), brings further credibility and political visibility to the observation process including the recommendations presented afterwards. Their participation, as elected representatives of the people with experience and expertise in campaigning and the diversity of backgrounds and, particularly, political affiliations of parliamentarians also further reinforces the impartiality and the independence of the conclusions and recommendations from their observation. However, in recent years some parliamentarians' behaviours have been seen as problematic. Part of the discussion during the conference focused on how to address these issues and the need for the OSCE and NATO parliamentary assemblies and national parliaments participating in international observation missions to join the Common code of conduct agreed by the European Parliament and the Parliamentary Assembly of the Council of Europe. The importance of better integration of national staff in international EOMs and of reinforcing their cooperation with domestic observers, to achieve for example better consistency of EOMs' reports, were also discussed.
"We are all united that International election observation is an important tool and we have to take care of its dignity, its reputation and its credibility… We all believe that there needs to be an implementation of the codes of conduct and each national parliament can also look at this Common code of conduct that the four multilateral Parliamentary assemblies are adopting or have adopted... that can make our common missions very coherent." - Heidi Hautala, Vice-President of the European Parliament

Another important debate of the Conference was how to enhance EU-AU-UN trilateral cooperation on electoral processes and observation, especially in supporting elections over the whole electoral cycle, before, during and after elections. The EU and AU's partnership in this area can be further strengthened through capitalising on the recommendations of their observer missions to encourage consolidation of democratisation processes and institutions throughout the continent. The UN, the EU and AU already cooperate closely on election observation within the “Declaration of Principles for International Observation” launched at the United Nations Headquarters in 2005. The AU and the EU have also been cooperating closely at the political and technical levels on electoral processes, including on long-term observation methodology, and expressed their commitment to strengthen and broaden this cooperation, notably on the follow-up to EOMs recommendations. Participants concurred that, in view of the experience of the three organisations and the challenges ahead, an enhanced triangular partnership in the area of elections would be welcome. For many participants, implementation of recommendations, especially those relating to electoral reforms, would also benefit from enhancing dialogue on cooperation with and between Election Management Bodies and CSOs.
"Make sure that trilateral cooperation is always a partnership and not a competition. Divisions create space for spoilers." - Craig Jenness, Head of Electoral Assistance Division, UN Directorate for Political Affairs

The "High Level Conference on the Future of International Election Observation" brought to the event a range of different expertise and experiences and, through keynote presentations, panel debates and informal discussions in the margins, identified a number of important points for further action and a substantial agenda for future work together.
Points for further action:

1. International electoral observers should develop and test methodologies to assess the use of digital technology and the role of social media in electoral processes. Information, research and good practices should be regularly shared among the election observation community during meetings (such as the Declaration of Principles meeting) and electoral observers should connect to other key stakeholders in the digital technology sector, including think tanks, academia and digital tech companies.

2. The overarching principles of transparency, security, sustainability, accountability and inclusivity, that guarantee the credibility and integrity of an election should also apply to digital systems. Commercial election ICT providers should strive to embed these standards in their product designs. The international community should commit to support electoral ICT systems only if they respond to these minimum standards.

3. Partner countries could be supported in developing ‘digital ecosystems’ to meet the challenge of defending democratic values in new technologies and in particular in social media. The international community should commit to support ICT systems that fulfil minimum standards and continue to support civil society engaged in election observation, including in monitoring online content and disinformation.

4. The international community could further strengthen long-term and short-term work between the international electoral observation, electoral assistance and the peace and security communities, in the efforts to prevent electoral violence. The long-term work could include strengthening state institutions, support to civil society, and to political parties to implement Codes of Conduct. Short-term work could include political dialogue, mediation and dispute...
resolution. Women should be given a more prominent role in conflict prevention and mediation. Special efforts are also required with young people who are often manipulated by political actors in the organisation of electoral violence. A more integrated approach would reduce the risks of challenges by parties to the democratic system and its institutions and, in turn, lower the likelihood of violence during an election.

5. While electoral violence prevention should rely on mechanisms that have been established long before the deployment of an EOM, observers need to have tools to analyse and properly handle possible violent conflicts. Therefore, it is recommendable that conflict prevention and mediation training becomes a standard pre-deployment requirement for EOM Chief Observers and Deputy Chief Observers working in countries with high conflict risk.

6. A Joint Code of Conduct should be put in place for all parliaments and assemblies participating in international election observation. This Code should establish rules and practices to preemptively ensure that the members observing on their behalf behave appropriately and have no conflict of interests with their role as independent observers. The Code should be mandatory for all observers independently from their status and nationality. A list of criteria for the appointment of members could be envisaged for that purpose.

7. A permanent dedicated structure in parliaments and assemblies, composed of parliamentarians, should be created to oversee, in the long run, the implementation of the Joint Code, and to take appropriate decisions and measures directed towards any observer compromising the integrity of a mission. Gender equality among observers should be mandatory as well as a zero tolerance policy for sexual harassment and violence.

8. The EU, AU and UN should intensify the exchange information before and during the period of EOM deployment on follow up activities, including the deployment of Election Follow-up Missions (EFMs) and ensure the use of the full range of political tools (institutions/organs) of the three organisations to put electoral issues on the agenda and to ensure coherence in our messaging and actions to support election processes.

9. Good ad hoc practices on AU-EU cooperation during Election Observer Missions should become as far as possible ‘standard practice’ including joint communiqués issued at important moments of the electoral process, discussion of recommendations at field level before they are finalised and coordination in countries where the AU and the EU both deploy long term observer missions.
Documents

High Level Conference on the Future of International Election Observation

See also

The Future of International Election Observation - Closing remarks by HR/VP Mogherini at the European Parliament
www.eeas.europa.eu

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