

Final Report

Evaluation of EU Election Observation Activities July 2016 – January 2017

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1 Executive Summary

The Evaluation of EU Election Observation Activities looked at the effectiveness and impact of election observation missions (EOMs), election assessment teams (EATs) and electoral follow-up missions (EFMs), in the context of evolving circumstances and EU practices. Data was triangulated from a survey, interviews, focus groups and a literature review, at an international level and from eight case studies (three with field trips). There was a consistency of stakeholder opinion that EU election observation activities are overall effective and have impact. In six out of eight evaluation questions, “good” gradings were given by the evaluation team. Particularly strong contributions were identified in regards to the mitigation of violence and promoting stakeholders’ commitment to electoral processes, the ground-breaking initiative of EFMs, and promoting EU coordinated responses and cohesion. Two “sufficient” gradings relate to the importance of further developing methodology for improved performance and institutional protection in regards to EATs, which are seldom used and are very politically sensitive. Also to developing and consolidating methodology for EFMs and extending follow-up through more systematic use of all EU tools available to promote the implementation of recommendations made by EU election observation activities. Overall 14 recommendations have been made that relate primarily to emerging observation methodology, greater organisational protections, and aligning practices to developing institutional interests, with increasing emphasis on implementation of observation recommendations.

The Evaluation of EU Election Observation Activities had two purposes: 1) to provide an independent assessment of the results of EU observation activities, and 2) to identify key lessons and recommendations. The evaluation was limited to two development assistance criteria: effectiveness and impact, looking at EOMs, EATs and EFMs 2012 – 2016. It is the first time that the EU has undertaken such an evaluation.

The EU has been systematically observing elections since 2000, having implemented approximately 150 EOMs. Since the consolidation of methodology in the Communication on EU Election Assistance and Observation 2000, EU observation has expanded and adapted to emerging needs, allowing the EU to work more flexibly and responsively. In cases when conditions for a full-fledged EU EOM cannot be met the EU may decide to deploy an EAT (or an Election Expert Mission that are smaller and do not have a public profile). While EATs are not as comprehensive as EOMs, they can still have a Chief Observer (CO) who, as with EOMs, is typically a Member of the European Parliament (MEP) and release public reports. EFMs are a ground-breaking recent initiative by the EU, deployed mid-cycle to consider whether EU EOM recommendations have been implemented and suggest how further progress can be achieved, and are typically headed by the former EOM CO. Under the EU Strategic Framework and Action Plan on Human Rights and Democracy 2012 and 2015, there is now a commitment to systematise follow-up to promote effective implementation of EOM recommendations. EFMs are one of many of tools the EU has developed that can provide more systematic follow-up to recommendations made by EOMs and EATs.

Multiple limitations need to be considered when attempting to evaluate the effectiveness and impact of EU election observation activities. There are many variables in any election, which are often inter-dependent, and the vast majority of which are beyond the control of the EU. Consequently no two elections are the same, and thus no counterfactual can be referred to, and identifying causal attribution is problematic. There are typically a number of observation missions in operation at the same time. Effectiveness and impact can be intangible and therefore difficult to measure. Mechanisms of influence are also typically difficult to see and to demonstrate. Consequently, evaluation of observation activities cannot be categorical and absolute. Instead, a contribution analysis based on triangulation of data has been undertaken to identify probable effectiveness and impact.

Based on a reconstructed intervention logic, eight evaluation questions (EQs) were established, with 22 accompanying judgement criteria. Data collection involved a literature and documentation review and collection of quantitative and qualitative data at a general level and in eight country case studies. Five objective criteria were primarily used to identify suitable countries, and then five judgement-based criteria were applied. The countries selected for field visits were: Honduras, Kenya, and Tunisia. The desk-based case studies were: Afghanistan, Bolivia, Guinea Conakry, Mozambique, and Sri Lanka. In order to make “soft” data as reliable as possible, multiple collection methods were used (surveys, interviews and focus groups), purposive sampling was undertaken, and participants contributed on an anonymous basis. In total 147 surveys were completed. The majority of respondents (84) were external stakeholders (i.e. beneficiaries and other affected groups), and the remainder (63) were internal stakeholders (i.e. involved in the delivery of the election observation activities in some way). In total 146 interviews were conducted, of which 88 were with external stakeholders. Academic research and other commentary provide some valuable research and analysis. However limitations include: use of old observation data from the 1990s, over-simplistic quantification of elections comparing countries without consideration of all relevant variables, and questionable causation assertions based on correlation data. Studies are also typically general, rather than

singling out EU election observation activities.

All survey respondents rated EU election observation activities as having effectiveness, with 81% of respondents marking the top half of the scale, and 95% marking the top two thirds of the scale. Similarly for impact, all survey respondents rated EU election observation activities as having impact, with 82% of respondents marking the top half of the scale, and 95% marking the top two thirds of the scale. Nearly half (48%) of respondents rated EU EOMs as having more effectiveness and impact than other international observation missions, with 46% saying they are similar, and only 6% of respondents rating EU missions as having less effectiveness and impact. However external stakeholders were somewhat less convinced, with 35% rating EU EOMs as having more effectiveness and impact, 60% rating them as similar (and 6% rating them as less effective). Slightly less than a quarter (24%) of survey respondents were aware of negative repercussions from EU election observation activities. This figure reduces to 18% for external respondents. Qualitative data concurred on overall perceptions.

The evaluation team gave a grading to each EQ area, using a five-level scale (unacceptable, poor, sufficient, good, very good). However the evaluation team have not used the highest categorisation (very good), due to lack of categorical supporting evidence given the intrinsic evaluation and data limitations referred to above. Overall six out of eight EQs were graded as “good”. Two were graded as “sufficient”, primarily relating to the need to further develop methodology for improved performance and institutional protection in regards to EATs and EFMs, and to extend follow-up.

EQ 1 Grading: Good

- How accurate and impartial are EU assessments?

Findings indicate that EU assessments and reports are accurate and impartial. Large quantities of politically-sensitive public reporting is produced that has a high public profile. Clear comprehensive standard structures are used with references to a framework of international law and field findings. Some critical commentary referred to some reports being seen as overly-positive, lacking in substantiation, and/or crafted in ways that did not contribute to a clarity of message. This risks missions having diminished credibility and effectiveness. There is an evident lack of enduring awareness of EU election observation reports with stakeholders interviewed during case studies not remembering the content of mission reports.

EQ 2 Grading: Good

- How well do EU election observation activities formulate recommendations for improving electoral processes?

Findings indicated that recommendations formulated by the EU election observation activities are predominantly useful, feasible and advisable. However there has been some inconsistent implementation of the now-approved guidelines and variation in the extent to which stakeholders have been consulted in the development of recommendations. Recommendations are not always known about. The case studies of Sri Lanka and Guinea Conakry indicate that EU election observation activities applying the criteria established in the guidelines have improved quality of recommendations, which can then better contribute to setting the agenda on electoral reform.

EQ 3 Grading: Good

- How much do EU election observation activities contribute to deterrence / reduction in irregularities and fraud and promote professionalism?

Findings indicate that EU election observation activities can contribute to the identification of irregularities and fraud, to the deterrence of fraud and malpractice, and can influence professionalism, however there are recognized limits to these efforts. Literature findings and interviewee comments indicate that the nature of malpractice and fraud is evolving and becoming more sophisticated. Stakeholders from almost all case studies referred to the benefits of the EU developing its *modus operandi* to cover different parts of the electoral process accordingly.

EQ 4 Grading: Good

- How much do EU election observation activities promote stakeholder confidence?

Findings indicate that EU election observation activities promote stakeholder confidence. The professionalism and neutrality of observer missions is often emphasised as important for subsequent effects on stakeholder confidence. Long-term confidence in future elections appears to be somewhat contributed to through presentation of the final report, and also by statements that are critical where warranted to signal the importance of change. This may be particularly important after a problematic election.

EQ 5 Grading: Sufficient

- How much do EU election observation activities contribute to mitigation of election-related conflict?

Findings indicate that EU election observation activities can contribute strongly to the mitigation of election-related conflict. The case study of Afghanistan demonstrates how EU election observation activities can make a critical contribution to contestants continuing with the electoral process and thus the aversion of violent conflict. Case study references can also be found in Honduras and Guinea Conakry. However there was more stakeholder reservation in regards to deployment in situations of more severe conflict. Given the heightened pressures of work in violent contexts and the increased organisational risk, the development and consolidation of a specific methodology is recommended, to provide for deployment of EATs in challenging security situations (such as was undertaken in Afghanistan). Generally EU election observation activities' contribution to electoral reform likely has a long-term peace dividend.

EQ 6 Grading: Sufficient

- How many EU recommendations have been considered, and how many have been implemented, and have consequently contributed to electoral reform?

Findings indicate that EU election observation recommendations contribute to the process of election reform. Stakeholder responses showed positive regard for the EU's innovation of deploying EFMs. However, there was a perception of relatively low levels of EU follow-up on recommendations. Some stakeholders commented on a lack of EU consistency, for example by not referring more systematically to electoral reform in other EU instruments such as the Generalised Scheme of Preferences Plus (GSP+). Reference was made to the need to have a more developed, explicit and communicated methodology to provide for consistency and effectiveness of EFMs and to reduce risks. More could be done to systematise follow-up to EOM recommendations, with more consistent utilisation of available EU policies, political dialogues and instruments.

EQ 7 Grading: Good

- How much do EU election observation activities contribute to civil society's active role, including through citizen observation?

Findings indicate that EU election observation activities often help create space that allows the voice of civil society and citizen observers to be heard, but there is room for a more structured collaboration. EU election observation activities were seen as helping authorities to hear issues raised by CSOs. By meeting regularly with relevant CSOs and citizen observers and by reporting about their work, information is shared, EU missions help raise their profile, the EU serves as an example, and there are opportunities for mutual learning. Interviews and focus group findings show that often CSOs and citizen observers would like more structured relationships. Some stakeholders highlighted that when an EU statement is perceived as too positive, this may hamper CSOs' efforts to further advocate for reforms.

EQ 8 Grading: Good

- How much do EU election observation activities promote the EU being seen as an effective actor in democratic support?

Findings indicate that EU election observation activities enhance not only the EU's reputation for democratic support, but also its effectiveness, with multiple consequent organizational benefits. Interviewees referred to: increased coordination, greater authority, reputational protection, and organisational consistency. However in some cases the literature and stakeholder comments note diminished reputational returns, and increased reputational risk if a mission is perceived as weak. EU election observation activities are generally seen as enhancing longer-term relationships with national counterparts, even it appears after critical missions.

Overall EU election observation activities were assessed to be performing extremely strongly in regards to improved quality of recommendations (EQ2), contributing to the mitigation of violence and promoting stakeholders' continuation of the electoral process (EQ5), taking the ground-breaking initiative in undertaking EFMs (EQ6), and promoting EU coordinated responses and coherence (EQ8).

All sources of data confirmed that impact is largely dependent on political will and therefore EU election observation activities unavoidably have limited influence. When considering long-term results, the need to review reform over several electoral cycles was regularly emphasised. Various interviewees expressed concern about the quality of observation by other organisations noting that divergent conclusions can be damaging to an electoral process and thereby undermine EU overall effectiveness and impact. The EU was

externally praised for its collaboration with other electoral agencies, its leadership role within the group of organisations endorsing the Declaration of Principles for International Election Observation, and for its part in methodological development.

See the full text for possible key action points for each recommendation listed below:

#	<i>Priority recommendations</i>
1	Methodological development for election assessment teams (EATs), deployed predominantly in high-risk security situations, for increased transparency, consistency and accountability.
2	Develop and consolidate the methodological basis for electoral follow-up missions (EFMs) for increased transparency, consistency and accountability.
3	Develop new organisational methods for promoting dialogue on electoral reform, both at central and country levels.
4	Establish a stronger role for institutional accountability mechanisms, for greater consistency and alignment with methodology by EU election observation activities.

#	<i>Additional recommendations</i>
5	Establish stronger measures for promoting consistent high-quality reporting, including increased support, feedback and oversight/scrutiny measures.
6	Develop a communication strategy and tools for enhanced promotion of mission reporting, including in new media.
7	When possible, include in the preliminary statement a limited number of recommendations for the post-election process and for long-term reform.
8	Reference be made in MoUs with host countries to the issuing and importance of recommendations by EU election observation activities.
9	Have increased observer coverage of specific parts of the process perceived to be prone to irregularities, such as voter registration, delimitation, etc..
10	Give more public commentary before election day. Consider issuing pre-election day statements, as is also the practice by other international observer missions, after securing pre-agreement in MoUs.
11	Have greater observation coverage of electoral dispute resolution (EDR), particularly in protracted processes and elections likely to be controversial.
12	Preliminary statements and final reports include a section on election reform, to elevate the status of the process and to record overall reform and implementation of recommendations.
13	Systematic submission of EU observation findings to UN human rights bodies.
14	EU election observation activities have more structured collaboration with credible citizen observer groups.

2 Introduction and Intervention Logic of EU Election Observation Activities

2.1 Introduction

The Evaluation of EU Election Observation Activities had two purposes: **1) to provide an independent assessment of the results of EU observation activities, and 2) to identify key lessons and recommendations.** The evaluation covered activities in the years 2012 – 2016. The evaluation was limited to two development assistance criteria (DAC), effectiveness and impact, looking at election observation missions (EOMs), election assessment teams (EATs) and electoral follow-up missions (EFMs).¹

The Organisation for Economic Co-operation and Development (OECD) define effectiveness as “A *measure of the extent to which an aid activity attains its objectives*”. Impact is defined by the EU as “*positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended.*”²

It is the first time that the EU has undertaken such an evaluation of election observation activities. Other international organisations involved in credible international election observation³ have generally also not undertaken effectiveness and impact evaluations. In 2015, the Council of Europe carried out an evaluation of its support to elections, which noted “*it is difficult to measure the specific impact*”.⁴ Similarly the Global Network for Domestic Election Monitors (GNDEM) notes that “*while measuring and evaluating the impact of nonpartisan election monitoring activities is essential, it is difficult to evaluate some of the most important effects of nonpartisan election observation... though it is possible to identify factors that indicate such things.*”⁵ The Organization for Security and Cooperation in Europe (OSCE) undertook a management review of its election observation work by the Office for Democratic Elections and Human Rights (ODIHR), but without a specific focus on effectiveness or impact.

2.2 Intervention logic of EU election observation activities

The EU’s observation methodology was formally established in the Communication on EU Election Assistance and Observation 2000, which notes “*Actions in support of democratisation and respect for human rights, including the right to participate in the establishment of governments through free and fair elections, can make a major contribution to peace, security and the prevention of conflicts.*” Two strategies are identified: election assistance, through technical or material support given to the electoral process, and election observation, which is established as “*the political complement to election assistance*” and is defined as “*the purposeful gathering of information regarding an electoral process, and the making of informed judgements on the conduct of such a process on the basis of the information collected, by persons who are not inherently authorised to intervene in the process.*”⁶ The Communication also notes that the main goals of international election observation “*are the legitimisation of an electoral process, where appropriate, and the enhancement of public confidence in the electoral process, to deter fraud, to strengthen respect for human rights, and to contribute to the resolution of conflict.*”

The rationale for election observation in general is also stated in the **Declaration of Principles for**

¹ EU Election expert missions (EEMs), which conduct a more limited assessment and do not have wide visibility are excluded from the current evaluation. EU exploratory missions (ExMs), undertaken to assess if it would be useful, feasible and advisable to send an election observation mission, are also excluded.

² OECD Criteria For Evaluating Development Assistance. NB It is noted in the 2006 “*Evaluation Methods for the European Union’s External Assistance*” that the EU has a slightly different understanding of impact to the DAC definition: “*The positive and negative changes produced by a development intervention, directly or indirectly, intended or unintended. This involves the main impacts and effects resulting from the activity on the local social, economic, environmental and other development indicators. The examination should be concerned with both intended and unintended results and must also include the positive and negative impact of external factors, such as changes in terms of trade and financial conditions.*” http://ec.europa.eu/europeaid/sites/devco/files/evaluation-methods-guidance-vol1_en.pdf.

³ Credible election observation may be understood as being undertaken by organisations adhering to the Declaration of Principles for International Election Observation, launched in 2005 under the auspices of the United Nations.

⁴ *Evaluation of the Council of Europe Support to Elections*, Final Report, February 2015, Council of Europe Directorate of Internal Oversight.

⁵ <http://www.gndem.org/monitoringtopics#3>.

⁶ *The Communication on EU Election Assistance and Observation*, 2000, page 4.

International Election Observation (DoP), launched in 2005 under the auspices of the United Nations, which establishes professional standards for credible observation. The European Commission was one of the founding endorsing organisations, and the European Parliament and European Parliament Former Members Association have since endorsed the Declaration. With the entry into force of the Lisbon Treaty the High Representative for Foreign Affairs and Security Policy and Vice President of the Commission (HR/VP) assisted by the European External Action Service (EEAS), has taken over the overall responsibility of EU Election Observation.

The DoP states *“International election observation has the potential to enhance the integrity of election processes, by deterring and exposing irregularities and fraud and by providing recommendations for improving electoral processes. It can promote public confidence, as warranted, promote electoral participation and mitigate the potential for election-related conflict. It also serves to enhance international understanding through the sharing of experiences and information about democratic development.”* It goes on to note *“International election observation has become widely accepted around the world and plays an important role in providing accurate and impartial assessments about the nature of electoral processes.”*

The EU has been systematically undertaking election observation activities since 2000, and has become a leading force in the field having implemented approximately 150 EOMs. A larger number of elections may have benefitted from EU election observation activities, but a prioritisation is undertaken within annual budgets based on criteria of a mission being useful, feasible and advisable. An EOM is a long-term comprehensive observation exercise headed by a Member of the European Parliament (MEP) with public reporting. EOMs are typically joined by a Delegation from the European Parliament.

Since the consolidation of methodology in the Communication on EU Election Assistance and Observation 2000, EU observation has expanded and adapted to emerging needs, allowing the EU to work more flexibly and responsively. The Handbook for EU Election Observation, third edition, notes *“In cases when conditions for deploying a full-fledged EU EOM cannot be met, but it is nevertheless deemed useful to closely follow an election process, the EU may decide to deploy an Election Expert Mission (EEM) or an Election Assessment Team (EAT).”* While EATs are not as comprehensive as EOMs, they can still have a CO who is an MEP and release public reports.⁷ In contrast EEMs are typically smaller than EATs, do not have an MEP heading the mission, and do not have a public profile. All missions produce recommendations for electoral reform.

Standardly EOMs, EATs and EEMs, are headed by a CO who is an MEP. The CO has overall responsibility for the mission, which is independent in its findings and conclusions, although it must adhere to the established EU methodology and the DoP. Other organisations undertaking credible election observation activities employ similar methodologies with varying levels of mission autonomy.

Under the EU Strategic Framework and Action Plan on Human Rights and Democracy, 2012, there is now a commitment to *“systematise follow-up use of EU EOMs and their reports in support of the whole electoral cycle, and ensure effective implementation of their recommendations, as well as the reports of other election observation bodies (e.g. OSCE/ODIHR).”* The 2015 Action Plan also refers to *“Consolidat[ing] best practices for leveraging EU EOMS and OSCE/ODHIR Election Observation Missions recommendations in EU and EU Member State political dialogues and democracy support activities.”*

The Handbook for EU Election Observation, third edition notes *“The process of supporting follow-up is a coordinated exercise between various EU institutions. The EU may deploy a follow-up mission in certain cases to consider whether EU EOM recommendations have been implemented and suggest how further progress can be achieved.”*⁸ The EU has pioneered the use of EEMs, having conducted 10 to date, with an evolving methodology. Typically the former Chief Observer (CO) returns for some of the mission to conduct high-level talks with the key electoral stakeholders, there is media coverage, and a report is produced by the supporting team of experts.

The political nature of election observation activities and the many variables involved make programme documentation very challenging. One of the EU European Instrument for Democracy and Human Rights' (EIDHR's) objectives is to *“Support, develop and consolidate democracy in third countries, by enhancing participatory and representative democracy, strengthening the overall democratic cycle, in particular by emphasizing the need for civil society to play an active role, increasing respect for the rule of law and improving the reliability of electoral processes, in particular through sending election observation missions.”*⁹ The EIDHR multiannual indicative programme 2014 – 2017 refers to election observation as a *“major flagship of EU external relations”*. It also refers to developing electoral observation *“with a view to encouraging professionalism and transparency in electoral management, discouraging irregularities and abuse, and inspiring confidence in the electoral process.”*

⁷ EATs have been undertaken in Iraq, Libya and Afghanistan.

⁸ *Handbook for European Union Election Observation, third edition*, page 185.

⁹ EIDHR regulation, article 1.

EIDHR multiannual indicative programme 2014 – 2017 (objective 4)¹⁰

Results Expected	Indicators	Means of Verification
General Objective: Support to democracy		
Specific objective 4: EU EOMs		
1. Increased transparency and confidence of domestic and international stakeholders in the election process observed;	Indicator 1: EU capacity to support and assess democratic and electoral processes expressed in number of experts trained.	1) EODS project 2) External evaluation
2. Formulation of recommendations to improve the election framework in countries where EOMs or EEMs are deployed;	Indicator 2: Number of electoral processes and democratic cycles supported, observed, and followed by means of EOMs, EATs. Indicator 3: Number of EEMs which propose recommendations to the host country.	1) The Common RELEX Information System (CRIS) 2) Annual Reports
3. Improvements made to the electoral process in third countries following the implementation of recommendations formulated by EOMs or EEMs.	Indicator 4: Number of EFMs (post-election expert missions) deployed in countries after an EOM, EEM or EAT or and other tools (such as HoMs reports, political dialogue with country) to assess the implementation of recommendations.	1) CRIS 2) Annual Report 3) External evaluation

See annexes 1 and 3 for the intervention logic reconstructed by the evaluation team.

3 Evaluation Limitations and Methodology

3.1 Evaluation limitations

Multiple limitations need to be considered when attempting to evaluate the effectiveness and impact of EU election observation activities and the extent to which the intervention logic is upheld. Firstly there are **many variables** in any election, which are often inter-dependent, and **the vast majority of which are beyond the control of the EU**. Consequently no two elections are the same, which means comparisons need to be employed with caution and **no counterfactual** can be referred to (i.e. it is not possible to know what would have happened if an EU mission had not been deployed). Furthermore there are difficulties of attribution, as it is **not possible to establish causal relationships with certainty**, thus, a positive election process cannot simply be attributed to observers. Moreover, there are typically a number of observation missions in operation at the same time. In addition to citizen observer groups, there may be international missions from the Carter Center, the African Union (AU), the Organisation of American States (OAS), the National Democratic Institute (NDI), amongst others.

A further difficulty is that **effectiveness and impact can be intangible and therefore difficult to measure, particularly in the short and medium term**. For example small changes in attitudes may in the future contribute towards more progressive approaches to electoral reform. **Mechanisms of influence are also typically difficult to see and to demonstrate**. Therefore democracy ratings of a country before and after an election would not alone be a convincing measure of impact.

Such limitations are also noted in academic scrutiny. For example Judith Kelley states in *“Monitoring Democracy, When International Election Observation Works, and Why It Often Fails”* that *“just as assessing the quality of elections is difficult, so is assessing the quality and effects of monitors.”*¹¹

Consequently, evaluation of observation activities cannot be categorical and absolute. However, an evaluation can assess probable effectiveness and impact, identify key issues and make consequent recommendations.

¹⁰ EIDHR Regulation (EU) No 235/2014, Annex, objective 4 – EU EOMs.

¹¹ *Monitoring Democracy – When International Election Observation Works, and Why It Often Fails*, Judith Kelley, 2012, Princeton Press. Page 13.

3.2 Methodological approach

There is no standard evaluation methodology developed by the EU or any other organisation to assess the effectiveness and impact of election observation activities. The methodological approach devised was established in the evaluation team's inception report (September 2016), based on the terms of reference.¹²

There were three phases to the evaluation:

1. Desk phase. Inception and data collection through a literature review and general interviews and surveys, looking at EU election observation activities overall, without focus on specific countries or missions.
2. Country-specific data collection phase. Examining eight countries, three with field visits, with interviews, focus groups and country-level surveys.
3. Synthesis phase. Triangulation of data, analysis and judgement.

Based on an intervention logic reconstructed by the evaluation team (see annexes 1 and 2), **eight evaluation questions (EQs) were established, with 22 accompanying judgement criteria** (see annex 3).¹³ Many further questions could be elaborated, however, the evaluation is not intended to be exhaustive, instead focusing on key issues. Hypothesis have been kept very simple given the political nature of the subject area in which change is very complex and unpredictable (as is increasingly recognized in literature and development practice).¹⁴

Data collection involved a literature and documentation review and collection of quantitative and qualitative data. While objective quantifiable indicators were sought, the political nature of election observation activities means that more subjective data is required, in particular perceptions of effectiveness and impact. **In order to make such “soft” data as reliable as possible various measures were undertaken:**

- Purposive sampling to select evaluation participants for the survey, interviews and focus groups, based on pre-determined criteria which included:
 - A balance of internal and external stakeholders. External stakeholders are beneficiaries and other affected groups. Internal stakeholders are involved in the delivery of the election observation activities in some way. External stakeholders were prioritised.
 - A mixture of as many different types of stakeholders as possible. See stakeholder mapping (annex 4). Efforts were made to include a mixture of stakeholders cactive now, and those who were involved at the time of an EU election observation activity.
 - Geographical balance from within the eight case study countries.
 - A mixture of headquarters and field-level participants (from within the eight case study countries).
 - Gender balance.
 - Efforts made to include stakeholders known to be critical of EU election observation activities.
- Different mechanisms for data collection, with interviews, focus groups and a survey undertaken. The interviews and focus groups were used to explore issues arising according to the experience of the participant (some of whom only knew about certain aspects of EU election observation activities). With a few exceptions, there was no overlap between those interviewed and those completing the survey, in order to get as wide a consultation base as possible.
- Standardised data collection tools to enable comparability between respondents, in particular standardised questions were used for the surveys.
- The saturation principle was applied where possible, whereby sampling more data would not have resulted in more information related to the evaluation questions. For this reason additional interviews were conducted during the case studies.
- To avoid confirmation bias, survey and interview participants contributed on an anonymous basis. The

¹² The terms of reference refer to the EU evaluation methodology for projects/programmes.

https://ec.europa.eu/europeaid/evaluation/methodology_en.

¹³ The eight evaluation questions identified streamline the evaluation questions in the terms of reference, and align them more closely with the language of EU documentation and the DoP.

¹⁴ For example see the UK's Overseas Development Institute "A further reason for more adaptive programming is based on the recognition that change is complex and unpredictable." <https://www.odi.org/events/4146-adapting-design-adapting-programming> Also the Westminster Foundation for Democracy "[The Problem-Driven Flexible approach] has a lot of potential for democracy assistance, as we really don't know what combination of individual, organisational, structural, or contextual factors actually influence the performance of any given parliament or political party... Being honest about what we don't know is probably a better approach than assuming we intrinsically understand how institutions like parliament and political parties develop and change for the better." <http://www.wfd.org/theories-of-change-what-do-they-mean-for-democracy-assistance/>

variation in survey scores indicate that survey participants felt able to score negatively as well as positively. The highest positive score (for “*completely agree*”) was 27% and the highest negative score (for “*disagree*”) was also 27%. Interviewees and focus group participants were asked about any problems or unintended negative consequences to encourage critical commentary.






Analysis of data and formulation of findings and conclusions involved reviewing data from the desk phase (literature, general interviews and general survey results), and the country-specific phase (literature, interviews, focus groups and survey results). A thematic analysis was undertaken of the qualitative data and then triangulation of all data. Based on the quantitative and qualitative data obtained, a contribution analysis of EU election observation activities’ probable role in regards to the eight evaluation questions was then undertaken. Conclusions to the evaluation questions were developed, with an exploration of issues arising to enable lessons to be learned and identification of recommendations (and possible key action points).

Given the nature of the data a few provisos should be considered:

- The subject matter is inherently political and therefore non-linear, so analysis is complex.¹⁵
- The subject matter is often highly charged and stakeholders can have strong vested interests that need to be considered and balanced during analysis.
- Many different views arose during interviews and focus groups that aren't subject to quantification, and therefore a qualitative thematic approach was used, with reference made to comments that are representative, explanative and/or pertinent.
- Given the variation in contexts, and the relatively small number of participants from specific stakeholder groups (e.g. political parties, the election administration, the judiciary etc.), comparisons have not been made between specific groups. Instead internal and external stakeholders have been referred to. Some stakeholder groups that could be viewed as either internal or external have been categorized as internal (for example Member State representatives).¹⁶

During the analysis the evaluation team has overall focused on recurring themes, lessons to learn and areas for improvement.

A simple assessment grid has been used to report judgement on each evaluation question with the following categorisations.¹⁷

Unacceptable		EU election observation activities perform poorly. Immediate and major changes are recommended.
Poor		EU election observation activities perform relatively poorly. Substantial improvements are recommended.
Sufficient		EU election observation activities perform relatively well. Specific improvements are recommended.
Good		EU election observation activities perform well. Limited improvements are recommended.
Very good		EU election observation activities perform very well. Possible improvements may be suggested for consideration.

Given the intrinsic data and evaluation limitations, it is not possible to say with absolute certainty the extent to which there has been effectiveness and impact from EU election observation activities. Consequently the evaluation team have not used the highest categorisation (“*very good*”), due to lack of categorical supporting data.

The presentation of findings and conclusions should be read in conjunction with the *Handbook for European Union Election Observation* for understanding of the methodology for EU election observation activities.

3.3 Selection of case study countries

Case studies were undertaken in eight countries, three of which involved field visits. The countries selected for field visits were: Honduras, Kenya, and Tunisia. Each field visit was conducted by two team members, for a minimum of five working days. **The five countries selected for desk-based case studies were: Afghanistan, Bolivia, Guinea Conakry, Mozambique, and Sri Lanka.**

¹⁵ For more information and analysis of such challenges see *Improving Development and Aid Design and Evaluation*, Rachel Kleinfeld, 2015, Carnegie Endowment for International Peace.

¹⁶ Internal stakeholders include: MEPs, EU staff, Member States, EU projects/contractors supporting EU election observation activities and independent experts who work on EU election observation activities. External stakeholders include: representatives of political parties, the election administration, the judiciary, the media, civil society, international organisations, technical assistance providers, and non-EU diplomatic community and donors.

¹⁷ The proposed assessment grid is adapted from the “traffic light” system used by the UK’s Independent Commission for Aid Impact (ICAI). <http://icai.independent.gov.uk>.

Five objective criteria were primarily used to identify suitable countries. These were:

1. Types of mission. The countries selected had seven EOMs, one EAT and three EFM during the evaluation period.
2. Geographical proportionality. Three countries were selected from Africa, two from Asia, two from Latin America, and one from the Southern Neighbourhood.
3. Linguistic spread. Three of the countries have English as the mission language, two have French, two have Spanish, and one has Portuguese.
4. No evaluator conflict of interest. To avoid possible conflict of interest, countries have been excluded in which any of the four evaluators have worked on an EU EOM/EAT/EFM during the evaluation period.¹⁸
5. Time for mission effectiveness and impact. Missions in the case study countries had been completed at least one year prior to the case study being undertaken.

Five judgement-based criteria were then applied:

6. Access to interlocutors.
7. A mixture of missions perceived of as positive and those that might be seen as more controversial in terms of effectiveness and impact.
8. Including countries that have particular relevance for the preliminary key issues identified at the start of the evaluation.
9. A mixture of political conditions.
10. A mixture of security conditions and electoral violence issues.

For the selection of the three field countries, operational feasibility was also considered.

3.4 Literature review

Academic research and commentary on international election observation, provides some valuable information and analysis. However there are also various shortcomings in the papers available, including:

1. **Some research uses old observation data from the 1990s**, when observation methodology wasn't developed (with professional standards only established in 2005 with the Declaration of Principles for International Election Observation).¹⁹
2. **There is at times arguably an over-simplistic quantification of elections with countries compared without consideration of all the variables relevant to an election process.** This can result in crude comparisons and/or very small sample sizes of reportedly comparable countries.²⁰
3. **Some studies make questionable causation assertions based on very limited correlation data.**²¹ As Professor Susan Hyde notes "*Any cross-national study attempting to examine the domestic effects of international observers would be plagued by endogeneity problems. At the aggregate level it would be difficult to distinguish between an election that was clean because of the presence of international observers and an election that would have been clean regardless of their presence. One may use counterfactuals to make a persuasive argument, but demonstrating causality using cross-national evidence would be nearly impossible.*"²²
4. **There is a lack of attention to certain parts of the election process, in particular electoral dispute resolution (EDR).** For example the Electoral Integrity Project collects data one month after an election, before EDR mechanisms will have been undertaken and has just one sub-question on EDR.²³ Also election violence ratings have been assessed without considering EDR opportunities and observers'

¹⁸ Conflict of interest was also mitigated for by all experts working for a variety of organisations and therefore not being in any way dependent on the EU for employment.

¹⁹ For example data from 1984 – 2004 was used in *Election Observers and their Biases*, Judith Kelley, 2010, Journal of Democracy 158-172. Data from 1990 - 2008 was used in *The Risks of Election Monitoring: International Condemnation and Post-Election Violence*, Borzyskowski, awaiting publication.

²⁰ See for example *The Risks of Election Monitoring: International Condemnation and Post-Election Violence*, Borzyskowski, 2016, awaiting publication.

²¹ For example "*I have argued that the threat of punishment by international organizations engaged in election monitoring creates incentives for incumbents and non state actors to shift the use of violent intimidation to the pre-election period. A systematic analysis of pre-election violence in African elections for the 1990-2009 period supports the theoretical argument.*" *All Quiet on Election Day? International Election Observation and incentives for Pre-Election Violence in African Elections*, Ursula Daxecker, 2014, Electoral Studies Journal.

²² *The Observer Effect in International Politics – Evidence from a Natural Experiment*, Susan Hyde, 2007, World Politics volume 60 Number 1.

²³ *The Year in Elections Update 2016, 2016*, Electoral Integrity Project.

potentially positive role in promoting peaceful adjudication.²⁴

5. **There is some lack of knowledge about observers.** For example, international observers have been referred to as undertaking “*supervision*” (for which observers have no mandate) and conducting parallel vote tabulations.²⁵ Reference has also been made to international observers “*training domestic officials*” and conducting voter education, which are not part of the mandate of international observer missions and would compromise independence from the process.²⁶
6. **Research and analysis is typically about election observation in general, rather than EU missions.** Given the very wide variation in the observation practices of different organisations (noted in the literature and commented on by many interviewees), literature findings are in part determined by less rigorous observation practices.²⁷

3.5 Survey data

In total 147 surveys were completed with a majority of respondents from the eight case study countries and the remainder being general respondents working internationally (rather than just on one country). **The majority of respondents were external stakeholders. It appears to be the first time such a survey has been undertaken.**

The survey was internet based, available in four languages (English, French, Portuguese and Spanish) with all respondents asked the same questions in reference to EU election observation in general or their specific country. The survey contained 29 questions, which primarily gave limited response options and additional opportunity to give qualitative answers. Respondents were informed that their answers are anonymous.

Survey invitations were distributed to: election management bodies (EMBs), political parties, citizen observers, other civil society organisations (CSOs), judiciary representatives, local media, other international organisations undertaking election observation, development partner organisations, think tanks, EU Delegations (EUDs), EU Member States in-country and centrally, the EU EEAS, the EU Foreign Policy Instruments (FPI), the European Parliament, and experts who work on EU missions.

The survey invitation was sent to 847 persons, of which 532 were country-level invitees, with respondents typically having over one week to complete, with a reminder sent and a three-day extension given. In total 147 persons completed the survey in full, of which 63 were internal and 84 were external stakeholders.²⁸ Thus there was an overall response rate of 17%.²⁹ The surveys were completed by 45 general respondents, and 102 country-level respondents.³⁰ Overall 95 surveys were completed in English, 27 in Spanish, 20 in French and 5 in Portuguese.

In total of the 84 external stakeholders, 15 self-identified as from civil society, 10 as from election administrations, 10 as from international technical assistance organisation, 13 as from international organisations, 9 as from the media, 9 as “*other*”, 6 as from non-EU diplomatic entities, 6 as from citizen observer groups, 4 were independent analysts and 2 from political parties.

In total of the 63 internal stakeholders, 24 self-identified as from various parts of the European Commission, 16 as from various parts of the EEAS, 14 as from EU Member State staff, 7 as members of core teams on EU election observation activities, and 2 as long-term observers on EU EOMs.

The survey is not fully representative given the selective uptake by respondents. This was compensated for to some extent through interviews, for example with each field visit involving interviews with political parties and the election administration. The number of returns is not sufficient for statistically robust data, and therefore survey findings should be taken as indicative, as one data source to be triangulated with qualitative data from interviews and focus groups.

Surveys completed

²⁴ *The Risks of Election Monitoring: International Condemnation and Post-Election Violence*, Borzyskowski, awaiting publication.

²⁵ *All Quiet on Election Day? International Election Observation and incentives for Pre-Election Violence in African Elections*, Ursula Daxecker, 2014, Electoral studies journal.

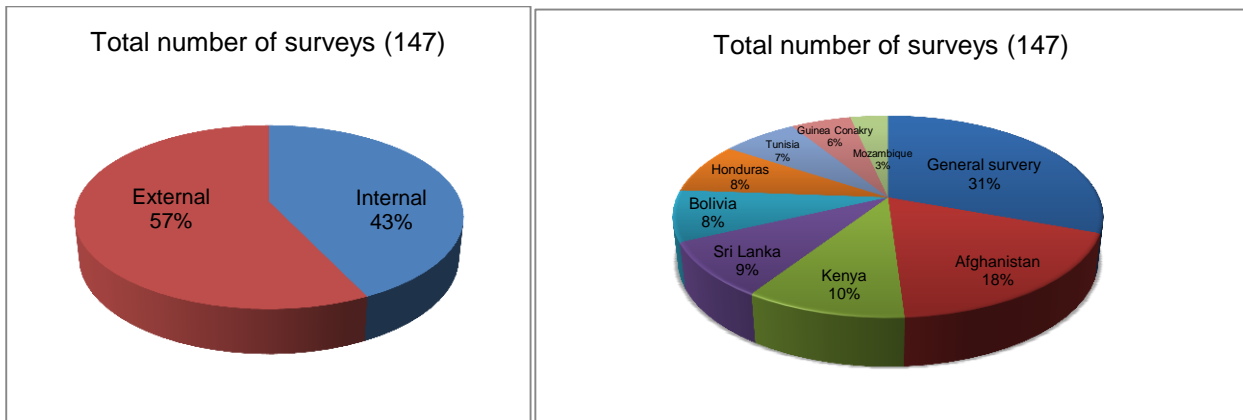
²⁶ *Monitoring Democracy – When International Election Observation Works, and Why It Often Fails*, Judith Kelley, 2012, Princeton Press. Page 39.

²⁷ See for example *The Politics and Norms of International Election Observation* Judith Kelley, 2009, International Organization, 63: 765-787.

²⁸ The number of completed surveys corresponded with the targets established in the inception report (of 145 total completed surveys of which 87 would be by external stakeholders).

²⁹ For general invitees the response rate was 14%, and for country-level invitees it was slightly higher at 19%.

³⁰ Field visit countries: Honduras 12, Kenya 15, and Tunisia 10. Desk study countries: Afghanistan 27, Bolivia 12, Guinea Conakry 8, Mozambique 5 and Sri Lanka 13.

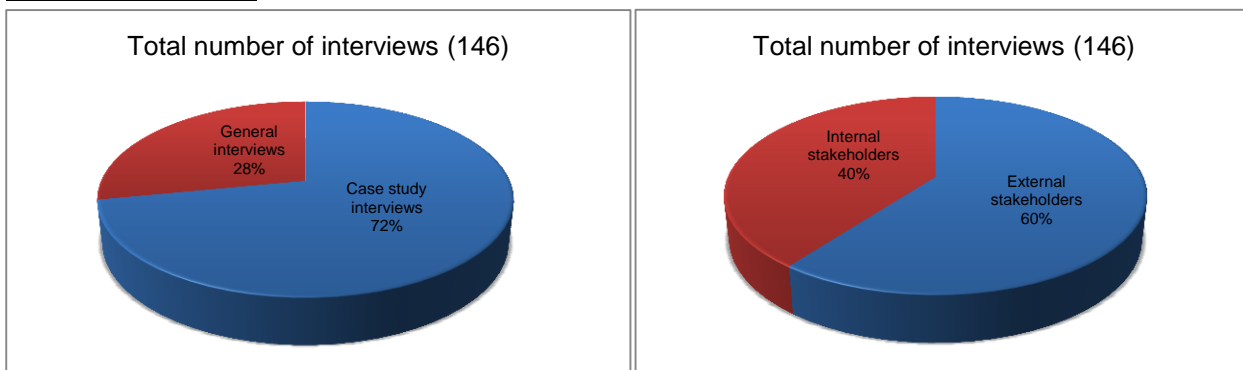


3.6 Interviews and focus groups

Qualitative information was obtained through interviews and focus groups. These were semi-structured, adapting to the interests and experience of the participant(s). Interviews were conducted in-person, by Internet and by telephone. All information from interviews has been treated confidentially.

In total 146 interviews were conducted, of which 88 were with external stakeholders and 58 were with internal stakeholders.³¹ Of the 146 total, 41 were with general interviewees, and 105 were conducted in relation to the 8 case study countries (68 in the field visit countries and 37 in the desk study countries).

Interviews conducted



One focus group was undertaken in each of the three countries where a field visit was undertaken. In Tunisia and Honduras the focus groups were composed of civil society representatives and academics (with five participants in each). In Kenya one focus group was conducted with eight participants from the steering committee of the Political Parties Liaison Committee. Focus group participants were asked a range of selected questions, according to the experience and interests of the group, related to the 22 judgement criteria to gather different viewpoints and to explore lessons and recommendations.

4 Overall Perceptions

The survey asked respondents about their overall views of EU election observation activities (as well as their views on the eight specific evaluation questions and the related judgement criteria). The findings from the qualitative tools (interviews and focus groups) were consistent, but have not been elaborated in this section for the sake of brevity.

All survey respondents rated EU election observation activities as having effectiveness, with 81% of respondents marking the top half of the scale,³² and 95% marking the top two thirds of the scale (97%

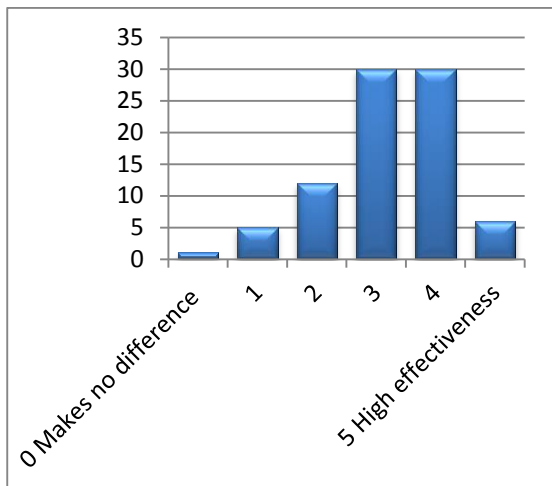
³¹ The total number of interviews conducted exceeded the inception mission target of 112, of which 71 would be with external stakeholders.

³² NB for ease of reading percentage numbers have been rounded up/down, so may at times not add up to exactly 100%.

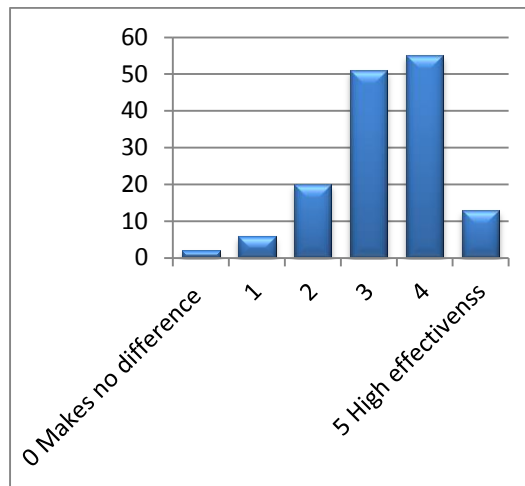
for internal respondents and 93% for external respondents).³³ Similarly for impact, **all survey respondents rated EU election observation activities as having impact, with 82% of respondents marking the top half of the scale, with external respondents being slightly more positive with 85% compared to internal respondents’ 78%**. Again 95% marked the top two thirds of the scale.³⁴ It is also noteworthy that these figures were consistent for Afghanistan, the only case study to have an EAT.³⁵

Ratings of effectiveness of EU election observation activities

General respondents

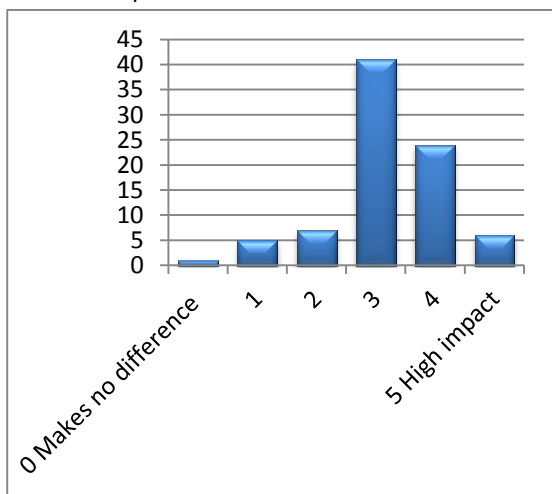


External respondents

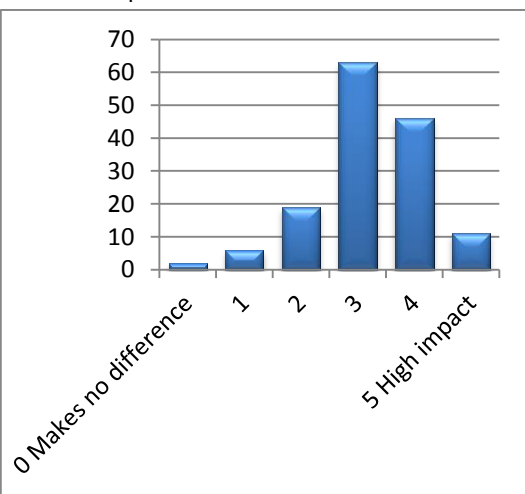


Ratings of impact of EU election observation activities

General respondents



External respondents



Nearly half (48%) of respondents rated EU EOMs as having more effectiveness and impact than other international observation missions, with 46% saying they are similar, and only 6% of respondents

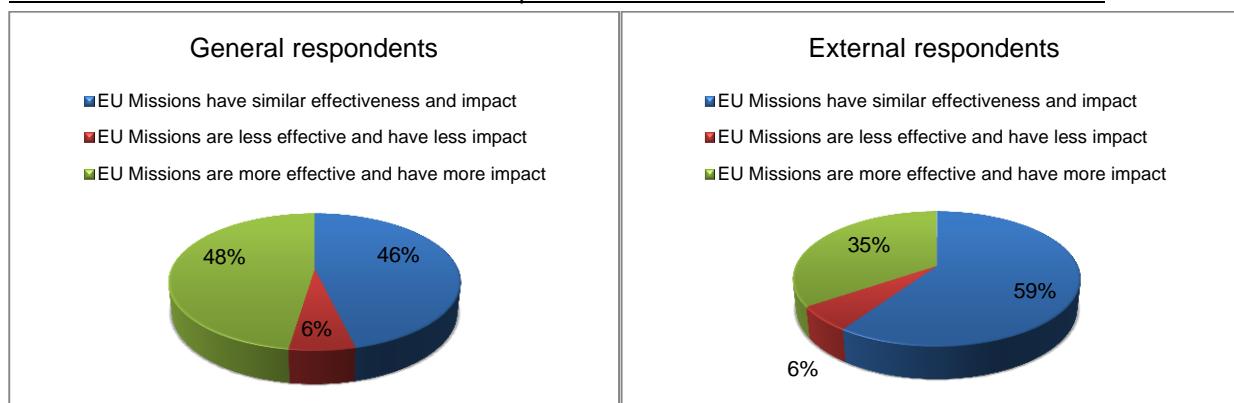
³³ When asked to rate effectiveness from 0 – 5 (“0” = “makes no difference” to “5” = “high effectiveness/very influential”), 2 participants marked “0”, 6 marked “1”, 20 marked “2”, 51 marked “3”, 55 marked “4”, and 13 marked “5” (totalling 147). For external stakeholders, 1 participant marked “0”, 5 marked “1”, 12 marked “2”, 30 marked “3”, 30 marked “4”, and 6 marked “5” (totalling 84).

³⁴ When asked to rate impact from 0 – 5 (“0” = “makes no difference” to “5” = “high impact/very influential”), 2 participants marked “0”, 6 marked “1”, 19 marked “2”, 63 marked “3”, 46 marked “4”, and 11 marked “5” (totalling 147). For external stakeholders, 1 participant marked “0”, 5 marked “1”, 7 marked “2”, 41 marked “3”, 24 marked “4”, and 6 marked “5” (totalling 84).

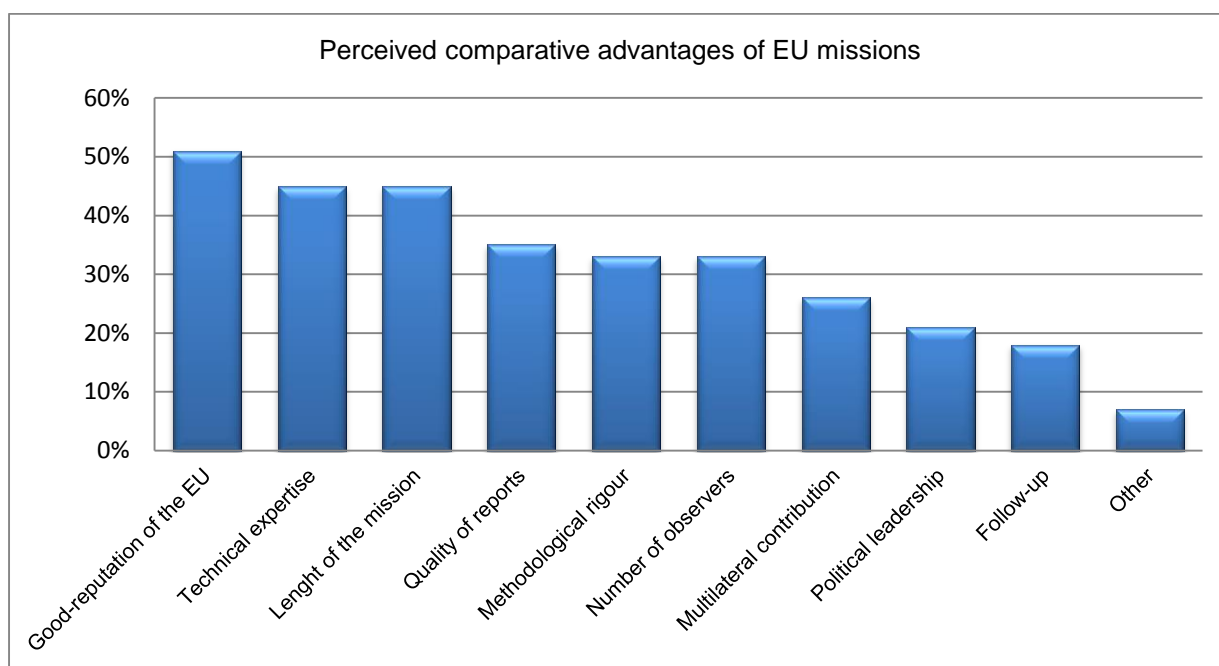
³⁵ When asked to rate effectiveness from 0 – 5 (“0” = “makes no difference” to “5” = “high effectiveness/very influential”), 1 participant marked “0”, 1 marked “1”, 7 marked “2”, 8 marked “3”, 8 marked “4”, and 2 marked “5” (with a total of 27 respondents). When asked to rate impact from 0 – 5 (“0” = “makes no difference” to “5” = “high impact/very influential”), 1 participant marked “0”, 2 participants marked “1”, 2 marked “2”, 15 marked “3”, 5 marked “4”, and 2 marked “5” (totalling 27).

rating EU missions as having less effectiveness and impact.³⁶ However external stakeholders were somewhat less convinced of the relative value of EU EOMs, with 35% rating EU EOMs as having more effectiveness and impact, 60% rating them as similar (and 6% rating them as less effective).³⁷

How EU election observation activities compare with other international observation missions



The comparative advantages of EU election observation activities were listed (in order of frequency) as:³⁸ the good-reputation of the EU (51%), technical expertise (45%), the length of the missions (45%), the quality of reports (35%), methodological rigour (33%), the number of observers (33%), multi-lateral contribution (26%), the MEP leadership (21%), follow-up (18%) and other (7%). For external respondents the most marked comparative advantages were (in order): the good reputation of the EU, technical expertise, and the quality of reports. For internal respondents, the most marked comparative advantages were (in order): the length of mission, and the good reputation of the EU jointly with methodological rigour.

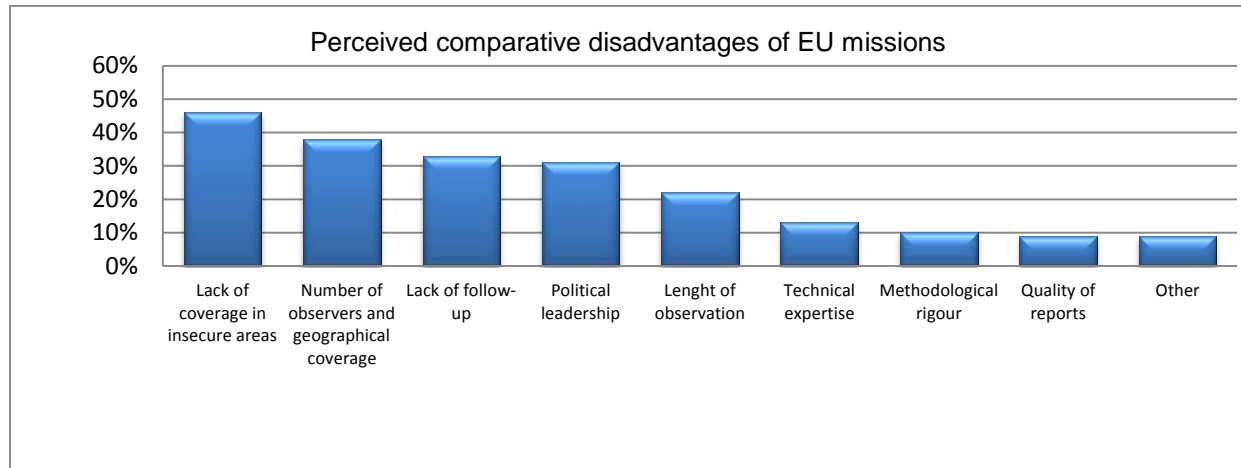


³⁶ 70 respondents rated EU EOMs as more effective and having more impact than other international observation missions, 68 rated them as similar, and 9 respondents rated EU missions as having less effectiveness and impact (totalling 147).

³⁷ 29 external respondents rated EU EOMs as more effective and having more impact than other international observation missions, 50 rated them as similar, and 5 respondents rated EU missions as having less effectiveness and impact (totalling 84).

³⁸ Respondents were asked to mark up to three possible comparative advantages of EU election observation activities.

Conversely the comparative disadvantages of EU election observation activities were listed (in order of frequency) as:³⁹ the lack of coverage in insecure areas (46%), the number of observers and geographical coverage (38%), lack of follow-up (33%), the political leadership (31%), the length of observation (22%), technical expertise (13%), methodological rigor (10%), the quality of reports (9%), and other (9%). For external respondents the most marked comparative disadvantages (in order) were: the number of observers and geographical coverage, the lack of coverage in insecure areas, and the political leadership. For internal respondents, the most marked comparative disadvantages (in order) were the lack of coverage in insecure areas, the number of observers and geographical coverage, and the quality of reports.



Slightly less than a quarter (24%) of survey respondents were aware of negative repercussions from EU election observation activities.⁴⁰ This figure reduces to 18% for external respondents.⁴¹ Comments to this question on the survey and in interviews related to: allegations of interference, EU reports being too positive, a few difficult missions (e.g. in Ethiopia and recently in Gabon), and subsequent relationship difficulties.

General interviewee comments included: “Overall there’s trust in EU EOMs. In comparison to other missions, they are bigger and considered more objective and credible.” “EU observation activities can have a strong effect on informing national and international opinion regarding an electoral process.” “The EU does not have a bilateral colonial legacy.” Country-level comments included: “The EU has more independence, objectivity and can speak the truth - which regional organisations may not speak.” (Kenya). There are “very high expectations of the EU.” (Kenya). “A legitimization force” (Honduras). “Necessary” (Tunisia). “Fundamental” (Mozambique). “EU observation is highly respected and institutionalized.” (Sri Lanka).

Reference was made by stakeholders to the impact of missions being in part dependent on external factors, and in part dependent on the quality, performance and integrity of missions. The importance of protecting the safeguards and accountability mechanisms that provide for the quality of EU election observation activities was similarly emphasised. Various interviewees expressed concern about the quality of observation missions by other organisations and the need for coordination, emphasising that a lack of cohesiveness can be damaging to an electoral process and thereby undermine EU and overall effectiveness and impact. The variation in the positions of different missions has also been identified in academic research, for example Kelley states “The data reveal that in roughly a third of the cases, monitoring missions disagreed with one another about their overall assessments... in 19 of the 206 elections monitored by multiple observer missions, the disagreements were stark: At least one organization clearly endorsed the election while another clearly denounced it.”⁴² Carothers has also noted “...election observation has attracted too many groups, many of whom do amateurish work.”⁴³ The EU was externally praised for its collaboration with other electoral agencies, its leadership role within the group of organisations endorsing the Declaration of Principles, and for its part in methodological development.

³⁹ Respondents were asked to mark up to three possible comparative disadvantages of EU election observation activities.

⁴⁰ 112 survey respondents were not aware of any negative repercussions from EU election observation activities, and 35 were aware of negative repercussions (totaling 147).

⁴¹ 69 external stakeholder survey respondents were not aware of any negative repercussions from EU election observation activities, and 15 were aware of negative repercussions (totaling 84).






⁴² *The Politics and Norms of International Election Observation*, Judith Kelley, 2009, International Organization, 63: 765-787.

⁴³ *The Observers Observed*, Thomas Carothers, 1997, *Journal of Democracy*, 8(3).


5 Evaluation Questions (EQs)

The following section looks at each of the evaluation questions, giving first a brief review of the hypothesis and judgement criteria, then the overall conclusion to the question, with a grading. This is followed by background information, and then consideration of each composite judgement criteria with a conclusion followed by main findings (with ensuing related analysis). For the benefit of the reader, information has been presented thematically rather than by data source. The report focuses on exploration of issues raised with a view to identifying lessons to learn and possible means for improvement. Divergent views are to be expected, given the sensitivities of elections and vested interests different stakeholders have. Comments from surveys and interviews that are representative, explanative and/or pertinent are included in the presentation of findings. Unless otherwise stated, there is no notable difference between internal and external stakeholders.

Assessment grid

Unacceptable		EU election observation activities perform poorly. Immediate and major changes are recommended.
Poor		EU election observation activities perform relatively poorly. Substantial improvements are recommended.
Sufficient		EU election observation activities perform relatively well. Specific improvements are recommended.
Good		EU election observation activities perform well. Limited improvements are recommended.
Very good		EU election observation activities perform very well. Possible improvements may be suggested for consideration.

5.1 EQ 1 - How accurate and impartial are EU assessments?

Good		EU election observation activities perform well. Limited improvements are recommended.
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During the desk phase, the hypothesis was formulated that EU election observation activities' assessments are accurate and impartial. Examination of this hypothesis involved consideration of whether EU assessments are accurate, comprehensive, balanced and impartial, and whether they are clear.

Overall the hypothesis was confirmed with findings indicating that EU assessments and reports are accurate and impartial. Large quantities of politically-sensitive public reporting is produced that has a high public profile. Clear comprehensive standard structures are used with references to a framework of international law and field findings. Findings from survey data, interviews and focus groups consistently indicated overall agreement with the hypothesis from internal and external stakeholders. However during discussions there was more critical commentary about some reports being seen as overly-positive, lacking in substantiation, and/or crafted in ways that did not contribute to a clarity of message. This risks missions having diminished credibility and effectiveness. **There is an evident lack of enduring awareness of EU election observation reports** with stakeholders interviewed during case studies not remembering the content of mission reports. Stronger measures for promoting consistency of high-quality reporting and development of new tools for enhanced report promotion are advised, for example including enhanced EEAS expertise and continuity.

Background information

The reporting structure for preliminary statements, final reports, press releases and (internal) interim reports, involves a mechanism of EEAS comments, which should be taken into consideration, and the CO having ultimate responsibility. Final reports include a disclaimer about the report “*not reflecting the official position of the European Union.*”

The recently published (2016) Handbook for EU Election Observation, third edition, builds on the second edition with the reporting mechanism being largely unchanged.⁴⁴ In October 2013 the EU-funded project “*Election Observation and Democratic Support*” (EODS) elaborated three practical guidelines on drafting the preliminary statement (issued two days after election day), drafting recommendations, and women’s participation. Currently there are eight guidelines formerly approved and in use.⁴⁵

5.1.1 Judgement criteria 1.1 - reliability, comprehensiveness, balance and impartiality of EU election observation reports.

Conclusion

Large quantities of politically sensitive public reporting are produced including at critical moments when there is high public interest. Clear comprehensive standard structures are used with references to a framework of international law and field findings. EU election reports are overall regarded as comprehensive, balanced and impartial. However in three of the case studies there was some criticism that the reports were overly-positive and in Afghanistan the reporting was criticised for lacking substantiation and omitting explanative factors, risking missions having diminished credibility.

Main findings

Given the complex nature of elections and the need to consider local context and risks, election reporting is not an exact science, and differences of opinion are to be expected. However a consistent methodological framework is required. Carroll and Davis-Roberts note “*observers and stakeholders must apply a consistent set of obligations and standards when evaluating electoral processes, but also recognize that the relative significance of obligations is inextricably tied to the local context.*”⁴⁶ The EU has through its handbook and guidelines taken increasing measures to provide for a standard methodology, which includes a framework of standards based on international law, as well as elaborating guidelines and trainings. EU observation reports follow a standard structure and consistently cover a wide range of electoral issues with reference to a framework of international law and including findings from the field.⁴⁷ EFM reports contain a comprehensive update on the electoral situation, identifying current risks and opportunities.

EU EOMs and EATs produce large quantities of public reporting on politically sensitive issues, at critical points in an election, in particular in the preliminary statement. Such reports can have wide public reach⁴⁸ and can constitute evidence, with reports from other inter-governmental organisations (primarily in the European context) referred to be regional human rights bodies resolving election-related cases.⁴⁹ All missions in the case studies produced comprehensive and timely reports.

Survey respondents were positive about the overall quality of findings and reports by EU election observation activities. When asked about findings being accurate, impartial and comprehensive, 74% of respondents agreed, 23% partially agreed and only 3% disagreed.⁵⁰ When asked about the comparative advantages of EU election observation activities, the third most common answer by external respondents was the quality of the reports (marked by 37%, with each respondent able to mark up to three choices). Focus group

⁴⁴ The Handbook stipulates “*The preliminary statement is drafted by the Deputy Chief Observer (DCO) on the basis of contributions from the core team and findings of long-term observers (LTOs). It should follow the guidelines and template provided by the EEAS... An initial draft of the preliminary statement is shared with the EEAS Democracy and Election Observation Division for comments at least 48 hours before release, to ensure quality in reporting and consistency in implementing the methodology. Comments of the EEAS Democracy and Election Observation Division should be taken into consideration. Shortly before release, the findings of EU observers on election day are added. The ultimate responsibility for the final text rests with the CO.*”

⁴⁵ Those are, at the moment: women’s participation, people with disabilities, online content, campaign finance, election day deployment and mitigating sample bias, preliminary statements, recommendations and external communications (still a draft). Recently those guidelines have been bound together under the name “EU Election observation practical core team guidelines” and are systematically distributed to core team members.

⁴⁶ *The Carter Center and Election Observation: An Obligations-Based Approach for Assessing Elections* David J. Carroll and Avery Davis-Roberts, 2013, Election Law Journal, Volume 12, Number 1.

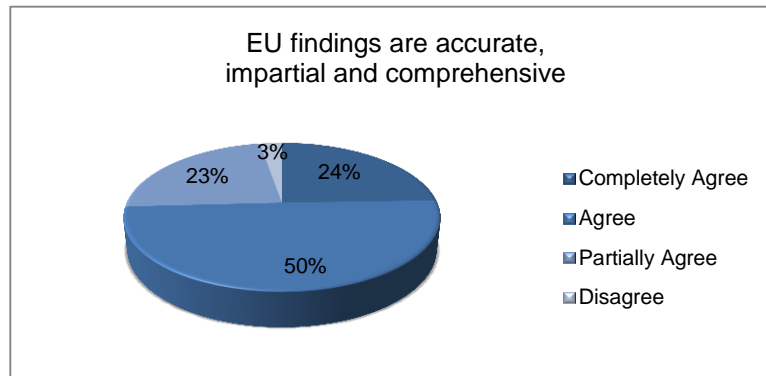
⁴⁷ For previous EU election observation reports see https://eeas.europa.eu/topics/water-diplomacy/16679/list-of-eueom-and-eem-missions-2015---1993_en.

⁴⁸ Data is currently not available on the number of website hits for EU election observation reports.

⁴⁹ *The Use of Election Observation Reports in Regional Human Rights Jurisprudence*, Professor Markku Suksi, 2016, Nordic Journal of Human Rights.

⁵⁰ Overall, 36 respondents “*completely agreed*”, 73 “*agreed*”, 34 “*partially agreed*” and 4 “*disagreed*” (totalling 147). Of those who “*completely agreed*” 22 were internal and 14 were external, of those who “*agreed*” 26 were internal and 47 were external, within the “*partially agreed*” 13 were internal and 21 were external, and within the “*disagreed*”, 2 were 2 were external. .

participants and interviewees generally confirmed the survey findings overall agreeing on the quality of EU findings, albeit with some specific criticisms (explored below). For example one external stakeholder in Kenya commented “*Without a doubt the EU is thorough, comprehensive and objective. It produces quality reporting and recommendations. No other mission, especially the inter-governmental organisations, have similar courage and boldness.*”



Some criticism was made during focus groups and general and country-level interviews of EU election observation activities being insufficiently willing to be critical of electoral processes. However it should be noted that some such commentary is to be expected, given that inevitably there will be different views on an election, parties have vested interests, and that civil society often has interest in a critical statement that will provide cover for its own assertions.

One example of perceived insufficient criticism is Tunisia 2014. Focus group participants and interviewees emphasised that some issues should have been covered more thoroughly in the EOM public reporting, and with a less “*rosy tone*”.⁵¹ A number of national and international external interlocutors, made comments such as “[the report’s] *overwhelming positive tone sometimes hampers its objectivity.*” This resulted in questions about the mission’s independence, given the embedded, visible EU technical and financial support to the EMB, risking the EU being seen as “*judge and party*”.

In Kenya it was noted that “*In 2013 there was a narrative of peace, rather than justice, all observer missions toned down their reports.*” This appears to have resulted in a sense to some stakeholders that the EU and other international observation missions “*are turning a blind eye to problems*” for the sake of maintaining relations with the government. It was also commented that this can make observers complicit with “*perpetuating problems.*” Another external stakeholder noted that such “*softening*” means that in reporting “*details on problems and conclusions contradict.*”

Similarly the 2013 elections in Honduras were very sensitive, with a lack of confidence in the process and in the institutions, and the EU EOM was very cautious and is perceived by some to have under-reported on key issues. These include violence during the campaign, the lack of confidence in the accuracy of the results, and high incidence of vote buying. These issues were emphasised in the reports of other credible observation groups.⁵²

Various studies conclude that observers in general tend to be more lenient in countries where an organisation has more at stake.⁵³ For example based on research using nearly 600 EOM reports from a variety of organisations, Kelley finds that “*monitors do not only consider the elections’ quality; their assessments also reflect the interests of their member states or donors as well as other tangential organizational norms.*”⁵⁴ Kelley also notes “*It is somewhat paradoxical that organizations like the EU tend to observe elections in countries in which they have some stake, either through foreign aid or political relations,*

⁵¹ For example one problem identified by stakeholders (focus group and external interviewees) was the EMB being portrayed as “*transparent*” when it was noted that it “*did not publish its meetings minutes*”, “*the out-of-country process was not transparent, nor was the nomination of the regional levels of the EMB.*”

⁵² The OAS, NDI and the Federation Internationale des Droits de l’Homme (FIDH).

⁵³ *D-Minus elections; The Politics and Norms of International Election Observation* Judith Kelley, 2009, International Organization, 63: 765-78. *D-Minus Elections: The Politics and Norms of International Election Observation*, Judith Kelley, 2009, International Organization, 63: 765-787. *Monitoring Democracy – When International Election Observation Works, and Why It Often Fails* Judith Kelley, 2012, Princeton Press. *The Limits of Election Monitoring What Independent Observation Can (and Can’t) Do*, Susan D. Hyde and Judith G. Kelley. *The curse of low expectations: Lessons for democracy from Madagascar’s election* Brian Klaas, 2013, Foreign Policy 27. *Bureaucratic Bias? EU Election Observation Missions in Africa (2010-2015), their independence and the development industry.* Martin Ronceray, MA thesis (unpublished) for the Department of EU International Relations and Diplomacy Studies, College of Europe, Bruges 2016..

⁵⁴ *D-Minus elections; The Politics and Norms of International Election Observation* Judith Kelley, 2009, International Organization, 63: 765-787.

because these are exactly the types of elections in which monitors face greater political constraints in formulating their assessments.”

However, one example to the contrary is Afghanistan, where there are high political stakes and the EU has made extensive development contributions, including on elections, yet the 2014 EAT issued reports and press releases that were very critical of the process. While the mission’s reporting was subject to stakeholder criticism, this was not for being critical *per se*, but for not sufficiently including explanatory contextual factors and for omitting substantiation. For example, one critical content omission referred to was EOM commentary on the lack of results transparency, without sufficiently stating that this was part of the political agreement made (to avert the possibility of civil war).⁵⁵

Some lack of substantiation in reporting was seen in regards to Afghanistan and Kenya. External stakeholders commented that some of the EAT’s strong assertions in Afghanistan lacked a demonstrated evidence basis,⁵⁶ which contributed to allegations of the mission playing a more politicised role.⁵⁷ The Kenya EOM report also lacks some substantiation, although this was not associated with political interests.⁵⁸

General interviewees also referred to the variation in quality of mission reporting, for example noting “*The accuracy of the findings of an EU election activity varies from mission to mission.*” Some external interviewees commented on the risk of perceived bias. For example “*sometimes they write a very good report but sometimes they are not always consistent in what they write, and sometimes you don’t feel their conclusions are always robust.*”

5.1.2 Judgement criteria 1.2 - EU election observation reports are clear

Conclusion

EU election observation reports are regarded as clear, but some lack internal consistency. There is an evident lack of enduring awareness of EU election observation reports.

Main findings

The Handbook and guidelines refer to reports having a clear overall conclusion, a summary, and a “*headline conclusion*” for the preliminary statement. Mission reporting in the case studies adhered to these structures, thereby making findings more accessible for readers.

However some cases of lack of internal consistency in reports was identified that can weaken the effect of the main messages, and confidence in missions overall. For example the Kenya 2013 EOM preliminary statement makes no reference to international standards, and there are minimal references to the findings of LTOs, while in the final report, key recommendations in the executive summary refer to issues not covered in the text. In Tunisia while interlocutors understood the need to emphasize the positive and “*not to start with the negative*”, contradictions between the executive summary and the body of the report were noticed by focus group participants and was subject to criticism.⁵⁹

When asked about whether the findings of EU election observation activities are clear, 80% respondents agreed, 17% partially agreed and only 3% disagreed, with those who disagreed being predominantly external stakeholders.⁶⁰ Qualitative statements overall concurred with the survey finding. Some internal and external interviewees commented that the language used is sometimes too technical, and that this, in combination with the long format of the preliminary statement, can result in the main message getting lost.⁶¹

⁵⁵ This point is made in the final report executive summary (page 4) but not in the main body of the text when referring to results transparency (page 11 on transparency and page 45 on results).

⁵⁶ For example a 15 May 2014 EAT press release proclaimed that “*fraud in the first round was sizeable without affecting order of candidates none of whom reached 50% of the votes... [fraud] was less massive than in previous elections.*”

⁵⁷ Lack of substantiation is not consistent with the *Handbook for European Union Election Observation (third edition)*, which refers to “*ensuring that all information... can be substantiated with concrete examples and when possible with references to sources... information that has no supporting evidence should be clearly indicated as such.*”

⁵⁸ For example the preliminary statement notes that “*an unequal playing field was evident throughout the campaign*” (page 4) but gives no substantiation, similarly in the final report (page 18). No statistics are given in the election day sections of reports. Also on page 28 of the final report it is noted that “*Seven million pastoralists (18 per cent of society) remain disenfranchised due to the remote distances to polling stations and difficulties in obtaining ID cards.*”

⁵⁹ In particular, the executive summary of the final report states “*the voter register proved to be accurate and well managed*” but when reading further into the report, the EU EOM acknowledges important issues: inaccuracies in the VR used abroad, the under-registration of groups such as women and youth, and the inclusion of only around 70% of eligible voters (NB registration in Tunisia is active). Other international and citizen observers criticised these points and others such as last minute decisions and lack of operational planning.


⁶⁰ Overall, 31 respondents “*completely agreed*”, 86 “*agreed*”, 25 “*partially agreed*” and 5 “*disagreed*” (totalling 147). The five “*disagreeing*”, were four external and one internal stakeholder (total = 63 internal and 84 external respondents).

⁶¹ One (unpublished) article similarly notes : “*Interestingly, only about one in four EOMs [in Africa] does provide such an overall critical judgement, other ones either relying on a simple accumulation of technical and cluster critique to convey*

Given that it had generally been a year or more since an observation mission had been deployed, most stakeholders interviewed during the case studies did not remember the content of mission reports by the EU (or other observer groups). They typically remembered the main message of the preliminary statement, but not the conclusions, the recommendations nor the technical issues covered in the final report.⁶² In Kenya, none of the participants of the focus group had seen the 2013 EU EOM final report, even though they were the steering committee members of the Political Parties Liaison Committee, and were and are leaders of minor political parties (including at the time of the 2013 mission).

Recommendation	Possible Key Action Points
<p>Establish stronger measures for promoting consistent high-quality reporting, including increased support, feedback and oversight/scrutiny measures.</p>	<ul style="list-style-type: none"> • More support from EEAS/EODS on report drafting. • Increased scrutiny/oversight from EEAS/EODS on reports and press releases. • Enhanced trainings on reporting. • Possible deployment of a reporting officer. • Further building and maintaining expertise in the EEAS for continuity and increased subject proficiency.
<p>Develop a communication strategy and tools for enhanced promotion of mission reporting, including in new media.</p>	<ul style="list-style-type: none"> • Use of more multi-media formats for mission reports, in particular the final report and recommendations. For example short videos for improved communication and circulation in new media. • Recording of all website usage to further improve practice. • Further guidance on language use for different reports and press releases.

5.2 EQ 2 - How well do EU election observation activities formulate recommendations for improving electoral processes?

Good		EU election observation activities perform well. Limited improvements are recommended.
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During the desk phase, the hypothesis was developed that EU election observation activities formulate good recommendations for improving electoral processes. Examination of this hypothesis involved consideration on the usefulness, feasibility and advisability of EU recommendations and whether there is dialogue with other citizen and international observer groups over recommendations.

Overall the hypothesis was confirmed with findings that recommendations formulated by the EU election observation activities are predominantly useful, feasible and advisable. Findings from survey data, interviews and focus groups consistently indicated overall agreement with the hypothesis from internal and external stakeholders. However there has been some inconsistent implementation of the now-approved guidelines and variation in the extent to which stakeholders have been consulted in the development of recommendations. **Recommendations are not always known about**, and hence it is advised to include some recommendations in the preliminary statement for increased profile. Also for recommendations to be referred to in the memorandums of understanding (MoUs) signed with the host country prior to mission deployment, so there is greater emphasis on their importance. The case studies of Sri Lanka and Guinea Conakry indicate that EU election observation activities applying the criteria established in the guidelines have improved quality of recommendations, which can then better contribute to setting the agenda on electoral reform.

their point or determined to not make a single point concerning the quality of the election... the choice of wording, the disposition of paragraphs or the choice of characters have an important impact on the overall impression conveyed by the text." in *Bureaucratic Bias? EU Election Observation Missions in Africa (2010-2015)*, their independence and the development industry. Martin Ronceray, MA thesis for the Department of EU International Relations and Diplomacy Studies, College of Europe, Bruges 2016.

⁶² In order to collect stakeholder views on case study country reports, the evaluation team often distributed the executive summary of the preliminary statement and the final report, which explains the sometimes detailed comments received ontowards EU reports during the field missions.

Background information

The methodology on recommendations has been developed in recent years, in particular through the establishment of guidelines, developed for use in EU EOMs, EEMs and EATs, formally approved in October 2016. These refer to recommendations being useful, feasible and/or advisable. There are now also systematic reviews and discussion of draft recommendations during mission debriefings with EEAS and EODS. Recommendations are offered in the final reports of EU EOMs but not in the preliminary statements.

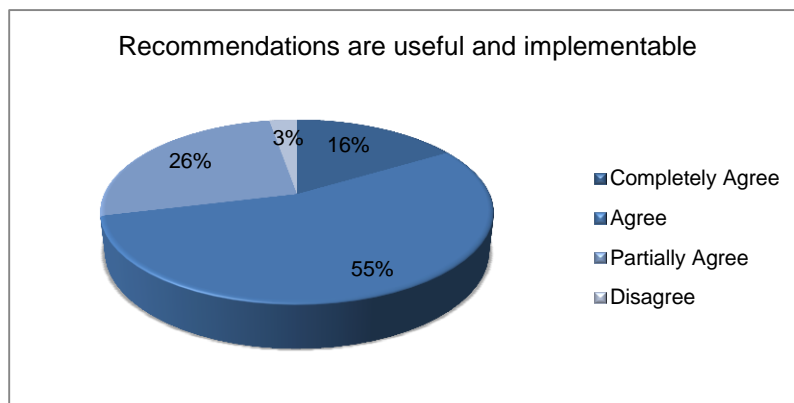
5.2.1 Judgement criteria 2.1 - the usefulness, feasibility and advisability of EU recommendations

Conclusion

EU election observation recommendations are seen to be useful, feasible and advisable. EU election observation recommendations are seen to be contributing to setting the reform agenda. The case study examples of Sri Lanka and Guinea Conakry indicate improved quality since the establishment of the draft guidelines on recommendations. Interviewees and focus group participants sometimes had limited knowledge of recommendations made. A higher profile could be given through inclusion of some recommendations in the preliminary statement, and reference made to the role of recommendations in MoUs signed with the host country prior to deployment.

Main findings

Overall 71% of survey respondents agreed or fully agreed that EU election observation recommendations are useful and implementable, and 26% partially agreed and only 3% disagreed (with slightly more external stakeholders disagreeing).⁶³ Survey and interviewee comments also generally supported this assertion. One external stakeholder commented “*The EU recommendations are useful because they set the framework.*” Another commented “*EU EOM recommendations were very solid and were used to develop the next phase of technical assistance.*”



The methodology on recommendations has developed in recent years, in particular through the establishment of guidelines on drafting recommendations.⁶⁴ However, some of the case studies involved missions conducted before the current guidelines were in place or were established as standard practice. Identified shortcomings include: some recommendations addressed to multiple responsible agencies (making implementation and measurement more challenging),⁶⁵ the inclusion of sub-recommendations,⁶⁶ and no indication of whether constitutional reform or other legal amendment is required.⁶⁷ A few recommendations were regarded as beyond the scope of international observation, or not implementable. For example one recommendation on payment for party agents in Kenya and one recommendation referring to four or five female Commissioners being appointed out of nine to the Independent Election Commission of Afghanistan.⁶⁸ Stakeholders referred to the benefits of recommendations being prioritized, as is now increasingly the case, for example to facilitate their implementation by future election assistance projects.

⁶³ Overall, 24 respondents “*completely agreed*”, 80 “*agreed*”, 39 “*partially agreed*” and 4 “*disagreed*” (totalling 147). Of the 4 “*disagreeing*”, 1 was internal stakeholders and 3 were external stakeholders (total = 63 internal and 84 external respondents).

⁶⁴ EU EOM Guidelines on Drafting Recommendations, 2016, EODS project.

⁶⁵ This was identified in the case studies of Afghanistan, Bolivia, Honduras and Kenya.

⁶⁶ This was identified in the case studies of Afghanistan, Guinea Conakry, Honduras and Kenya.

⁶⁷ This was identified in the case studies of Bolivia, Kenya and Sri Lanka.

⁶⁸ Given that there were a total of nine commissioners, referring to four or five being women, is not only extremely unlikely in the Afghan context, but also goes beyond the 30% target referred to in the Beijing Declaration and Platform for Action.

One external interviewee commented *“the mission should identify the key ones that would have a maximum impact in the electoral process.”*

Stakeholders in Tunisia and Honduras noted that some recommendations were insufficient as they did not address serious problems with the electoral process. For example focus group participants and some interviewees in Tunisia commented that recommendations were *“not necessarily covering the key problems of the electoral process”* (in regards to a lack of reference to transparency and women’s participation).

There are a few internally commissioned studies available on recommendations. These highlight some shortcomings in the formulation of recommendations. For example a 2012 briefing paper for the European Parliament (EP)⁶⁹ noted *“EU EOMs issue as few as 8, or as many as 95 recommendations.”* It was also noted *“EU EOM recommendations currently lack substantiation in applicable international and regional obligations. Citation of instruments that bind the host-country would irrefutably legitimize individual recommendations.”* It was also noted that *“Overall, 90 per cent of recommendations call for constitutional, legal, or regulatory framework amendments, making host-country Parliaments an entry point for follow-up.”*

The recent guidelines on drafting recommendations addressed the shortcomings cited above.⁷⁰ The draft guidelines were in use from 2014 and appear to have impacted considerably on the quality and consistency of recommendations. Some interviewees noted the improvement in recommendations in recent years. For example one external interviewee commented *“Quality has improved because there was more investment in the standardization of the recommendations.”* An internal interviewee also stated *“They have improved quite a lot as compared to the recommendations issued 10 years ago.”* One example of good practice is the 2015 EU EOM to Sri Lanka which clearly applied the criteria established in the then-draft guidelines.⁷¹ One Sri Lankan external stakeholder noted *“The EU gave a valuable set of recommendations. Some might be too ambitious but their prioritization gave some benchmarks to be achieved.”* Other examples of good practice are the 2015 EU EOMs to Guinea Conakry and to Sri Lanka.

EFM recommendations have mostly related to policy actions for the EU and the international community in regards to preparations for upcoming elections and seizing political momentum for advancing electoral reform. The EFM review of previous EOM recommendations can have particular value given that, as one interlocutor in Kenya pointed out, recommendations applied at different times could have a negative effect as they could be used to justify a delay in the electoral proceedings, and could thus be politicised. The only criticism made was in Honduras, when, according to some interlocutors, recommendations were not all rooted in methodology, and therefore were considered to be subject to specific interests. However overall stakeholders were positive about EFMs keeping recommendations alive, as one external interlocutor mentioned *“It is very important to have follow-up missions because if not the recommendations are forgotten.”*

Focus group and interviewees sometimes had limited knowledge of EU recommendations. Various internal and external interviewees made suggestions about recommendations and the preliminary statement. For example one internal interviewee commented *“To increase attention to recommendations, we should overhaul the preliminary statement and include recommendations”*. Another interviewee remarked *“[the time of the preliminary statement] is the key moment, preliminary statements could include some recommendations, e.g. those that are already possible to formulate.”* International organizations such as the OAS and the Carter Center regularly include recommendations in their preliminary statement.

It can be argued that recommendations are under-formalised with host governments, risking diminished attention on the importance of recommendations. No reference is made to recommendations or to follow-up in the MoUs typically signed with a country’s Ministry of Foreign Affairs and the EMB prior to deployment.⁷² Therefore the basis of the formal arrangement with the host country is all about the current election, rather than a mission’s role in promoting reform.

⁶⁹ *Following-Up on Recommendations of EU Election Observation Missions*, 2012, European Parliament’ Directorate General for External Policies, Policy Department

⁷⁰ For example it refers to 20-30 recommendations in total and gives a standard chart format. ⁷⁰ The guidelines also require stating whether a change in the constitution/primary legislation is required or desirable to be secured in law (but not necessary). The guidelines also require that *“each recommendation should be realistically achievable, assuming there is political will to improve the electoral process ahead of future elections”* and that *“Recommendations should... not be overly prescriptive. The core team should identify which recommendations in the final report is a priority for implementation.”* However the guidelines are not a mandatory part of the methodology.

⁷¹ The final report included key recommendations in the executive summary. The key international principles, obligations and commitments or domestic law relevant to the recommendation were specified. Each recommendation is specific and based on findings included in the main body of the report.

⁷² The MoUs outline the rights and responsibilities of both parties and include reference to the EU EOM abiding by the Declaration of Principles for International Election Observation and Code of Conduct.

5.2.2 Judgement criteria 2.2 - dialogue with other citizen and international observer groups over recommendations

Conclusion

There is dialogue with other citizen and international observer groups over recommendations. Stakeholders appreciated that recommendation development now typically involves a process of consultation. This could be further developed in practice.

Main findings

The literature repeatedly emphasizes the importance of contextualizing recommendations. For example during the 2011 sixth annual follow-up meeting on the Declaration of Principles for International Election Observation, the UN Electoral Assistance Division called upon observers (in general) to “*contextualize their findings, conclusions and recommendations, which are often unrealistic or inappropriate to national contexts.*”⁷³ The guidelines on recommendations require EU missions to “*Consider if the recommendations can be incorporated in the country context, if they are sustainable and if they can be implemented.*”

Informed stakeholders interviewed were predominantly of the view that there is dialogue between EU missions and other citizen and international observer groups over recommendations. In general EOMs, EATs and EFM’s in the case studies had consulted and discussed the recommendations with stakeholders prior to finalisation. One internal stakeholder commented that in recent years there has “*been a consolidated effort to engage interlocutors and discuss recommendations with them. I have seen improvements in this area.*” Another external stakeholder appreciated the EU EOM and EFM’s “*openness to discuss recommendations and to have an open dialogue.*” Some example of good practices can be found in the case studies. In Mozambique the EOM and other international observer missions jointly hosted a roundtable on recommendations. In Afghanistan the EAT held high-level seminars on the recommendations, which is reported to have infused a greater sense of ownership that may have contributed to electoral reform initiatives.

However, it was also commented that there is some room for increased consistency. One general internal interviewee noted “*The recommendations are useful and implementable when they have been previously discussed with national stakeholders. In this case, they feel the ownership and they are more willing to implement them. There is not always sufficient consultation with stakeholders, and as a consequence they are not always based on the reality of the country.*”


Conversely seeking consensus with stakeholders has also reportedly occasionally resulted in recommendations that are out of the EU observation scope. For example in Kenya there was an EU EOM recommendation on party agents being paid.

Stakeholders also referred to the risks of different observing organisations making divergent recommendations. For example the focus groups in Honduras and Tunisia highlighted that while many of the EU recommendation themes were consistent with those of other international and national observer reports, the EU EOMs did not cover some key issues addressed by others.

Recommendation	Possible Key Action Points
When possible, include in the preliminary statement a limited number of recommendations for the post-election process and for long-term reform.	<ul style="list-style-type: none"> • Provide guidance to missions on priority recommendations to include, and how to present recommendations in the preliminary statement. For example on having a few recommendations on the remaining process and a few longer-term recommendations.
Reference be made in MoUs with host countries to the issuing and importance of recommendations by EU election observation activities.	<ul style="list-style-type: none"> • This could include emphasis that recommendations will be based in part on stakeholder consultation, and the EU will follow-up afterwards to assess and promote implementation. • This could include reference to the possibility of the country self-reporting mid-term on the status of implementation of recommendations.

⁷³ Sixth annual follow-up meeting on the Declaration of Principles for International Election Observation - Brussels 4 - 6 October 2011.

5.3 EQ 3 - How much do EU election observation activities contribute to deterrence / reduction in irregularities and fraud and promote professionalism?

Good		EU election observation activities perform well. Limited improvements are recommended.
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During the desk phase, the hypothesis was formulated that EU election observation activities contribute to deterrence/reduction in irregularities and fraud and promote professionalism. Examination of this hypothesis involved consideration of whether EU election observation activities can identify irregularities and fraud, can deter attempts at them during the process and in the long run, and can promote professionalism of the election administration and others.

Overall the hypothesis was confirmed with findings indicating that EU election observation activities can contribute to the identification of irregularities and fraud, to the deterrence of fraud and malpractice, and can influence professionalism, however there are recognized limits to these efforts.

It was suggested that there could be a stronger effect through specialised observer coverage of certain parts of the process and through the issuing of pre-election day statements (see next section, EQ 4). Findings from survey data, interviews and focus groups consistently indicated overall agreement with the hypothesis from internal and external stakeholders. The Guinea Conakry case study illustrates how EU election observation activities have been regarded as contributing to deterrence of fraud and irregularities. Literature findings and interviewee comments indicate that the nature of malpractice and fraud is evolving and becoming more sophisticated. Stakeholders from almost all case studies referred to the benefits of the EU developing its *modus operandi* to cover different parts of the electoral process accordingly.

Background information

The definition of fraud by the International Foundation for Electoral Systems (IFES) refers to the “*deliberate wrong-doing by election officials or other electoral stakeholders, which distorts the individual or collective will of the voters.*”⁷⁴ IFES also defines malpractice as “*the breach by an election professional of his or her relevant duty of care, resulting from carelessness or neglect.*” In the Declaration of Principles for International Election Observation, reference is made to the “*potential to enhance the integrity of election processes, by deterring and exposing irregularities and fraud and by providing recommendations for improving electoral processes.*”

5.3.1 Judgement criteria 3.1 - EU election observation activities’ identification of irregularities and fraud

Conclusion

EU election observation activities can identify attempts at irregularities and fraud to some extent, although this is increasingly challenging given the reported changes in the form of manipulation (see next sub-section).

Main findings

Survey respondents overall agreed that EU election observation activities can effectively detect irregularities and fraud to a certain extent. Overall 51% of survey respondents completely agreed or agreed that EU election observation activities can detect irregularities and fraud, 42% partially agreed and 7% disagreed (with slightly more external stakeholders only partially agreeing and disagreeing).⁷⁵ Survey and interviewee comments also generally supported this claim.

Many respondents and interviewees commented that the limited length and reach of a mission, particularly if there are no observers in rural and/or insecure areas, reduces ability to detect (and deter) malpractices on the ground. In such circumstances missions therefore need to focus more on systemic issues. It was also regularly noted that manipulations increasingly take place at different stages of the process. Therefore, rather than just having more observers on election day, reference was made to the benefits of the EU developing its *modus operandi* to cover different parts of the electoral process, which are increasingly seen

⁷⁴ *Assessing Electoral Fraud in New Democracies: Refining the Vocabulary*, Chad Vickery and Erica Shein, 2012, IFES.

⁷⁵ Overall, 12 respondents “*completely agreed*”, 63 “*agreed*”, 61 “*partially agreed*” and 11 “*disagreed*” (totalling 147). Of the 61 “*partially agreeing*”, 23 were internal stakeholders and 38 external stakeholders, and of the 11 “*disagreeing*”, 4 were internal stakeholders and 7 were external stakeholders (total = 63 internal and 84 external respondents).

as subject to malpractice and fraud. This also has consequent implications for the skill sets needed on a mission and timing of deployment of experts. For example one external interviewee stated “*You need to have a different profile of core team and different models in some countries. Sometimes the sheer number of observers will not necessarily make for a better result.*” The challenge and importance of understanding fraud was emphasised, for example one external interlocutor in Afghanistan commented “*Fraud is so much part of the system and the competition – who can do it, who can get the Independent Election Commission (IEC) to act on it, who can get the EU to act on their behalf.*”

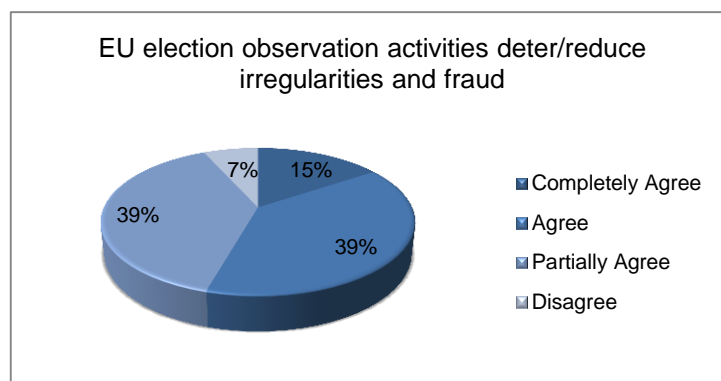
5.3.2 Judgement criteria 3.2 - EU election observation activities’ influence on attempts at irregularities and fraud during the election process and in the long term

Conclusion

EU election observation activities are seen to contribute to deterring attempts at irregularities and fraud during the election process. However it is acknowledged that EU coverage is limited, that the nature of fraud and malpractice is changing, and that it is not clear the extent to which observation coverage has an impact on long-term deterrence.

Main findings

EU election observation activities are seen to be contributing to the deterrence and/or reduction of irregularities and fraud to a certain extent. Overall 55% of survey respondents completely agreed or agreed that EU election observation activities can deter/reduce irregularities and fraud, 39% partially agreed and 7% disagreed.⁷⁶ Survey and interviewee comments also generally supported this claim, for example one stakeholder in Bolivia referred to EU missions “*servicing as a potential deterrent to committing irregularities*”. One case study example is Guinea Conakry 2013 when the EU EOM publicly called the National Electoral Commission (CENI) to be more transparent and maintained constant observer coverage at one controversial tabulation centre. Interviewees referred to the effect these actions had on both deterring fraud and promoting confidence.



At a polling station level observers have been found to have some effect, although this may be a matter of displacement rather than deterrence. Using data from Armenia 2003, Hyde concludes that “*The finding of a statistically significant and robust difference between monitored and unmonitored polling stations is somewhat surprising, in part because international monitors spent only a short time in each polling station, and reports from observers suggest that some voting officials committed fraudulent activities quite blatantly in front of them. However, the results indicate that international monitors can reduce the corrupt behaviour of election officials.*”⁷⁷ However other research has also shown that observers may displace rather than reduce fraud. Ichino and Schündeln in a study of citizen observers in Ghana found “*that those seeking to manipulate election results may respond to observer presence by relocating fraud to polling stations where observers are not stationed.*”⁷⁸

Various general and country-level stakeholders emphasised that fraud is now becoming more sophisticated, taking place not so much on election day, but during other stages of the process, such as in delimitation and

⁷⁶ Overall, 23 respondents “completely agreed”, 57 “agreed”, 57 “partially agreed” and 10 “disagreed” (totalling 147).

⁷⁷ *The Observer Effect in International Politics – Evidence from a Natural Experiment*, Susan Hyde, 2007, World Politics volume 60 Number 1.

⁷⁸ *Deterring or Displacing Electoral Irregularities? Spillover Effects of Observers in a Randomized Field Experiment in Ghana*, Nahomi Ichino and Matthias Schuendeln. 2012. *Journal of Politics* 74(1): 292-307.

voter registration. This is similarly referred to in the literature. For example, Hyde and O’Mahony note “as election monitoring has increased, governments intent on cheating have learned to strategically adapt, relying less on election-day fraud, and instead increasing their use of pre-election manipulation that is less likely to be criticized and punished.”⁷⁹ Carothers comments that it “has led many cheating incumbents to shift away from election-day fraud and toward measures generally taken in the pre-election period that tilt the playing field in their favor.”⁸⁰ Bjornlund also notes that “Where effective monitoring is permitted, rulers willing to cheat have learned to focus on other parts of the process, particularly in the pre-election period, that can be more easily manipulated and for which domestic and international monitors have yet to develop effective deterrents.”⁸¹

Simpser and Donno go on to make more negative conclusions assigning causality to observers for broader deterioration in governance. They argue “that high-quality election monitoring, by preventing certain forms of manipulation such as stuffing ballot boxes, can unwittingly induce incumbents to resort to tactics of election manipulation that are more damaging to domestic institutions, governance and freedoms. These tactics include rigging courts and administrative bodies, and repressing the media.”⁸² Not a single person consulted at the general or country level made such an analysis and thus the argument proposed by Simpser and Donno does not appear to be supported.

In regards to this reported diffused approach to malpractices and fraud, many interlocutors referred to the importance of putting more observer emphasis on the pre-election and post-election parts of the process. In Honduras, for example, one respondent commented “during the elections, nothing will happen: the fraud will have been done before observers have arrived, with the voter registration, vote buying, the delimitation of constituencies etc..” Another commented “Fraud is committed before observers arrive – with boundaries, ID issuance, party registration.” As one commentator remarked from Afghanistan, “In the end the election gets decided in the aftermath and not on election day, which is just the start. That’s just when the cards get dealt and then the game begins. You can’t have a team there for the whole time, but you do need it there at the end – that tells you how the whole election went.” Various interlocutors referred to the value of advance EEMs, that are undertaken prior to deployment of a mission, to be seen to be observing key parts of the process (for example in Kenya 2012, Nigeria 2014 and Tanzania 2015).

As a result of limitations in fraud detection EU election observation activities risk unintentionally giving legitimacy to a fraudulent process, which may consequently not deter, but *de facto* sanction fraud, which would be counter-productive to reducing fraud and irregularities in the long-term. One external respondent in Mozambique emphasised “The EU presence can also be used to give legitimacy even in cases when EU is aware of the fraud but cannot prove it due to lack of evidence and staff in the field.” Speaking publicly about fraud and vulnerabilities in the process may help increase the chances of such problems being addressed, thereby reducing likelihood of fraud in future elections.

5.3.3 Judgement criteria 3.3 - EU Election observation activities’ influence on the professionalism of the election administration and others during the election process and in the long-term

Conclusion

EU election observation activities are consistently regarded as have an influence on the professionalism of the election administration and others during the process. This effect could be strengthened through public reporting prior to election day (although other factors also need to be considered). Some reservation was expressed about reportedly overly-positive statements reducing incentive for improvement.

Main findings

Almost 70% of survey respondents agreed that EU election observation activities promote professionalism in the work of the election administration, political parties and civil society, 25% partially agreed, only 6% disagreed, and there was little difference between internal and external stakeholders.⁸³ One external

⁷⁹ *International Scrutiny and Pre-Electoral Fiscal Manipulation in Developing Countries*, Sudan D Hyde and Angela O’Mahony, 2010, Journal of Politics.

⁸⁰ *The Observers Observed*, Thomas Carothers, 1997, Journal of Democracy, 8(3).

⁸¹ *Beyond Free and Fair, Monitoring Elections and Building Democracy*, Eric Bjornlund, 2004, Woodrow Wilson Center Press with Johns Hopkins University Press.

⁸² *Can International Election Monitoring Harm Governance?*, Simpser and Donno, 2011.

⁸³ Overall, 28 respondents “completely agreed”, 73 “agreed”, 37 “partially agreed” and 9 “disagreed” (totalling 147). Of the 28 “completely agreeing” 12 were internal stakeholders and 16 external stakeholders, of 73 “agreeing”, 30 were internal stakeholders and 43 were external stakeholders; of the 40 “partially agreeing”, 21 were internal stakeholders and

stakeholder interviewed for the Afghanistan case study noted “One of the best things about having an EU mission, is that when an election management body responds to a mission, it’s good for everyone.” From Bolivia, one external interlocutor commented “it contributes to a better administration by the electoral authorities.” Another external stakeholder commented “The presence of the EU observation mission in Sri Lanka added some pressure to the election commission and political parties. They know their work is observed and are more alert to do things properly.”


Observer effect on professionalism has also been referred to in the literature. Bishop and Hoeffler note “the presence of any election monitors and executive constraints (e.g. if the legislature limits executive authority) increases the probability of free and fair election. Their effect is considerable: the probability of a free and fair elections increases by 31 percentage points if these constraints are in place.”⁸⁴

Some reservation was expressed in regards to statements or commentary from observation missions being too positive, and thereby disincentivising improvements to professionalism. For example in Tunisia it was noted that “the positivity in the preliminary statement and final report means that many of the key stakeholders, such as the Instance Supérieure Indépendante pour les Elections (ISIE) and political parties, do not feel the need to improve certain procedures as they were not referred to in the EU report.”

Various stakeholders referred to the value of issuing pre-election day statements and the effect this could have in improved professionalism.⁸⁵ For example one external stakeholder commented that their organisation “releases a statement before election day when things can be corrected. Yes it is “interference”, but it’s positive. Statements include recommendations.” However this would need to be balanced with consideration of other factors (such as risks of allegations of interference) - see the next section for further discussion (EQ 4).

Recommendation	Possible Key Action Points
<p>Have increased observer coverage of specific parts of the process perceived to be prone to irregularities, such as voter registration, delimitation, etc..</p>	<ul style="list-style-type: none"> • Deployment of specialised EEMs to particular parts of the process, especially those perceived to be prone to irregularities, such as voter registration, delimitation, political party primaries etc. • Presence to be visible where possible for increased effect in deterring fraud and promoting professionalism. • Guidance on collaboration with and use of data from citizen observation organizations, for parts of the process or territory that EU election observation activities may not cover.

5.4 EQ 4 - How much do EU election observation activities promote stakeholder confidence

Good		EU election observation activities perform well. Limited improvements are recommended.
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During the desk phase, the hypothesis was formulated that EU election observation activities promote stakeholder confidence. Examination of this hypothesis involved consideration of EU election observation activities’ promotion of stakeholder confidence in the current electoral process and in the potential for improved future elections.

Overall the hypothesis was confirmed with findings indicating that EU election observation activities promote stakeholder confidence. Findings from survey data, interviews and focus groups consistently indicated overall agreement with the hypothesis from internal and external stakeholders. **The professionalism and neutrality of observer missions is often emphasised as important for subsequent effects on stakeholder confidence. Long-term confidence in future elections appears to be somewhat contributed to through presentation of the final report, and also by statements that are**

19 were external; of the 4 persons “disagreeing” one was internal and the other 3 were external stakeholders (total = 63 internal and 84 external respondents).

⁸⁴ *Free and Fair Elections: A New Database*, Bishop and Hoeffler, July 2016, Journal of Peace Research July 2016 53: 608-616.

⁸⁵ EU EOMs may issue press releases before election day and the CO and Deputy Chief Observer may undertake media interviews, but the first public report is the preliminary statement issued two days after election day.

critical where warranted to signal the importance of change. Further attention between missions, including through EFMs, could also serve to increase long-term confidence, which may be particularly important after a problematic election. Promotion of confidence and professionalism could be enhanced through pre-election day publication of reports.

Background information

At present, EU EOMs and EATs normally only issue a preliminary statement approximately 48 hours after election day and a final report typically two months after completion of the process. Interim reports are only distributed to EU institutions and Member States. Memorandum of Understandings, normally signed between the EU and the host country EMB and Ministry of Foreign Affairs, refer to issuance of the preliminary statement and final report.

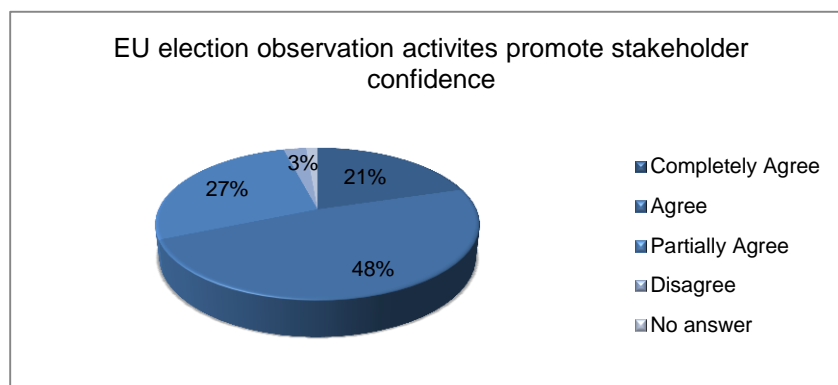
5.4.1 Judgement criteria 4.1 - EU election observation activities' promotion of stakeholder confidence in the current electoral process

Conclusion

EU election observation activities are seen to promote stakeholder confidence in the current electoral process. Various stakeholders emphasised the legitimacy of observer missions as being important for subsequent effects on stakeholder confidence. Accordingly it would appear that the visible promotion of the integrity and neutrality of a mission can support wider electoral trust. One action that could support this is the issuing of pre-election day public reporting, covering positive and negative aspects of the process as is warranted.

Main findings

Overall 69% of survey respondents agreed that EU election observation activities promote stakeholder confidence in the election process, 27% partially agreed, and only 3% disagreed.⁸⁶ Survey and interviewee comments also generally concurred. For example one interlocutor in Kenya noted “[The EU] *reduced tension, we felt encouraged, it gave assurance, especially when the technology failed, people felt they weren't done. There's no tribal feeling with the EU – it's more neutral and trusted. The EU people all around gave confidence.*”



Little research seems to have been conducted on the extent or nature of international election observation activities promoting stakeholder confidence. Nonetheless, academic commentary does seem to give broad conceptual support to the overall perception of the interlocutors consulted. For example Carothers notes that the “*The sustained engagement of international groups can encourage a wary citizenry to take the electoral process seriously and participate in it.*”⁸⁷ Borzyskowski also notes that “*External observers can... increase participation of opposition parties, encourage voter turnout, boost confidence in the announced result.*”⁸⁸

Some stakeholders emphasised how confidence in observer missions increases subsequent trust in the electoral process. For example in Bolivia one respondent noted that confidence increases when there are “*higher numbers of respected and legitimate election missions.*” In Honduras, the EU EOM’s capacity to promote confidence was attributed in part to the EU’s reported greater credibility at that time than the OAS.

⁸⁶ Overall, 30 respondents “*completely agreed*”, 71 “*agreed*”, 40 “*partially agreed*” and 4 “*disagreed*” and 2 persons did not answer the question at all (totalling 147). Of the 4 “*disagreeing*”, 1 was an internal stakeholder and 3 were external stakeholders (total = 63 internal and 84 external respondents).

⁸⁷ *The Observers Observed*, Thomas Carothers, 1997, *Journal of Democracy*, 8(3).

⁸⁸ *The Risks of Election Monitoring: International Condemnation and Post-Election Violence*, Borzyskowski, awaiting publication.

One survey respondent emphasised “*if the mission has solid findings and conclusions and clear statements, then there is enhanced confidence, but wishy-washy reports do not result in increased confidence.*” Other comments included: “*They come with legitimacy.*” “*The EU has authority. You cover the whole country.*”

The importance of organizational legitimacy and competence is consistent with the assertions of Carroll and Davis-Roberts who comment “*Election observers—when perceived as impartial and credible—can play an important role in shaping perceptions about the quality and legitimacy of electoral processes.*”⁸⁹ The authors further note “*In the end, the credibility and effectiveness of observers rests on the degree to which there is broad confidence and trust in their objectivity, professionalism, and comprehensiveness - much of which reduces to questions regarding their methodology and its implementation.*”

Thus it appears that the confidence contribution of EU election observation activities, may in part be due to perceptions of mission competence. When external survey respondents were asked about the comparative advantages of EU election observation activities, after the good reputation of the EU (57%), the next most listed attributes were technical expertise (50% of respondents) and the quality of reports (37%).⁹⁰ It is logical to think that the EU’s confidence contribution can be increased through further demonstration of methodological rigor.

There was some stakeholder commentary that EOMs could have been more critical, as was reportedly warranted, and this would not have diminished stakeholder confidence “*nor have negative repercussions on the overall perception of the EU EOM*” (Tunisia). Similarly in Mozambique, one stakeholder noted, “*If the EOM had sufficient capacity and independence to report its electoral observations and its assessment without interference, it could encourage confidence in the process.*” In Honduras one stakeholder commented “*It was the only observer group seen as independent and it contributed to create confidence in the process. But this is not enough, as they should have scrutinized better the process. It ended legitimizing the process.*”

The professionalism and neutrality of an EU election observation mission can be demonstrated in various ways. One means is through the issuing of pre-election day public reports, as is customary for other international organizations undertaking electoral observation, such as The Commonwealth, The Carter Center, and NDI. For example the OSCE/ODIHR systematically publishes all interim reports prior to election day. While EU EOMs have not publicly issued pre-election day interim reports, the EU CO typically has a public profile before election day, and on occasion statements have been issued (Maldives 2014, Burundi 2016). Public interim reports would have the added advantages of increasing EU transparency, increasing a fraud deterrent effect, and reducing the pressure on the preliminary statement (that is issued at the most sensitive and potentially volatile time). Stakeholders expressed some mixed opinions on the matter. For example in the case of Kenya, it was noted that this “*could add fuel to the fire. It all depends on how it is framed. It must be sensitive.*” It was also noted that “[it] is good as it sets the tone. But you don’t want to unravel the process. It’s good as people feel you’re not just reactive.” While missions seek to influence an election process, they are at risk of being accused of interfering through public commentary. For example one stakeholder in Tunisia noted the EU’s “*non-interference*” in the process as being positive, including in regards to not presenting findings prior to the elections.⁹¹

5.4.2 Judgement criteria 4.2 – EU election observation activities’ promotion of stakeholder confidence in the potential for improved future elections

Conclusion

Long-term trust in the election appears to be somewhat contributed to through presentation of the final report, and also by statements that are critical where warranted, to signal the importance of change. Further attention between missions, including through EFMs, can also increase long-term confidence, which may be particularly important after a problematic election.

Main findings

Little data exists on the contribution that international election observation missions make to promoting confidence in future electoral processes. This is a particularly pertinent issue after a problematic election which may otherwise diminish wider democratic trust. For example The Asia Foundation’s 2015 Afghanistan survey notes “*This year’s survey responses suggest that Afghanistan’s contested presidential election of*

⁸⁹ *An Obligations-Based Approach for Assessing Elections* David J. Carroll and Avery Davis-Roberts, 2013, The Carter Center.

⁹⁰ Each respondent could list up to three choices.

⁹¹ Conversely civil society has criticised The Carter Center for “*interfering in Tunisian affairs*” by releasing a statement recently “*urging the Tunisian parliament to make improvements to the electoral law giving the right to vote to the army and security forces.*”

2014 has had a significant impact on how Afghans view their country’s democratic process. This year, 57.2% of Afghans say that they are somewhat or very satisfied with how democracy works in Afghanistan. This represents a significant decrease compared to 2014, when 73.1% of Afghans said they were very satisfied or somewhat satisfied with how democratic process functioned in their country, and is by far the lowest level of satisfaction reported since 2006.⁹²


The practice of the chief observer presenting the final report, including at round tables and in a press conference, was referred to positively. For example stakeholders in Mozambique praised a round table held with all the key electoral stakeholders as well as other international election observation missions, which reportedly contributed to many of the recommendations then being taken on board by the electoral commission. One stakeholder in Bolivia noted that it is “*fundamental to be able to access stakeholders and build confidence.*” Further attention between missions, including through EFM’s, could also increase long-term confidence. This may be seen as particularly important after a difficult election.

Various stakeholders commented that insufficient warranted criticism by an observation mission reduces incentive for reform, and can thus be taken as a signal of no-change. For example in Tunisia, it was commented that “*the positivity in the preliminary statement and final report meant that many of the key stakeholders, such as the ISIE and political parties, do not need feel the need to improve certain procedures as they were not referred to in the EU report.*”

It would appear, that the overall visibility and physical presence of a full-fledged EOM can contribute significantly to enhancing the confidence of stakeholders. There seems to be some sense of proportionality between the size of a mission and the effect. For example, in regards to recommendations, one internal interviewee in Bolivia noted that recommendations made by the EEM “*were not taken into account as it was not an official mission and the tribunal did not feel pressured to use them.*” For this reason the “*recommendations made by the OAS had a more positive effect as the mission was visible.*”

Recommendation	Possible Key Action Points
<p>Give more public commentary before election day. Consider issuing pre-election day statements, as is also the practice by other international observer missions, after securing pre-agreement in MoUs.</p>	<ul style="list-style-type: none"> • Missions to publicly identify good aspects of the electoral process before election day. Also, to demonstrate methodological rigor, to identify specific areas where improvements are warranted, and are possible. Through use of media interviews, press releases, and/or reports. • Development of EODS guidelines.

5.5 EQ 5 - How much do EU election observation activities contribute to mitigation of election-related conflict?

Sufficient		EU election observation activities perform relatively well. Specific improvements are recommended.
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During the desk phase, the hypothesis was formulated that EU election observation activities contribute to mitigation of election-related conflict and violence. Examination of this hypothesis involved consideration of whether there is mitigation of immediate and longer-term election-related conflict and violence, promotion of electoral dispute resolution (EDR) mechanisms, and deployment in situations of more severe conflict and security risks.

Overall the hypothesis was confirmed with findings indicating that EU election observation activities can contribute strongly to the mitigation of election-related conflict, however a formalised methodology is recommended for situations with higher-level security problems. Findings from survey data, interviews and focus groups consistently indicated overall agreement with the hypothesis from internal and external stakeholders. The case study of Afghanistan demonstrates how EU election observation activities can make a critical contribution to contestants continuing with the electoral process and thus the aversion of violent conflict. Case study examples can also be found in Honduras and Guinea Conakry. However there was more stakeholder reservation in regards to deployment in situations of more severe conflict. Given the heightened pressures of work in violent contexts and the increased organisational risk, the development and consolidation of a specific methodology is recommended, to provide for deployment of EATs in challenging security situations (such as was undertaken in Afghanistan). Generally EU election observation activities’ contribution to electoral reform likely has a long-term peace dividend.

⁹² A Survey of the Afghan People, Afghanistan in 2015, 2015, The Asia Foundation.

Background information

There is an inherent risk of electoral violence in a high proportion of the countries in which the EU undertakes observation activities. Research using Yale University's National Elections Across Democracy and Autocracy (NELDA) database shows that “*electoral violence is a widespread challenge, observed in roughly one fifth of all elections worldwide.*”⁹³ In elections with a high risk of security and stability issues, there can sometimes be heightened internal and external pressure to deploy an EOM.

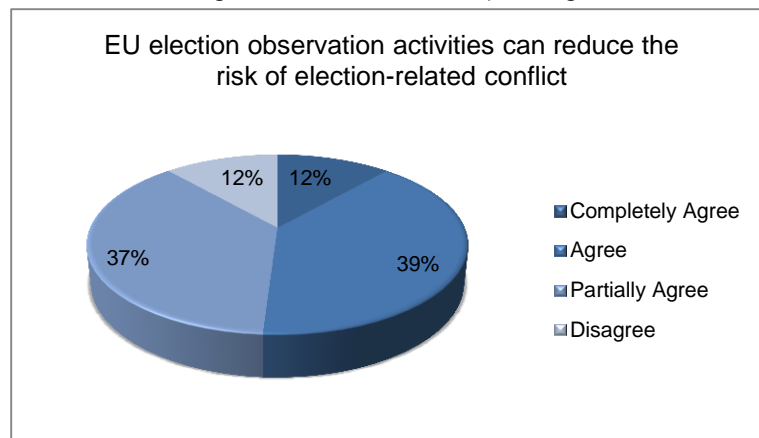
5.5.1 Judgement criteria 5.1 - EU election observation activities' contribution to mitigation of immediate election-related conflict and violence

Conclusion

EU election observation activities are seen to be contributing, sometimes strongly, to mitigation of election related conflict and violence during an electoral process. The case study example of Afghanistan demonstrates how EU election observation activities can be crucial in stakeholders continuing with the electoral process, thereby averting violence. EU election observation activities are therefore seen to be contributing to more peaceful political processes.

Main findings

Survey respondents were predominantly of the view that EU election observation activities are effective in mitigation of violence. Overall 88% of survey respondents agreed, fully or partially, that EU election observation activities can reduce the risk of election related conflict during an election process.⁹⁴ Survey and interviewee comments also generally supported this assertion, and there were not counter-claims of EU election observation activities increasing violence and conflict (although risks were identified – see below).



One case study example of reportedly effective actions is Honduras 2013, when on the night of the election, as the results process was taking more time than scheduled, the EU EOM CO made a declaration to the media calling the parties to be patient, which allegedly had a calming effect. Another example is Guinea Conakry in 2013 and 2015 when EU EOMs, with other international actors, appear to have had a mitigating effect, reducing risk of conflict, and promoting continuation of the electoral process. For example one stakeholder noted “*As a complement to political dialogue and electoral support, [the EU EOM] was one of the moderating factors contributing positively to the difficult management of the very tense political and security situation for the maintenance of peace and stability after the 2015 elections.*”

One example of good practice was the pre-and post-election statements in Kenya 2013 jointly issued by the EU EOM and other international observation missions.⁹⁵ Several external stakeholders commented, for example noting “*It is good to speak with other observer groups and to have one voice – it settles things faster.*” Another commented “*When people saw various mission got together, this helped deter violence with the joint statement.*”

In Afghanistan the 2014 EAT is consistently reported to have been crucial for the rival political contenders to

⁹³ *Why Electoral Malpractices Heighten Risks of Electoral Violence*, Pippa Norris, 2012, The Electoral Integrity Project. The Author notes “*among the elections rated most poorly by NELDA in terms of electoral malpractices, four out of ten contests experienced fatal violence, while almost as many triggered protests and riots.*”

⁹⁴ Overall, 17 respondents “*completely agreed*”, 58 “*agreed*”, 55 “*partially agreed*” and 17 “*disagreed*” (totalling 147). Of the 17 “*disagreeing*”, 5 were internal stakeholders and 12 were external stakeholders (total = 63 internal and 84 external respondents).

⁹⁵ One joint statement was issued the day before election day, and one with eight other international observer missions the day after the election. Both called for peace and transparency, and the following of legal processes.

stay engaged rather than reject the electoral process with the consequent risk of street actions, violence and potential civil war. The EU, through its provision of the vast majority of observers for a highly unusual total ballot audit, is seen as being a key factor in the continuation of the political process that led to an eventual peaceful transfer of power. One external stakeholder commented: “*The political agreement wouldn’t have happened without the elections. Without election observation it would have been a disaster.*” The EU’s flexibility to have an extended mission duration of seven months and to deploy at short-notice a very large number of observers in very difficult conditions was widely praised by stakeholders.⁹⁶

Conversely several academic articles assert that in situations where an election is lacking in integrity, there is a risk that observer comments are associated with increased violence. For example Daxecker concludes “*the presence of election fraud and international observers increases the likelihood of post-election violence.*”^{97,98} However such articles do not consider the contribution that international observers may make to promoting use of peaceful EDR mechanisms and continuation of a political process (as was the case in Afghanistan 2014). Counter-arguments are also made in the literature. For example Smidt acknowledges that “*Political support from citizens and international observers helps opposition leaders to successfully contest fraudulent election results in nonviolent and legal ways... [observers] should not hush up fraudulent outcomes for the sake of keeping electoral peace. The results of this article suggest that that strategy would incite opposition-sponsored violence.*” Similarly, as one external interviewee in Kenya noted “*If a mission doesn’t speak out after a bad election, you could trigger violence and also lose your reputation.*”

The value of post-election political presence was regularly emphasised. For example one stakeholder in Afghanistan noted “*When we have political issues and turbulence it’s nearly always after the results are out. If there’s a potential for electoral violence, the head needs to stay around.*”

5.5.2 Judgement criteria 5.2 - EU election observation activities promotion of use of electoral dispute resolution (EDR) mechanisms

Conclusion

EU election observation activities can promote use of EDR mechanisms, thereby increasing likelihood of peaceful resolution of election-related conflict. Often EDR is under-observed given its extended duration beyond a mission’s in-country presence.

Main findings

Survey data shows that there is overall respondent agreement that EU election observation activities encourage use of EDR mechanisms during an election process, with 86% of respondents agreeing fully or partially (although for external stakeholders this figure dropped slightly to 81%).⁹⁹ Interviewees concurred, for example one stakeholder in Kenya noted “*The EU must encourage use of EDR... You carry weight.*” However, as noted above, the literature to date has generally under-focused on EDR, with for example election violence ratings not considering EDR opportunities, and not considered the role of observers.¹⁰⁰

There has been increasing recent EU practice of having some extended mission presence to cover appeals processes (for example in Jordan, Zambia, Myanmar and Gabon). The EU has also recently undertaken desk reviews of pertinent court rulings when they have become available.

However protracted EDR processes typically have limited coverage by international or citizen observation missions, as EDR predominantly takes place after an international mission has left, and can be drawn out over years. To date there has not been a practice by the EU or other international observer organisations of sending missions/experts to subsequently follow-up on EDR. Some stakeholders commented on this

⁹⁶ The EAT deployed an unprecedented number of internationals (410) at extremely short notice in difficult conditions. Most were locally-seconded, including from agencies beyond the usual EU MSs, and 100 came from Europe. This made the EU the largest international observation effort (in total 564 international observers participated in the audit process).

⁹⁷ Daxecker also notes “*To account for the possibility that monitors’ decisions to observe an election are endogenous to the likelihood of violence in the electoral process, I use matching analysis to reduce concerns on endogeneity bias.*” *The Cost of Exposing Cheating: International Election Monitoring, Fraud, and Post-Election Violence in Africa*, Daxecker, 2012, Journal of Peace Research.

⁹⁸ “Smidt notes “*observers can deter governments from using force, but they have the opposite effect on opposition groups... international election observers unintentionally incite opposition groups to organize violence, as opposition groups seek to benefit from international attention and support that comes with the presence of observers.*” *From a Perpetrator’s Perspective: International Election Observers and Post-Electoral Violence* Hannah Smidt, 2016, Journal of Peace Research.

⁹⁹ Overall, 16 respondents “*completely agreed*”, 65 “*agreed*”, 45 “*partially agreed*” and 21 “*disagreed*” (totalling 147). For external stakeholders, 8 respondents “*completely agreed*”, 41 “*agreed*”, 19 “*partially agreed*” and 16 “*disagreed*” (totalling 84).

¹⁰⁰ *The Risks of Election Monitoring: International Condemnation and Post-Election Violence*, Borzyskowski, awaiting publication.

coverage deficit, for example noting “It is foolish to follow the process of the EMB completely and then be removed from the litigation and the courts that have the final word on the process.”

Stakeholders brought up the challenge of a mission encouraging use of an EDR system that is clearly inadequate. It was noted that EU observation may still have a value in increasing professionalism in EDR and in promoting long-term EDR reform, which although not helping the current process may ultimately be of a greater value in averting future electoral conflict.

5.5.3 Judgement criteria 5.3 - the deployment of credible and useful election observation activities in situations of more severe conflict and security risks

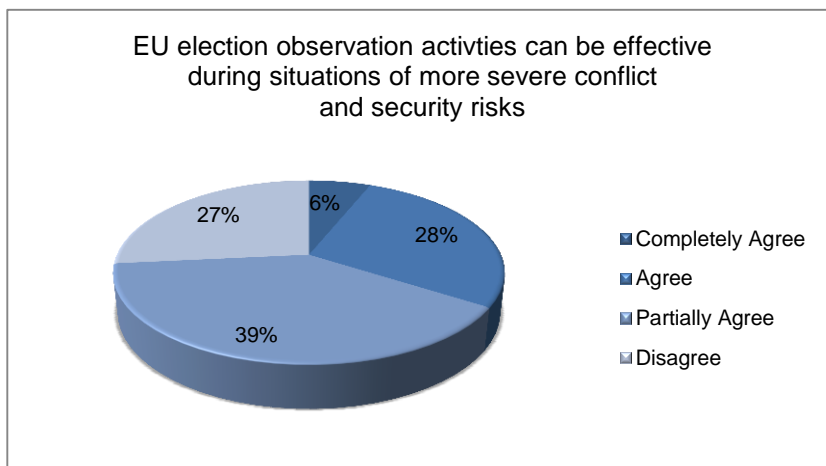
Conclusion

Although there are benefits to a having a mission in situations of more severe conflict, stakeholder comments and the Afghanistan case study show that there are also challenges and institutional risks. There is also reduced confidence in the credibility of election observation activities in situations of more severe conflict. It is therefore recommended to have stronger institutional protections through the development and consolidation of methodology for working in situations of heightened insecurity.

Main findings

The Afghanistan case study shows how an election observation activity in a situation of more severe conflict and security risks was useful in critically contributing to stakeholders continuing with the electoral process. No other case study country had such severe security problems.

While survey responses were still overall positive about observation activities in situations of conflict, there was more reservation than for any other issue covered. Of all the questions in the survey, there was most disagreement when asked about EU election observation activities being effective during situations of more severe conflict and security risks, with 27% of respondents disagreeing and 39% only partially agreeing.¹⁰¹ External respondents were slightly more positive (with 21% disagreeing and 37% only partially agreeing), as were respondents in Afghanistan.¹⁰²



Credibility issues raised by stakeholders in the survey comments and interviews primarily related to 1) not being able to undertake field observations and so lacking a basis for public pronouncements on the elections, and 2) difficulties in speaking frankly given heightened political sensitivities and fear of fuelling violence. The literature notes that when faced with actual or possible violence and instability, international observer missions in general under-report electoral malpractices to avoid potential escalation.¹⁰³ The challenge in particular of the preliminary statement was referred to, especially given that this is an EU mission’s first public report and it is released at the most sensitive and potentially politically-volatile moment in an election. For example one stakeholder in Afghanistan noted “With a preliminary statement, how do you know that your first impressions are right? Even news of violence came up later. Journalists had been asked

¹⁰¹ Overall, 9 respondents “completely agreed”, 41 “agreed”, 58 “partially agreed” and 39 “disagreed” (totalling 147).

¹⁰² For external respondents, 5 respondents “completely agreed”, 30 “agreed”, 31 “partially agreed” and 18 “disagreed” (totalling 84). In Afghanistan, 2 respondents “completely agreed”, 7 “agreed”, 13 “partially agreed” and 5 “disagreed” (4 of which were external respondents), totalling 27.

¹⁰³ For example Kelley concludes that “pre-election violence moderates criticism.” *Election Observers and their Biases*, Judith Kelley, 2010, *Journal of Democracy* 158-172. Also *D-Minus Elections; The Politics and Norms of International Election Observation* Judith Kelley, 2009, International Organization, 63: 765-787.

not to report on violence... There's a danger that what you say is taken as the story, when it's only part of the story." The risks of saying nothing after election day were also noted, for example *"it raises questions when the people paying for the elections aren't saying anything. That creates a lot of doubts."*

Some stakeholders noted that in polarized and volatile environments, there is a heightened risk of unintended negative consequences. For example the Afghanistan EAT was criticized by some for being seen as aligned to one of the competitors, which may be regarded as to some extent inevitable given the political conditions, and thereby fuelling tensions. In Afghanistan 30% of survey respondents said that they were aware of negative repercussions from EU election observation activities,¹⁰⁴ which is a somewhat higher proportion than for respondents generally (24%).

The EU has observed high-risk situations, where only limited deployment is possible, through EATs, as referred to in the Handbook for EU Election Observation.¹⁰⁵ Both EATs undertaken during the evaluation period, to Libya (2012) and Afghanistan (2014), have been headed by a CO, a Member of the European Parliament, and have released public reports during the process including preliminary statements two days after election day. EATs are therefore externally not easily distinguishable from EOMs. Inevitably EATs' limited coverage makes the preliminary statement less substantiated,¹⁰⁶ thereby risking being seen as more of a political instrument serving vested interests. Specific problems reported by stakeholders in Afghanistan include a lack of demonstrated evidence basis to statements (see EQ1 above), and a lack of collaboration with like-minded organisations (deemed particularly important in insecure situations).¹⁰⁷

Credibility issues have implications for the mission, EU election observation in general, and for the EU's wider reputation. Stakeholders noted this, for example stating *"EU observation missions have too much to lose in severe conflicts... this may be counter-productive in the longer run."* It is therefore recommended to provide for a more structured accountable system for deployment of missions in difficult security environments, including through methodological definition and stronger checking mechanisms given the heightened organizational risks.

5.5.4 Judgement criteria 5.4 - EU election observation activities' contribution to mitigation of longer-term election-related conflict and violence

Conclusion

EU election observation activities contribute to reducing the risk of future electoral conflict and violence through promotion of better electoral frameworks and practices. EU election observation activities' contribution to electoral reform (see next section) likely has a peace dividend. The example of Afghanistan and stakeholder comments indicate that EU election observation activities can make statements that are negative about the process, even in difficult security environments, thereby contributing to long-term reform.

Main findings

There is a developing body of research on election-related conflict issues.¹⁰⁸ Research using Yale University's NELDA database shows that *"the quality of elections matters for violence"*, with Norris noting that among elections rated most poorly in terms of electoral malpractices, *"four out of ten contests experienced fatal violence, while almost as many triggered protests and riots."*¹⁰⁹ While causation is not proven, it is logical to assume that improvements in the quality of elections, will have a consequent effect on the risk of violence.

In order to be able to influence subsequent reform processes, information on problems is needed, hence clear identification of issues by electoral observation missions may be seen as critical. Smidt comments on

¹⁰⁴ Overall, 8 respondents said they were aware of negative repercussions EU election observation activities in Afghanistan (during the evaluation period), and 19 said they were not (totalling 27).

¹⁰⁵ The Handbook for EU Election Observation states *"in cases when conditions for deploying a full-fledged EU EOM cannot be met, but it is nevertheless deemed useful to closely follow an election process, the EU may decide to deploy an EAT... An EAT may be headed in some cases by a CO. It is usually deployed in circumstances where security constraints are deemed to prevent the deployment of a high number of observers across the country."* Pages 126 – 127.

¹⁰⁶ For example the EAT's preliminary statements make reference to *"voting peacefully"* and *"high numbers"* of voters". However the EAT's final report refers to the hundreds of security incidents that took place on each election day, and the controversies that arose regarding turnouts (associated in part with fraud).

¹⁰⁷ For example one stakeholder commented *"There should be information flow to the ones who are relevant. Information flow was almost entirely only to Member States. Others didn't know what the mission was saying or thinking or doing, except what Member States would tell us."*

¹⁰⁸ See for example Explaining and Mitigating Electoral Violence (<http://www.electoralviolenceproject.com>).


¹⁰⁹ *Why Electoral Malpractices Heighten Risks of Electoral Violence*, Pippa Norris, 2012, The Electoral Integrity Project.

the detrimental effects to democratic development in the long run of under-reporting of electoral problems.¹¹⁰ In a 2011 article Hyde and Kelley comment “it would be worse if international observers are present and validate the elections despite serious problems in a short-sighted attempt to avoid more violence and instability.”¹¹¹

Positively the case of Afghanistan shows that missions can make negative statements on the process without fueling violence. Similarly in Guinea Conakry 2013. Also in Kenya the capacity for the EU EOM to calm, while potentially giving difficult messages, was referred to.

Recommendation	Possible Key Action Points
<p>Have greater observation coverage of electoral dispute resolution (EDR), particularly in protracted processes and elections likely to be controversial.</p>	<ul style="list-style-type: none"> • The EU and missions to signal that there will be observer attention on EDR, in order to promote confidence and improved professionalism. • Greater attention by electoral follow-up missions on dispute resolution processes to date, and recommendations on improvements. • Dedicated election expert missions be deployed as required after an EOM/EAT, to review dispute resolution processes, with a possible subsequent addition/annex made to final reports (announced in advance). • Undertake further desk reports on pertinent court rulings.
<p>Methodological development for election assessment teams (EATs), deployed predominantly in high-risk security situations, for increased transparency, consistency and accountability.</p>	<ul style="list-style-type: none"> • Deployment criteria be refined. • Stronger oversight/scrutiny mechanisms be established for increased checking and caution for situations with high security risks. • Methodological considerations could include 1) greater public emphasis on the limitations of the mission (e.g. coverage), 2) later preliminary statements (to avoid expectations of pronouncements on the events of election day) or an additional subsequent statement when more information is available, and 3) close collaboration with stakeholders.

5.6 EQ 6 - How many EU recommendations have been considered, and how many have been implemented, and have consequently contributed to electoral reform?

Sufficient		EU election observation activities perform relatively well. Specific improvements are recommended.
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During the desk phase, the hypothesis was formulated that EU election observation recommendations contribute to the process of electoral reform. Examination of this hypothesis involved consideration of whether EU election observation activities contribute to agenda-setting on electoral reform, dialogue with national stakeholders, coordination and actions between EU institutions, mechanisms for assessing the status of implementation, and implementation of EU recommendations.

Overall the hypothesis was confirmed with findings indicating that EU election observation recommendations contribute to the process of election reform. Findings from survey data, interviews and focus groups consistently indicated overall agreement with the hypothesis from internal and external stakeholders. The EU is not observing within its member states and more than 50% of the countries observed by the EU during the evaluation period are categorised as having low to very low electoral integrity. **Stakeholder responses showed positive regard for the EU’s innovation of deploying EFMs. However, there was a perception of relatively low levels of EU follow-up on recommendations.** Some stakeholders commented on a lack of EU consistency, for example by not referring more systematically to electoral reform in other EU instruments such as the Generalised Scheme of Preferences Plus (GSP+). Reference was made to the need to have a more developed, explicit and communicated methodology to provide for consistency and effectiveness of missions and to reduce risks. More could be done to systematise follow-up to EOM recommendations, with more consistent utilisation of available EU policies, political dialogues and instruments.

¹¹⁰ *From a Perpetrator’s Perspective: International Election Observers and Post-Electoral Violence*” Hannah Smidt, 2016, Journal of Peace Research.

¹¹¹ *The Limits of Election Monitoring, what Independent Observation Can (and Can’t) Do*, Susan Hyde and Judith Kelley, 2011, Foreign Affairs.

Background information

Under the EU Strategic Framework and Action Plan on Human Rights and Democracy, 2012, there is now a commitment to “systematise follow-up use of EU EOMs and their reports in support of the whole electoral cycle, and ensure effective implementation of their recommendations”. The 2015 Action Plan also refers to “Consolidat[ing] best practices for leveraging EU EOM and OSCE/ODHIR Election Observation Missions’ recommendations in EU and EU Member State political dialogues and democracy support activities.”

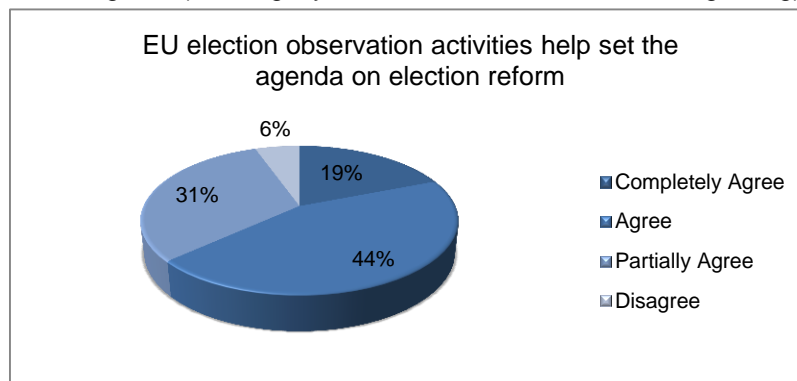
5.6.1 Judgement criteria 6.1 - contribution to agenda-setting on election reform, through national discussion and consideration of EU recommendations by stakeholders, including during EFMs

Conclusion

EU election observation recommendations contribute to setting the reform agenda. Reportedly EU recommendations have, at least partially, been discussed by national stakeholders and considered in the reform process in all the eight case study countries. However, it was also highlighted that it is impossible to know with certainty about the extent of influence of EU recommendations on reform.

Main findings

Overall, 50% of survey respondents completely agreed or agreed that EU election observation recommendations are discussed and considered by national stakeholders, 45% partially agreed and 5% disagreed (with slightly more external stakeholders disagreeing).¹¹² Scores were slightly higher when asked about the contribution of recommendations to reform agenda. Overall, 63% of respondents agreed, 31% partially agreed and 6% disagreed (with slightly more internal stakeholders disagreeing).¹¹³



Qualitative data was generally consistent. Interviewees emphasized the usefulness of the recommendations for building a framework for the post-election reform agenda. For example one internal interlocutor in Bolivia commented that recommendations “have become more of a reference point for both Member States and international development agencies that are doing programming.” An external stakeholder commented “they would look at what the EU and others would say. Not that it always led to the line of the recommendation being adopted. It influenced the discussion and raised the level of the discussion. It meant that decisions were more informed.” Another stakeholder commented “The reports can help, especially in follow-up, in pushing for reforms. They help us tell parliament, for example, if we say ‘four observation missions say this’, it gives impetus.”

Reportedly, EU recommendations have, at least partially, been discussed by national stakeholders and considered in the reform process in all the eight case study countries. However, full clear information about the extent of this is not always available as the EU is not party to many such discussions. For example, an internal analysis by the Office of the European Union Special Representative (EUSR) in Afghanistan found that just over half of the EAT recommendations (once broken down by sub-component) were at least partially addressed in the reforms proposed by the Special Electoral Reforms Commission (SERC) formed after the elections. Furthermore reportedly all EAT recommendations were discussed. In Sri Lanka, CSOs together

¹¹² Overall, 13 respondents “completely agreed”, 60 “agreed”, 66 “partially agreed” and 8 “disagreed” (totalling 145). Of the 8 “disagreeing”, 2 were internal stakeholders and 6 were external stakeholders (total = 63 internal and 84 external respondents).

¹¹³ Overall, 28 respondents “completely agreed”, 65 “agreed”, 46 “partially agreed” and 8 “disagreed” (totalling 147). Of the 8 “disagreeing”, 4 was internal stakeholders and 4 were external stakeholders (total = 63 internal and 84 external respondents).

with the Election Commission and representatives from political parties and parliament are currently preparing a draft legal amendment regarding campaign financing, reportedly with some reference to EU EOM recommendations.

Stakeholders acknowledged the importance of EU observation recommendations in the work of EMBs and technical assistance providers, in helping plan reform agendas. Comments from external stakeholders included *“The EU observation missions have an enormous impact on the election commissions. Often the EU is the largest mission and has the most comprehensive report. It is also very important for the organizations providing technical assistance to the commissions. The EU reports are one of the best arguments given when it comes to electoral reform.”* *“Recommendations are used by the judiciary, the Independent Electoral and Boundaries Commission (IEBC) and civil society.”* *“The EU report is relied on in different cycles. When we lobbied parliament and others we referred to EU recommendations.”*

However, stakeholders often commented on the impossibility of knowing with certainty about the extent of influence of EU recommendations on reform agendas. For example one external interviewee noted *“It is impossible to know if recommendations were implemented because of the EU. Maybe it was the fact that several organizations collectively recommended the same thing, or because of the EU’s lobby, etc. that things happen.”*

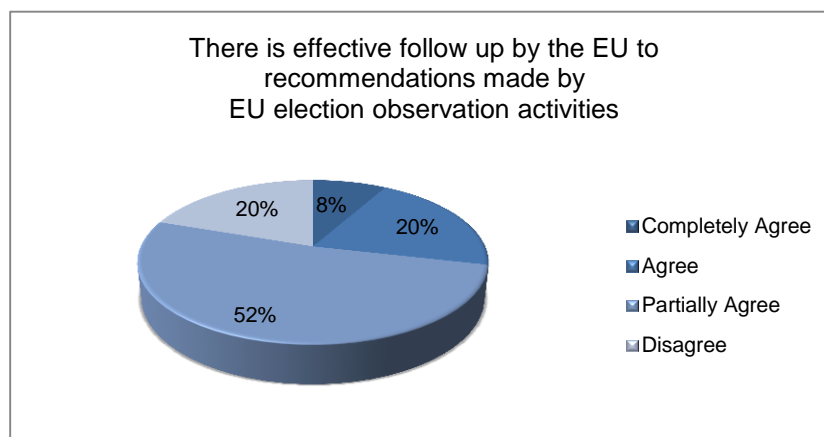
5.6.2 Judgement criteria 6.2 - coordination and dialogue on the implementation of recommendations, including during EFM

Conclusion

To some extent there is effective follow-up by the EU to recommendations, with EFMs being a positive recent contribution, but national stakeholders often suggest further dialogue. There is a need for a more developed and consolidated EFM methodology.

Main findings

Overall, 28% of survey respondents completely agreed or agreed that there is effective follow up to recommendations made by EU election observation activities, 52% partially agreed and 20% disagreed.¹¹⁴ Of all the survey questions, respondents had the second highest levels of disagreement on the question of effective follow-up by the EU to recommendations made by election observation activities.



There was consistent positive regard for the EU going beyond observation at the time of an election and deploying EFMs. External stakeholders commented *“Reports can help in pushing the reforms. An EFM contributes by elevating priority on the reforms. During the EFM there was good discussion.”* *“It’s good to have attention mid-cycle. There should be an on-going diplomatic exercise.”* *“I appreciate that the EU is moving beyond just being present at the time of an election to also looking at follow-up on recommendations. Periodical assessment and follow-up are needed.”*

However, follow-up was deemed by some stakeholders as intermittent with no or little apparent discussion between elections. Follow-up between the EU and third parties in the context of political dialogue is not generally known about. For example *“The EU observation activities are effective while observing, as well as when subsequent visits are made, but between each of these moments there is silence... There was no perception of the existence of a monitoring strategy that would take into account the political context and identify and establish alliances to carry out monitoring.”* External interviewees commented *“Much more should be done in terms of political dialogue.”* *“The current way of follow-up is insufficient. Perhaps some*

¹¹⁴ Overall, 12 respondents “completely agreed”, 30 “agreed”, 76 “partially agreed” and 29 “disagreed” (totalling 147).

delegations are more involved in follow-up than others.” In Sri Lanka external stakeholders commented “*The parliament is re-doing the constitution that will be adopted early next year. This will be followed by the revision of a number of laws including the electoral law. This would be a good moment to remind them about the EU recommendations.*” “*With the ongoing constitutional reform, the electoral reform has not yet become a priority. I cannot see much follow-up on the EU EOM recommendations.*”

The EU Action Plan on Human Rights and Democracy 2015-2019 requires the consolidation of best practices for leveraging EU and OSCE/ODHIR EOM recommendations in EU and EU Member State political dialogues and democracy support activities. In line with this objective, the EEAS, in coordination with the European Commission, launched a number of informal consultations with major stakeholders to map out successful initiatives that have contributed to the promotion and implementation of recommendations made by election observation activities, as an essential step towards enhancing the impact of missions. Responses received from Delegations varied from no specific action so as not to negatively impact on relations with national authorities, to full assessment on the status of implementation of each recommendation, workshops and political discussion.

To date, UN human rights bodies have paid limited attention to election observation reports by the EU and other international bodies.¹¹⁵ The Carter Center has recently tried to address this situation by submitting Carter Center reports¹¹⁶ to the UN Human Rights Council for Universal Periodic Reviews.¹¹⁷ For election observation reports to be used effectively, missions need to clearly identify compliance issues in regards to applicable human rights instruments. Promotion of EU observation reports to the UN Human Rights Council and UN treaty monitoring bodies¹¹⁸ could extend the reach, impact and strategic value of observation activities.

Interlocutors referred to the value of the EFM, but noted that while some methodology has been developed, it has not been formalized, making the organisation more vulnerable to specific interests and less consistent implementation. For example, as referred to earlier, in Honduras there was a perception from some stakeholders that not all EFM recommendations were entirely rooted in methodology. While some framework and accountability is provided through ToRs for EFM experts, this could be usefully complemented by clear written instructions to delegations and mission members.¹¹⁹ It was suggested that it would be helpful to formalise clarity over respective responsibilities, working in accordance with the Declaration of Principles for International Election Observation, and final report circulation/publication. While EFM reports are circulated, they are not made publicly available (for example on EU websites). It was also suggested that it would be helpful for the methodology to be publicly available for clarity and transparency. To date the only organization with a codified methodology for follow-up in general is the OSCE, with a handbook produced this year.¹²⁰ On this, Tuccinardi *et al* have noted that “*Inserting international observers’ recommendations into domestic reform processes... requires the development of a methodology and a discipline that differ from those currently applied by international observation groups during the assessment process.... Another ingredient that will be indispensable in order to achieve these aims is much closer cooperation with regional and domestic observation groups.*”¹²¹

5.6.3 Judgement criteria 6.3 - coordination and actions between EU institutions on implementation of EU recommendations

Conclusion

EU Delegations (EUDs) typically undertake technical assistance on elections as part of development cooperation, at least at the time of an election. There are varying levels of political advocacy on election reforms. Difficulties include lack of EUD capacity and evident organisational consistency.

¹¹⁵ In 2008 Meyer-Resende noted “*There should also be greater efforts to feed into the work of multi-lateral bodies... Usually there is very little discussion on the right to vote (art.25) and EU EOM findings are never referred to.*” *EU Election Observation. Achievements, Challenges.* Michael Meyer-Resende 2008, European Parliament.

¹¹⁶ The Carter Center has submitted reports for Sierra Leone (2016), Tunisia (for May 2017) and Sudan (undated).

¹¹⁷ For more information on the Universal Periodic Review, see <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BasicFacts.aspx>.

¹¹⁸ Including the Human Rights Committee for the International Covenant on Civil and Political Rights (ICCPR), which is as the main universal treaty instrument referred to by EU election observation activities.

¹¹⁹ ToRs are not comprehensive as: 1) they do not define the conditions for deployment (or non-deployment) of an EFM, 2) they are not a public document, and 3) there are currently no ToRs for the Chief of Mission.

¹²⁰ *Handbook on the Follow-up of Electoral Recommendations. Organization for Security and Cooperation in Europe (OSCE), 2016, OSCE/ODIHR.*

¹²¹ *The Evolution of Election Observation in the European Union: From Fraud Prevention to Democracy Support.* Tuccinardi, Balme, and McCormack. Included in *The Integrity of Elections: The Role of Regional Organizations*, 2012, International IDEA.

Main findings

During the evaluation period, the EU has provided technical assistance and/or funding relevant to electoral processes to election administrations and/or civil society in all eight of the case study countries. The EU continues to provide funding in Afghanistan, Guinea Conakry, and Kenya, and is planning assistance in Honduras.

Some EUDs in particular have invested political capital and development funds in promoting electoral reform, keeping it on the agenda, and also supporting coordination and follow-up. In Bolivia, an EU-Bolivia Working Group on Democracy and Human Rights meets on a monthly basis, and there is also a High Level Dialogue Group with the Government, with representatives from a number of key governmental agencies including the Supreme Electoral Tribunal (TSE). The EUD in Kenya has reviewed EFM recommendations in view of updates and technical assistance available. The EUD in Honduras has advocated for the implementation of recommendations and has also discussed different ways to assist authorities. Some EUDs have included EOM and EFM recommendations in Development Action Plans under which the EU sets out its development priorities. The European Union Special Representative (EUSR) in Afghanistan has had an Election Advisor position to assist on electoral issues over multiple electoral cycles.

However interviewees frequently emphasized the need for greater promotion of recommendations between elections. Comments included: *“It is necessary to keep the momentum going.”* *“The main way to improve implementation of recommendations is to increase political dialogue.”* *“The political work of the EUD should encompass the follow-up of the recommendations with the authorities.”* *“This should be joint work with Member States.”* *“The recommendations are not taken as part of the agenda by any stakeholder. For this to happen, a constant political advocacy exercise must be carried out, which can be promoted by previously identified civil society actors and political actors.”* One suggestion was made that *“EEAS could provide Member States with an update of the implementation of recommendations to promote further coordination.”*

Some difficulties with in-country follow-up were noted. One limitation is the lack of European organisations present to work on election reform and provide substantive support to the EUDs and/or Member States, given the lack of EUD and Member State capacity (in terms of understanding and internal resourcing). Another is the difficulty that can arise if there are divergent opinions with some Member States on how much to promote electoral reform. In such circumstances it appears that EU election observation activities can help in promoting a more cohesive approach (e.g. Kenya).

The importance of increased organizational coherence was emphasised for increasing leverage for the implementation of recommendations. For example the EU trade agreement, the GSP+ is currently not used to promote implementation of recommendations. This is evident from the GSP+ status reports for Pakistan, Bolivia and Ecuador (that have all had recent EU election observation activities) not making reference to election reforms.¹²² One internal stakeholder commented *“follow up is ensured at the EU political level - monitoring, invoking of the recommendations with the electoral stakeholders, encouragement of implementation... The EU democracy promotion and human rights financial instruments unfortunately do not have explicit link to/mentioning of the implementation of the EU recommendations.”* It was also noted that development cooperation programming has its own processes and programmatic cycles, and hence is typically somewhat disjointed.

5.6.4 Judgement criteria 6.4 - mechanisms for assessing the status of implementation of EU recommendations, including during EFMs

Conclusion

The EU has mechanisms for assessing the status of implementation of recommendations by EU election observation activities, however these are not public. EU EOM reports could benefit from a dedicated section on election reform.

Main findings

Studying the implementation of recommendations is complex. It is often not categorical but instead a matter of judgment, there is a lack of publicly reported updates, and some recommendations may cover stages of the electoral process that have yet to take place. However review of the status of implementation of recommendations is key to identifying if reform has been effectively undertaken and is needed for further advocacy. This is also noted in the academic literature, for example Kelley suggests *“When organizations return to countries they have previously monitored, they should review their previous recommendations and*

¹²² GSP+ status covers 13 countries, 4 of which had an election observation activity between 2012 and 2016 (Bolivia, Paraguay, Peru and Pakistan).

*systematically recount the actions - or lack thereof - taken in response. Oftentimes this does not happen at all.*¹²³

There is a lack of reference to reform processes and overall implementation of previous recommendations, in preliminary statements and final reports with no dedicated section on electoral reform.¹²⁴ This risks diminishing the importance of the process (which is critical to acceptance of reform) and not acknowledging what efforts may have been made.

To date there is no centralized EU tracking system on the status of implementation of EU recommendations, or systematic record of post-election reforms carried out. However there are other means of review. EU exploratory missions (ExMs)¹²⁵ and EFMs assess the implementation of recommendations by previous EU and other international and citizen observer missions. However the final reports of ExMs and EFMs are not publicly available (although EFM reports are locally circulated). There is also not a consistent approach between EFMs, with some not providing a comprehensive overview on the status of implementation of recommendations.¹²⁶

Other international organizations undertaking observation also lack public tracking systems, with the exception of the OAS, which has recently created an online database of all of its recommendations. It has asked countries to self-report on implementation of recommendations, which to date only a few have done. As future OAS missions are held in countries, the OAS will update the database.¹²⁷

5.6.5 Judgement criteria 6.5 – implementation of EU election observation recommendations

Conclusion

The implementation of EU election observation recommendations is beyond EU control, and therefore varies widely between countries. A lower implementation rate should be expected for the EU than for some other observing organisations given that the EU is not observing within its member states and that it selects countries where at a given time there can be most benefit (where observation activities are useful, feasible and advisable). **The non-linear nature of reform means that a longer-term perspective is required.**

Main findings

Various authors consider the implementation of recommendations as a key empirical indicator of the usefulness of observation missions. However this needs caution, given how much implementation is beyond the control of an observation mission or an organisation. Carroll and Davis-Roberts note *“some of the criticisms about impact are misplaced, reflecting a misunderstanding about the objectives of election observers and their limited spheres of control.... The presence of observers and their reporting and recommendations may reduce electoral malpractice or fraud, and/or lead to improvements in future elections. But these outcomes depend largely on the interests and actions of other local and international actors, and cannot realistically be attributed to election observers.”*¹²⁸ Authors also caution that implementation of recommendations is not the only measure of election reform impact, for example *“Experience from the OSCE and the Council of Europe’s election work shows that continuing political and technical involvement on the quality of elections can contribute to significant improvements in the quality of elections, not least because such involvement over time increases the ‘literacy’ of political parties, the media, civil society and the public on electoral issues.”*¹²⁹

The level of implementation of recommendations varies from country to country. Some reasons for relatively higher rates of implementation are given in the literature. For example Kelly states *“Monitoring works well in countries already on the road to transition, where there are domestic pressures for change, and countries where the international community is willing to assert leverage. In such cases... election monitors can*

¹²³ *The Good, the Bad, and the Ugly: Rethinking Election Monitoring*, Judith Kelley, 2012, International IDEA.

¹²⁴ The EU guidelines now require missions to review implementation of recommendations, however there is no requirement for public reporting to have a dedicated section on reform.

¹²⁵ Once a country is identified as a priority, an exploratory mission (ExM) is then deployed to advise whether an EU EOM would be useful, feasible and advisable.

¹²⁶ EFM Bolivia 2013 and EFM Honduras 2015.

¹²⁷ The OAS compiles information from each mission it has deployed in Latin America since 1962, including recommendations and status. OAS – Electoral Observation Mission Database

<http://www.oas.org/eomdatabase/default.aspx?lang=en>

¹²⁸ *The Carter Center and Election Observation: An Obligations-Based Approach for Assessing Elections*, David J. Carroll and Avery Davis-Roberts, 2013, The Carter Center.

¹²⁹ *EU Election Observation. Achievements, Challenges*. Michael Meyer-Resende 2008, European Parliament.

reinforce existing pressures on a country.”¹³⁰ Similarly Kelley comments “countries respond to monitors’ advice if they want to improve their reputation and gain the favor of the international community or if they are reform-minded but lack experience with democratic elections.”¹³¹

Various articles also identify circumstances that hinder a reform process. For example “Countries plagued by violence... also make it difficult for monitors to promote reforms without fundamental shifts in the underlying conditions.... it is even harder to get incumbents to adopt recommendations that may lessen their chance of keeping power. And sometimes daunting logistical issues in vast and poor countries make it very hard to implement meaningful electoral reforms.”¹³² Norris also notes “Many domestic obstacles may prevent the implementation of the recommendations, arising from lack of financial resources and professional capacity, technical limitations and lack of time, challenging conditions such as outbreaks of instability and conflict, and political forces resistant to reform, where incumbents block change.”¹³³

Interviewees also commented on reasons why recommendations are not implemented, with the lack of political will the most mentioned. For example an internal interviewee noted “An EU mission will have more impact on electoral and political reform, if the EMB and government are already on board, however in countries where there is no political will it is harder to really see effectiveness.” Another noted that when a country feels very pressured to invite an EU election observation activity, this “will result in many potential problems for the mission itself as for the level of acceptance and ownership by the country of the EU EOM recommendations.” One external stakeholder also noted “The ruling party and political parties are unwilling to address recommendations as this could undermine their political position and access to power.”

Academic writing also refers to the level of implementation of observer recommendations and electoral improvements. Kelley concludes from research that “Nearly 30 percent of monitored elections are followed by positive changes in democracy scores in the Polity IV dataset”¹³⁴ and that “In about half the countries that have hosted monitors there has been at least some improvement.”¹³⁵ She also notes “In many situations even repeated efforts in a country are futile. Progress is often piecemeal. Recommendations are often ignored. Thus, in many countries election monitoring makes little difference.” Norris reports that for the OAS, “roughly half of all electoral reform recommendations contained in mission reports are implemented by member states, either partially or fully.”¹³⁶ While the EU may be seen as similar in many ways to the OAS, a lower implementation should be expected given that it is not observing within its member states, that it selects countries where there can be most benefit (where observation activities are useful, feasible and advisable), and that EU recommendations are typically more specific than those of the OAS.¹³⁷ For example more than half of the countries observed by the EU between 2012 and 2016 are in the category of “low to very low integrity” based on a perceptions of electoral integrity index.¹³⁸

As stated above there is no centralised information available on the status of implementation of recommendations. The case studies, however, show that reportedly recommendations have been implemented, at least partially, in Afghanistan, Bolivia, Kenya, and Mozambique. Reportedly the progress of Honduras and Tunisia is limited and to date there has been a lack in Guinea Conakry. Sri Lanka, which hosted the most recent EU mission of all the cases studies, is in a constitutional reform process which according to interlocutors interviewed may well result in recommendations being implemented. The case studies also show that change occurs over various electoral cycles, and therefore simple measurement over one electoral cycle is short-sighted. The non-linear nature of reform means that a longer-term perspective is required.

¹³⁰ *The Good, the Bad, and the Ugly: Rethinking Election Monitoring*, Judith Kelley, 2012, International IDEA.

¹³¹ *Election Monitoring: Power, Limits, and Risks*. Judith Kelley, 2012.

¹³² *Election Monitoring: Power, Limits, and Risks*. Judith Kelley, 2012.

¹³³ *Reforming Electoral Laws: The Role of Regional Inter-Governmental Organizations*, Pippa Norris, 2016. <https://sites.google.com/site/electoralintegrityproject4/events-1/Poznan-workshop>

¹³⁴ *D-Minus elections: The Politics and Norms of International Election Observation*, Judith Kelley, 2009, International Organization.

¹³⁵ *The Good, the Bad, and the Ugly: Rethinking Election Monitoring*, Judith Kelley 2012, International IDEA.

¹³⁶ *Reforming Electoral Laws: The Role of Regional Inter-Governmental Organizations*, Pippa Norris,

2016. <https://sites.google.com/site/electoralintegrityproject4/events-1/Poznan-workshop>


¹³⁷ For example from the OAS EOM to Bolivia in 2016: “The Mission observed a disparity in the quality of the organization of the electoral processes in the different departments of the country. The current system creates differences in the processes that should be homogeneous and standardized at national level. The Mission considers a review to be necessary in order to create a better coordination between the departmental authorities and the Supreme Electoral Tribunal.”

¹³⁸ The Electoral Integrity Project, University of Sydney and Harvard’s Kennedy School of Government.

<https://www.dropbox.com/s/db5i4sct9xdnv3l/THE%20YEAR%20IN%20ELECTIONS%20UPDATE%202016%2015%20SEPT%202016.pdf?dl=0>

Recommendation	Possible Key Action Points
<p>Develop and consolidate the methodological basis for electoral follow-up missions (EFMs) for increased transparency, consistency and accountability.</p>	<ul style="list-style-type: none"> • Include public reporting requirements. • Establish criteria for EFM deployment. • Include guidelines on the formulation of recommendations by the EFM • Commentary on the quality of the process, could include review of inclusivity, reference to international standards, involvement of experts, consultation, timeliness, political engagement etc. • Guidelines on respective roles and responsibilities for the missions including for the mission leader.
<p>Preliminary statements and final reports include a section on election reform, to elevate the status of the process and to record overall reform and implementation of recommendations.</p>	<ul style="list-style-type: none"> • Commentary on the quality of the reform process, could include reviewing the consultation process, inclusivity, the involvement of experts, reference to international standards, reference to observer recommendations, timeliness, and political engagement.
<p>Develop new organisational methods for promoting dialogue on electoral reform, both at central and country levels.</p>	<ul style="list-style-type: none"> • Make a public database of recommendations which countries are given the opportunity to report an update on mid-cycle (to be referred to in MoUs). • Have an identified focal point on electoral reform issues at EU Delegations. • Prepare a briefing paper for EU Delegations on the range of options available, what's expected from them, coordination with Member States, electoral follow-up missions, programmatic implications etc. • Increase support to EU Delegations, for example with more information, access to resources, and use of partner organisations to assist with reform tracking, advocacy and support. • Greater prioritisation of election reform issues in political discussions by EU Delegations, visiting missions etc.. • Greater references to election reform in other EU instruments, such as in GSP+ negotiations and reviews.
<p>Systematic submission of EU election observation findings and recommendations to UN human rights bodies.</p>	<ul style="list-style-type: none"> • Support for election observation activities to clearly identify compliance issues in regards to applicable international and regional human rights instruments. • Information be made publicly available on the EU policy on submissions to human rights bodies, and reports submitted. • EU Member States be encouraged to systematically refer to EU election observation findings during the Universal Periodic Review process and in response to state reporting to treaty monitoring bodies.

5.7 EQ 7 - How much do EU election observation activities contribute to civil society's active role, including through citizen observation?

Good		EU election observation activities perform well. Limited improvements are recommended.
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During the desk phase, the hypothesis was formulated that EU election observation activities contribute to civil society's active role, including through citizen observation. Examination of this hypothesis involved consideration of whether EU election observation reports include sections on the role of civil society, contact with the most relevant CSOs including during EFMs and after missions, and space gained and support given to citizen observation including in contributing to longer-term development.

Overall the hypothesis was confirmed with findings indicating that EU election observation activities often help create space that allows the voice of civil society and citizen observers to be heard, but there is room for a more structured collaboration. Findings from survey data, interviews and focus groups consistently indicated overall agreement with the hypothesis from internal and external stakeholders. EU election observation activities were seen as helping authorities to hear issues raised by CSOs and citizen observers. By meeting regularly with relevant CSOs and citizen observers and by reporting about their work, information is shared, EU missions help raise their profile, the EU serves as an example, and there are opportunities for mutual learning. Interviews and focus group findings show that often CSOs and citizen observers would like more structured relationships with EU observation missions at the central level, throughout the process including after its completion.¹³⁹ Some interview and focus group conclusions also highlighted that when an EU statement is perceived as too positive, and lacking in consistency with citizen observer statements, this may hamper CSOs' efforts to pass their message and to further advocate for reforms.

Background information

Citizen observers have a similar yet different role to international observers, given their continuous presence, their greater numbers, and their often intensified and comprehensive focus (for example in undertaking voter registration surveys, scrutinising campaign finance etc.). Citizen observers often use modern instruments of data collection such as crowd sourcing and also may undertake parallel vote tabulations (PVTs). However, citizen observers may sometimes have questionable methodologies, and also be, or may be seen to be, politically aligned. Therefore EU election observation activities need to be careful when using CSO findings and analysis, and also need to avoid being perceived as lacking in independence through association.

The 2005 Declaration of Principles (DoP) and the 2012 Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations (DoGP) establish a basis of mutual cooperation. The DoP makes it clear that international observers should have regular contact, should consult before issuing statements, and should report on the space for citizen observers.¹⁴⁰ The DoGP requires endorsing organisations to commit to “*cooperate with international election observation missions, including regional election observation missions, and others concerned with genuine democratic elections*”, and also refers to “*harmony between the two declarations*”.¹⁴¹

5.7.1 Judgement criteria 7.1 - EU election observation reports include sections on the role of civil society in the election process

Conclusions

EU final reports always include a section on the role of civil society in the election process, and have raised the profile of issues related to citizen observers. This could be strengthened through wider referencing.

Main findings

The final reports of all the different missions conducted in the case study countries included sections on the role of civil society in the election process. In addition to covering the role of civil society, missions have raised the profile of issues related to civil society. For example the EAT in Afghanistan included recommendations related to access for citizen observers, training for electoral staff on observers, coordination and security provision. The EAT also highlighted these points in the introductory speech and press release for the final report. Similarly, in Sri Lanka, where for example, one stakeholder commented “*The [EU] recommendation on the role and rights of local observers was very much appreciated by the CSOs. This was particularly important in Sri Lanka where many CSOs have been on the ground for more*

¹³⁹ The evaluation team held two focus group meetings with CSOs, one in Tunisia and one in Honduras.

¹⁴⁰ “*Accurate and impartial international election observation requires... cooperation with... domestic election monitoring organizations and other credible international election observer organizations, among others. International election observation missions should evaluate and report on whether domestic nonpartisan election monitoring and observation organizations are able, on a non-discriminatory basis, to conduct their activities without undue restrictions or interference. International election observation missions should advocate for the right of citizens to conduct domestic nonpartisan election observation without any undue restrictions or interference.*” The DoP also specifies that “*International election observation missions should identify, establish regular communications with and cooperate as appropriate with credible domestic nonpartisan election monitoring organizations. International election observation missions should welcome information provided by such organizations concerning the nature of the election process. International election observation missions therefore should make every reasonable effort to consult with such organizations before issuing any statements*” DoP, 2005.

¹⁴¹ DoGP, paragraph 21(j) and preamble, 2012.

than 20 years, working in very difficult conditions and there has never been a legal recognition of this.”

However there was some commentary that reporting on civil society needs greater consideration of the range of initiatives being undertaken, especially given the sensitivities that can be involved. For example it was noted by interviewees and in the focus group in Tunisia, that the 2015 EU EOM final report praises the performance of one CSO but does not comment on the work of other CSOs.

Often citizen observers have scrutinized specific aspects of the process that EU election observation activities cannot, due to more limited resources and/or security conditions. For instance, in Honduras, a local CSO with NDI undertook research on vote buying¹⁴² and others gathered data on violence during the campaign. In Tunisia, some NGOs observed out-of-country voting, campaign finance, and voter registration. Where warranted, EU election observation reports can further help elevate the status of such civil society work by including reference to their findings and reports, with an assessment by the mission of their reliability.

5.7.2 Judgement criteria 7.2 - EU election observation activities' contact with the most relevant CSOs, including during EFMs and after missions

Conclusions

EU election observation activities meet the most relevant CSOs, but there could be more structured relationships with credible citizen observer groups, to increase the chance of consistency of message, to share information, and for mutual learning.

Main findings

Interviewees and focus group participants referred to EU election observation activities having contact with relevant civil society organisations. The mutual benefits of close cooperation with credible citizen observer groups were noted.¹⁴³ These include improved chance of consistency of message, increased information for EU observers especially if they have limited reach, and greater opportunities for mutual learning. For example one focus group participant noted *“Usually, the EU arrives after the process has started... we can provide useful information, make them understand the context.”*

EFMs and return visits usually involve round tables with civil society representatives. This good practice was appreciated by civil society representatives as it helps bring an element of continuity to the relationship. A common criticism from civil society was that *“after the mission has left, nothing happens anymore”* (Kenya, Bolivia, Sri Lanka, Tunisia, Honduras).

In some of the case study countries, reference was made to contact usually being more frequent at local rather than at central level (Tunisia, Honduras). Civil society representatives consistently expressed a wish for more coordination at a central level between the expert teams. For example one participant in a focus group noted *“Besides the exchange of technical findings, this gives us more credibility.”* It was also noted that the relationship could be more structured and consistent. For example one external stakeholder in Kenya noted *“They [international observers] should be allied as possible with the civil society. They ask for information from CSOs and then they forget about them. The EU has to rely on second hand information. The EU needs to acknowledge the importance of the CSOs.”*

5.7.3 Judgement criteria 7.3 - space gained and support given to citizen observation, including in contributing to longer-term development

Conclusions:

EU election observation activities help citizen observers to have their voices heard and is particularly important when civil society has less space.

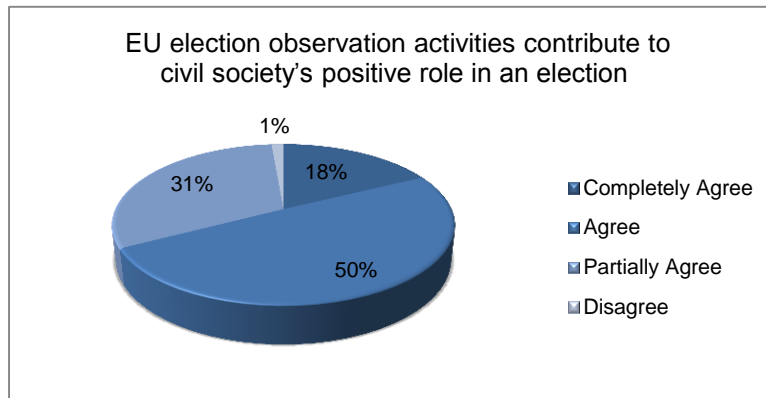
Main findings

There were high levels of agreement to the survey question *“do you think EU electoral activities contribute to civil society's positive role in an election, including through citizen observation”*? Overall 68% of respondents agreed, 31% partially agreed and only 1% disagreed (with no meaningful difference between internal and

¹⁴² *Elecciones 2013: Compra de Votos y Democracia*. Carlos Meléndez, 2014. Centro de Documentación de Honduras (CEDOH) and NDI.

¹⁴³ In particular, groups that have signed the DoGP.

external interlocutors).¹⁴⁴ Of all the survey questions asked, this question had the lowest level of respondents answering “disagree”.



Qualitative findings similarly confirmed the positive role that EU observers can have in regards to citizen observation. For example it was noted: “When we were seeing that the EU as an international organisation who is expert, when they had similar findings, it was a kind of moral support for us.” “International observers have more credibility. Can help be more objective, have more supporting arguments.” Focus group participants in Honduras and in Tunisia emphasised the added value of the EU’s observation, for example noting the complimentary of roles: “we serve different functions. The EU is looking at where we stand in regards to international standards, we look more at the details of the Tunisian situation.” Another focus group participant noted “There is no competition.”

The contribution of EU election observation to CSOs was emphasised as particularly relevant when there is little or reducing space for civil society activities. This may be due to restrictions on CSOs by authorities (as in Bolivia and Kenya) or because of a lack of funding and consequent weakening of CSOs (as in Honduras and Mozambique). For example one Kenyan stakeholder noted “Our space is being reduced to the extent we can’t get information. It makes the EU more important. We might depend on the EU to speak for the citizens.... If we make recommendations, and the EU does, it gives a push. It shows that it’s not just us being malicious.” One general interviewee commented about Uganda “the EU preliminary statement had a powerful role and impact on the elections, and on citizen observers, as they were going to come out with a critical statement, and felt very validated and supported.” Another external interviewee noted “they [the EU] can say some things that if others were to say, would be arrested.”

The longer-term contribution to civil society of EU election observation activities was also referred to.¹⁴⁵ There were high levels of agreement to the question “do you think EU election activities can contribute to civil society’s positive role in electoral reform?” Overall 56% of respondents agreed, 39% partially agreed and 5% disagreed (with no meaningful difference between external and internal interlocutors).¹⁴⁶ Similarly when asked about contribution to citizen observers’ development and strengthening.¹⁴⁷ Interviewee and focus group comments concurred. For example one Kenyan interviewee commented “We got one or two ideas from the EU report. Also for our planning of programming between elections.” It was also noted that on occasion EU election observation activities could contribute to citizen observer’s development of methodology. For example one internal stakeholder who works on EU missions noted “sometimes we share our forms, our tools”. However, it was emphasised that civil society’s longer-term development and contribution is achieved through EU funding, not through EU election observation activities.

¹⁴⁴ Overall, 26 respondents “completely agreed”, 73 “agreed”, 46 “partially agreed” and 2 “disagreed” (totalling 147). The 2 “disagreeing”, were external stakeholders (total = 63 internal and 84 external respondents).


¹⁴⁵ NB It is not the remit of EU election observation activities to provide direct front-line support to civil society organisations.

¹⁴⁶ Overall, 12 respondents “completely agreed”, 71 “agreed”, 57 “partially agreed” and 7 “disagreed” (totalling 147). Of the 7 “disagreeing”, 3 were internal stakeholders and 4 were external stakeholders (total = 63 internal and 84 external respondents).

¹⁴⁷ Overall, 12 respondents “completely agreed”, 76 “agreed”, 48 “partially agreed” and 11 “disagreed” (totalling 147). Of the 11 “disagreeing”, 7 were internal stakeholders and 4 were external stakeholders (total = 63 internal and 84 external respondents).

Recommendation	Possible Key Action Points
<p>EU election observation activities have more structured collaboration with credible citizen observer groups.</p>	<ul style="list-style-type: none"> • Systematic, regular, meetings at central level, sharing of main conclusions before the preliminary statement, when possible and appropriate. • Stronger requirement on joint discussion of recommendations before and after the final report is published, with, for instance, dedicated notes on the mission archive on the positions of credible citizen observer groups. • Closer collaboration when appropriate on specific aspects of an election where citizen observers can have added value (e.g. campaign finance, observation in insecure areas).

5.8 EQ 8 - How much do EU election observation activities promote the EU being seen as an effective actor in democratic support?

Good		EU election observation activities perform well. Limited improvements are recommended.
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During the desk report, the hypothesis was formulated that EU election observation activities promote the EU being seen as an effective actor in democratic support. Examination of this hypothesis involved consideration of whether EU election observation activities contribute to enhancing the visibility and reputation of the EU as an effective actor in democratic support, and enhance relations with national counterparts.

Overall the hypothesis was confirmed, with election observation activities found to enhance not only the EU’s reputation for democratic support, but also its effectiveness, with multiple consequent organizational benefits. Findings from survey data, interviews and focus groups consistently indicated overall agreement with the hypothesis from internal and external stakeholders. Interviewees referred to the **consequent benefits of enhanced reputation, including: increased coordination, greater authority, reputational protection, and organisational consistency.** However in some cases the literature and stakeholder comments note **diminished reputational returns, and increased reputational risk if a mission is perceived as weak.** Therefore stronger institutional and accountability mechanisms for EU election observation missions are advised. EU election observation activities are generally seen as enhancing longer-term relationships with national counterparts, even it appears after critical missions.

Background information

EU election observation activities, particularly EOMs, typically have very high levels of media coverage, with regular reporting in national news and often also by international outlets. During an election, EU EOMs are typically regarded as the most visible EU activity in a country. When an observation mission is critical in its statements, there can be a negative reaction from authorities, which can have implications for an EUD.

While election observation activities are independent in their conclusions, accountability mechanisms are in place to provide for consistency of quality. These include the CO’s independence, an established methodology, support from headquarters, reporting to the European Parliament, Member States and EEAS, and clear documents of engagement (MoUs) with the host country. These allow for missions to be independent under the CO, and to be able to act swiftly, as is required during an election process.

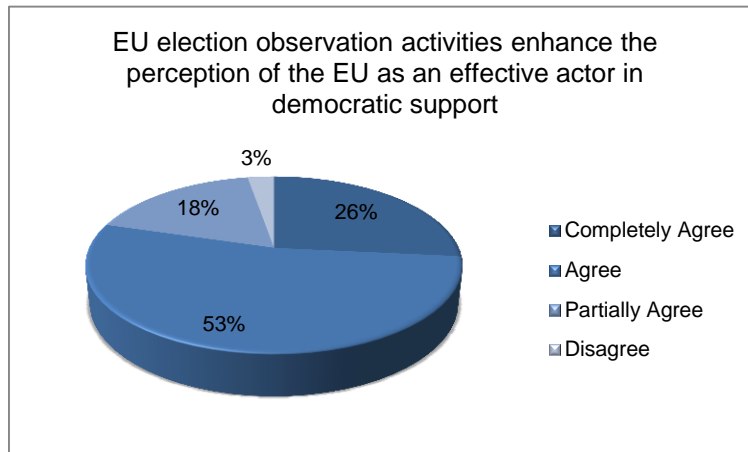
5.8.1 Judgement criteria 8.1 - EU election observation activities contribution to enhancing the visibility and reputation of the EU as an effective actor in democratic support

Conclusion

EU election observation activities contribute to enhancing the visibility and reputation of the EU as an effective actor in democratic support. This has consequent benefits of increased coordination, greater authority, reputational protection, and organisational consistency. However authority is weakened when reporting is seen as weak or there is no visible EU follow-up.

Main findings

Overall 79% of survey respondents agreed that EU election observation activities enhance the perception of the EU as an effective actor in democratic support, and a further 18% partially agreed.¹⁴⁸ More respondents answered “*completely agree*” to this question, than for any other question on the survey. The proportion of external respondents who agreed, was slightly higher than internal respondents, indicating increased confidence levels.¹⁴⁹ Interviewees also emphasised the positive role election observation plays in enhancing the profile of the EU, for example commenting “*EU EOMs are the standard bearer promoting principles and ideals.*” Due to lack of data availability, triangulation cannot be strengthened by reference to objective measures such as the number of hits on EU election observation websites or social media usage.



The EU’s reputation appears to also be enhanced because of its collaboration with other electoral agencies, its leadership role within the Declaration of Principles group, and its part in methodological development. For example one external interviewee commented “*the EU doing follow-up can help make follow-up a default as much as observation has come to be*”, and another stated “*we’re learning from the EU.*”

Consequent benefits of enhanced reputation were reported of increased coordination, greater authority, reputational protection, and organisational consistency. Comments on coordination included: “*the EU is able to have a faster and more authoritative political voice with an EOM present*” and “*Member States are very happy about the reporting as many don’t have embassies on the ground. It’s much easier when there’s a common analysis from a mission, then it’s easier to get everyone to agree to actions.*” The EFM in Kenya was positively reported on for speaking on an issue that is otherwise difficult given diverging Member State views. Comments on increased authority included “*observation activities gives to the EU a strengthened role in pushing for democracy objectives. The EU Delegation is empowered.*” Reputational protection was also referred to should the EU’s electoral assistance work be at risk of being negatively perceived. For example one internal interviewee commented “*An EOM can be a counterbalance to some extent to loaded technical assistance.*” Organisational consistency was also referred to with stakeholders noting that “*EOMs are the most inter-institutional of all our tools*”, “*the EU is perhaps the biggest democratic organisation in the world, and so we need to promote democratic values*” and “*There’s a deep linkage between economics and democracy promotion. We wouldn’t be complete without EOMs... election observation helps to justify the involvement of the EU in other cooperation activities.*”

This enhanced reputation is particularly important given stakeholders’ confounding of the EU more widely and EU election observation activities (with such references made by general interviewees and in Kenya, Bolivia and Afghanistan). The good reputation of the EU appears to be regarded as important for the effectiveness of election observation activities as it was the most cited comparative advantage of the EU marked by survey respondents (particularly external stakeholders).¹⁵⁰ Any diminished reputation of an election observation activity risks weakening the reputation of the EU more widely, and thus the effectiveness of future observation activities. This may be seen as particularly important given that the EU is positioned as one of the leaders of international election observation, and given its political and financial investments in supporting democracy.

The literature also refers to the risks to observer organisations if their reports are seen as weak or lacking in integrity. Kelley notes “*Not reporting irregularities fully or truthfully demotes the very standards monitors seek*

¹⁴⁸ Overall, 39 respondents “*completely agreed*”, 78 “*agreed*”, 26 “*partially agreed*” and 4 “*disagreed*” (totalling 147).

¹⁴⁹ 47 out of 63 internal respondents “*agreed*” or “*completely agreed*”, while 70 out of 84 external respondents “*agreed*” or “*completely agreed*”.

¹⁵⁰ In total 52% of survey respondents marked the option “*the good reputation of the EU*” as a comparative advantage of the EU in election observation activities (survey respondents were asked to mark up to three choices). 28 out of 63 internal respondents marked this option, and 48 out of 84 external respondents.

to uphold and weakens their moral authority. Furthermore, organizations that are widely perceived as biased forfeit serious recognition.”¹⁵¹ Kelley also states “monitors consider the political interests of members states or donors. The analysis shows that inter-governmental organisations are more likely than non inter-governmental organisations to endorse elections and that this is particularly true for inter-governmental organisations with less democratic member states.”¹⁵² This implies higher expectation of the EU, given its democratic foundation and credentials. Similarly, stakeholders noted that “There can be a negative impact if we raise expectations and then can’t deliver. That’s why we have to explain the mission and what it’s not.” As discussed in earlier sections, some issues were raised about the content and quality of reporting by EU election observation missions.

5.8.2 Judgement criteria 8.2 - EU election observation activities contribution to enhanced relations with national counterparts

Conclusion

EU election observation activities are generally seen as enhancing longer-term relationships with national counterparts, even after critical missions.

Main findings

When asked about negative repercussions to EU election observation activities, a few survey respondents and interviewees commented on relationship challenges during and after a difficult/critical mission. This can also be the case for EUDs, as although observation missions are independent, they are not necessarily perceived that way.

However when asked about longer-term relationships, all but 3% of survey respondents agreed, fully or partially, that EU election observation activities overall enhance EU relationships with national counterparts (at ministries, with the election administration, political parties, civil society etc.).¹⁵³ All four who disagreed were external respondents (two of whom were from Afghanistan). Therefore even after missions that may be perceived as more critical, and some would see as problematic (such as Afghanistan – see above), there appears to be overall internal and external stakeholder confidence in there not being damage to long-term relationships.

Recommendation	Possible Key Action Points
Establish a stronger role for institutional accountability mechanisms , for greater consistency and alignment with methodology by EU election observation activities.	<ul style="list-style-type: none"> • A stronger mandate to the EEAS Democracy and Electoral Observation Division for methodological compliance. • More reporting to MSs/HRVP, Democracy Support and Election Coordination Group. • A selection of missions be subject to post-mission reviews.

6 Conclusions






Overall EU election observation activities performed well in regards to effectiveness and impact, with evaluation questions (EQs) predominantly graded as “good” with two out of eight lower gradings of “sufficient”. Given the intrinsic evaluation and data limitations, the evaluation team have not used the highest categorisation (“very good”), due to lack of categorical supporting evidence. The “sufficient” ratings primarily relate to the need to further develop methodology for improved performance and institutional protection in regards to EATs and EFMs, and to extend follow-up. Overall EU election observation activities were seen to be performing extremely strongly in regards to improved quality of recommendations (EQ2), contributing to the mitigation of violence and promoting stakeholders’ continuation of the electoral process (EQ5), taking the ground-breaking initiative in undertaking EFMs (EQ6), and promoting EU coordinated responses and coherence (EQ8). The grading was based on the evaluation team’s triangulation of data from a literature review and perceptions from stakeholders consulted in the survey, interviews and focus groups.









Assessment grid:

¹⁵¹ *D-Minus elections; The Politics and Norms of International Election Observation* Judith Kelley, 2009, International Organization, 63: 765-787.

¹⁵² “Non-democratic IGO member states may seek to soften the assessments of elections in other countries in order to avoid future criticism of their own regimes.” *Election Observers and their Biases*, Judith Kelley, 2010, Journal of Democracy 158-172.

¹⁵³ Overall, 26 respondents “completely agreed”, 73 “agreed”, 44 “partially agreed” and 4 “disagreed” (totalling 147).

Unacceptable		EU election observation activities perform poorly. Immediate and major changes are recommended.
Poor		EU election observation activities perform relatively poorly. Substantial improvements are recommended.
Sufficient		EU election observation activities perform relatively well. Specific improvements are recommended.
Good		EU election observation activities perform well. Limited improvements are recommended.
Very good		EU election observation activities perform very well. Possible improvements may be suggested for consideration.

Evaluation Question	Evaluator Team Grading (unacceptable / poor / sufficient / good / very good) NB Given the intrinsic evaluation and data limitations, the evaluation team have not used the highest categorisation ("very good") due to lack of categorical supporting evidence.
1. How accurate and impartial are EU assessments? (Effectiveness)	 Good EU election observation activities perform well. Limited improvements are recommended.
2. How well do EU election observation activities formulate recommendations for improving electoral processes? (Effectiveness)	 Good EU election observation activities perform well. Limited improvements are recommended.
3. How much do EU election observation activities contribute to deterrence / reduction in irregularities and fraud and promote professionalism? (Effectiveness and impact)	 Good EU election observation activities perform well. Limited improvements are recommended.
4. How much do EU election observation activities promote stakeholder confidence ? (Effectiveness and impact)	 Good EU election observation activities perform well. Limited improvements are recommended.
5. How much do EU election observation activities contribute to mitigation of election-related conflict ? (Effectiveness and impact)	 Sufficient EU election observation activities perform relatively well. Specific improvements are recommended.
6. How many EU recommendations have been considered, and how many have been implemented, and have consequently contributed to electoral reform ? (Effectiveness and impact)	 Sufficient EU election observation activities perform relatively well. Specific improvements are recommended.
7. How much do EU election observation activities contribute to civil society's active role , including through citizen observation? (Effectiveness and impact)	 Good EU election observation activities perform well. Limited improvements are recommended.
8. How much do EU election observation activities promote the EU being seen as an effective actor in democratic support ? (Effectiveness and impact)	 Good EU election observation activities perform well. Limited improvements are recommended.

The EU defines effectiveness as the “*extent to which the development intervention’s objectives were achieved, or are expected to be achieved, taking into account their relative importance.*”¹⁵⁴ Similarly the Organisation for Economic Co-operation and Development (OECD) defines effectiveness as “*A measure of the extent to which an aid activity attains its objectives.*”¹⁵⁵ Evaluating effectiveness has involved consideration of outputs, which are in the sphere of control of the intervention, and outcomes which are in the sphere of direct influence of the intervention.¹⁵⁶

The EU defines impact as “*positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended.*” Impacts are the long-term results of the intervention expected to be achieved in the sphere of indirect influence of the intervention.

In political interventions, such as election observation activities, there is some overlap between effectiveness outcomes and impact as both are dependent on predominantly external influences, which are multiple and dynamic. Furthermore the relative levels of EU intervention influence and external influences are not subject to categorical measurement, but instead are more suitable to political economy analysis on a case-by-case basis. The non-linear dynamic nature of the intervention area makes it harder to distinguish effectiveness and impact, as is reflected in programme documentation. For example one of the EIDHR objectives for EOMs is “*increased transparency and trust in the electoral processes*”,¹⁵⁷ which may be influenced by an EOM, but is also subject to a number of other powerful influences beyond the control of an EU mission. Similarly some of the objectives are long-term, for example “*improvements made to the electoral process in third countries following the implementation of recommendations formulated by EOMs or EEMs.*”¹⁵⁸

See annex 5 for a table of the reconstructed intervention logic with corresponding evaluator questions and conclusions.

6.1 Conclusions on effectiveness

Overall the contribution analysis shows that EU election observation activities perform well in regards to effectiveness. EU election observation activities are judged to be effective in all eight evaluation question areas identified as relevant to effectiveness (see chart above).

All survey respondents rated EU election observation activities as having effectiveness, with 81% of respondents marking the top half of the scale,¹⁵⁹ and 95% marking the top two thirds of the scale.¹⁶⁰ Interviewee and focus group participants at the general level and in the eight case studies countries consistently concurred.

6.2 Conclusions on impact

Overall the contribution analysis shows that EU election observation activities perform well in regards to impact. EU election observation activities are judged to have impact in all six evaluation question areas identified as relevant to impact (see chart above).

All survey respondents rated EU election observation activities as having impact, with 82% of respondents marking the top half of the scale, with external respondents being slightly more positive with 85% compared to internal respondents’ 78%. In total 95% marked the top two thirds of the scale.¹⁶¹

¹⁵⁴ Evaluation Methods for the European Union’s External Assistance, volume 3, page 27. Currently available at http://capacity4dev.ec.europa.eu/evaluation_guidelines/document/evaluation-methodology-vol3-guidelines-project-and-programme-evaluation.

¹⁵⁵ OECD Criteria For Evaluating Development Assistance.

¹⁵⁶ Outputs are defined as the direct products of activities, produced or accomplished with the resources allocated to an intervention. Outputs are in the sphere of control of the intervention. Outcomes are defined as the short-term results of an intervention expected to be achieved. Other external factors and players also influence the area and addressees. In other words, immediate changes that arise for direct addressees at the end of their participation in an intervention. Outcomes are in the sphere of direct influence of the intervention.

¹⁵⁷ EIDHR Regulation (EU) No 235/2014, Annex, objective 4 – EU EOMs.

¹⁵⁸ EIDHR multiannual indicative programme 2014 – 2017 (objective 4):

¹⁵⁹ NB for ease of reading percentage numbers have been rounded up/down, so may at times not add up to exactly 100%.

¹⁶⁰ When asked to rate effectiveness from 0 – 5 (“0” = “*makes no difference*” to “5” = “*high effectiveness/very influential*”), 2 participants marked “0”, 6 marked “1”, 20 marked “2”, 51 marked “3”, 55 marked “4”, and 13 marked “5” (totalling 147). For external stakeholders, 1 participant marked “0”, 5 marked “1”, 12 marked “2”, 30 marked “3”, 30 marked “4”, and 6 marked “5” (totalling 84).

¹⁶¹ When asked to rate impact from 0 – 5 (“0” = “*makes no difference*” to “5” = “*high impact/very influential*”), 2 participants marked “0”, 6 marked “1”, 19 marked “2”, 63 marked “3”, 46 marked “4”, and 11 marked “5” (totalling 147).

Interviewee and focus group participants at the general level and in the eight case studies countries consistently concurred.

All sources of data confirmed that impact is largely dependent on political will and therefore EU election observation activities unavoidably have limited influence, especially given the high stakes involved in an electoral process of control of power and resources at a national level. When considering long-term results, the need to review reform over several electoral cycles was regularly emphasised.

For external stakeholders, 1 participant marked “0”, 5 marked “1”, 7 marked “2”, 41 marked “3”, 24 marked “4”, and 6 marked “5” (totalling 84).

7 Recommendations Chart

Priority recommendations (according to what is most useful, feasible and advisable)

#	Issue	Recommendation	Possible Key Action Points
1	Lack of full explicit methodology for EU election assessment teams, deployed in more difficult security situations, where there are higher risks to the mission. This can weaken accountability and consistency between missions, and is less transparent to stakeholders. This has potential to negatively affect the credibility of the EU.	Methodological development for election assessment teams (EATs) , deployed predominantly in high-risk security situations, for increased transparency, consistency and accountability.	<ul style="list-style-type: none"> • Deployment criteria be refined. • Stronger oversight/scrutiny mechanisms be established for increased checking and caution for situations with high security risks. • Methodological considerations could include 1) greater public emphasis on the limitations of the mission (e.g. coverage), 2) later preliminary statements (to avoid expectations of pronouncements on the events of election day) or an additional subsequent statement when more information is available, and 3) closer collaboration with stakeholders.
2	Lack of full explicit methodology for electoral follow-up missions can result in <i>ad hoc</i> approaches that can weaken accountability and consistency between missions, and is less transparent to stakeholders. This has potential to negatively affect the credibility of the EU.	Develop and consolidate the methodological basis for electoral follow-up missions (EFMs) for increased transparency, consistency and accountability.	<ul style="list-style-type: none"> • Include public reporting requirements. • Establish criteria for EFM deployment. • Include guidelines on the formulation of recommendations by the EFM • Clarify respective responsibilities within EU institutions and the EOMs. • Commentary on the quality of the process, could include review of inclusivity, reference to international standards, involvement of experts, consultation, timeliness, political engagement etc. • Guidelines on respective roles and responsibilities for the missions including for the mission leader.
3	The EU is often not seen to be involved in promoting electoral reform. EU Delegations report a lack of capacity to address electoral reform issues. Other EU instruments are not referring to electoral reform.	Develop new organisational methods for promoting dialogue on electoral reform , both at central and country levels.	<ul style="list-style-type: none"> • Make a public database of recommendations which countries are given the opportunity to report an update on mid-cycle (to be referred to in MoUs). • Have an identified focal point on electoral reform issues at EU Delegations. • Prepare a briefing paper for EU Delegations on the range of options available, what's expected from them, coordination with Member States, electoral follow-up missions, programmatic implications etc. • Increase support to EU Delegations, for example with more information, access to resources, and use of partner organisations to assist with reform tracking, advocacy and support. • Greater prioritisation of election reform issues in political discussions by EU Delegations, visiting missions etc.. • Greater references to election reform in other EU instruments, such as in GSP+ negotiations and reviews.

#	Issue	Recommendation	Possible Key Action Points
4	Risk of under-performing missions affecting the reputation of the EU, and thereby reducing organisational effectiveness in regards to democratic support.	Establish a stronger role for institutional accountability mechanisms , for greater consistency and alignment with methodology by EU election observation activities.	<ul style="list-style-type: none"> • A stronger mandate to the EEAS Democracy and Electoral Observation Division for methodological compliance. • More reporting to MSs/HRVP, Democracy Support and Election Coordination Group. • A selection of missions be subject to post-mission reviews.

Additional recommendations

#	Issue	Recommendation	Possible Key Action Points
5	Some variation in analysis and reporting quality, that risk diminishing the credibility and effectiveness of EU missions. Reported insufficient critical statements risks election observation activities being seen as serving political interests and relations.	Establish stronger measures for promoting consistent high-quality reporting , including increased support, feedback and oversight/scrutiny measures.	<ul style="list-style-type: none"> • More support from EEAS/EODS on report drafting. • Increased scrutiny/oversight from EEAS/EODS on reports and press releases. • Enhanced trainings on reporting. • Possible deployment of a reporting officer. • Further building and maintaining expertise in the EEAS for continuity and increased subject proficiency.
6	Currently stakeholders remember the main message of the mission, but not the reports or recommendations.	Develop a communication strategy and tools for enhanced promotion of mission reporting, including in new media.	<ul style="list-style-type: none"> • Use of more multi-media formats for mission reports, in particular the final report and recommendations. For example short videos for improved communication and circulation in new media. • Recording of all website usage to further improve practice. • Further guidance on language use for different reports and press releases.
7	Key recommendations are not included in preliminary statements, which is the moment EU missions have the highest profile.	When possible, include in the preliminary statement a limited number of recommendations for the post-election process and for long-term reform.	<ul style="list-style-type: none"> • Provide guidance to missions on priority recommendations to include, and how to present recommendations in the preliminary statement. For example on having a few recommendations on the remaining process and a few longer-term recommendations.
8	Recommendations are under-formalised with host governments, risking diminished attention on the importance of recommendations and their implementation.	Reference be made in MoUs with host countries to the issuing and importance of recommendations by EU election observation activities.	<ul style="list-style-type: none"> • This could include emphasis that recommendations will be based in part on stakeholder consultation, and the EU will follow-up afterwards to assess and promote implementation. • This could include reference to the possibility of the country self-reporting mid-term on the status of implementation of recommendations.

#	Issue	Recommendation	Possible Key Action Points
9	Manipulations are recognised to take place increasingly at different stages of the electoral process. Observation coverage could help with detection and deterrence of malpractices and systemic vulnerabilities, and thereby promote professionalism. Non-detection of malpractices and fraud risks in effect sanctioning, and problems going unaddressed.	Have increased observer coverage of specific parts of the process perceived to be prone to irregularities , such as voter registration, delimitation, etc..	<ul style="list-style-type: none"> • Deployment of specialised EEMs to particular parts of the process, especially those perceived to be prone to irregularities, such as voter registration, delimitation, political party primaries etc. • Presence to be visible where possible for increased effect in deterring fraud and promoting professionalism. • Guidance on collaboration with and use of data from citizen observation organizations, for parts of the process or territory that EU election observation activities may not cover.
10	Missions give some public commentary before election day but there's no structured public reporting system that would allow for stronger demonstration of professionalism and neutrality, which can help build stakeholder confidence in the mission and by extension in the election, and help deter fraud. However this can be taken as interference so would need to be considered carefully and planned in advance.	Give more public commentary before election day. Consider issuing pre-election day statements , as is also the practice by other international observer missions, after securing pre-agreement in MoUs.	<ul style="list-style-type: none"> • Missions to publicly identify good aspects of the electoral process before election day. Also, to demonstrate methodological rigor, to identify specific areas where improvements are warranted, and are possible. Through use of media interviews, press releases, and/or reports. • Development of EODS guidelines.
11	There is typically a lack of observation attention to protracted electoral dispute resolution mechanisms due to their often extensive duration well beyond the length of a mission. Use of dispute resolution mechanisms are necessary to avert risk of violence and instability.	Have greater observation coverage of electoral dispute resolution (EDR) , particularly in protracted processes and elections likely to be controversial.	<ul style="list-style-type: none"> • The EU and missions to signal that there will be observer attention on EDR, in order to promote confidence and improved professionalism. • Greater attention by electoral follow-up missions on dispute resolution processes to date, and recommendations on improvements. • Dedicated election expert missions be deployed as required after an EOM/EAT, to review dispute resolution processes, with a possible subsequent addition/annex made to final reports (announced in advance). • Undertake further desk reports on pertinent court rulings.
12	There is a lack of reference to overall implementation of previous recommendations and the electoral reform process in preliminary statements and final reports.	Preliminary statements and final reports include a section on election reform , to elevate the status of the process and to record overall reform and implementation of recommendations.	<ul style="list-style-type: none"> • Commentary on the quality of the reform process, could include reviewing the consultation process, inclusivity, the involvement of experts, reference to international standards, reference to observer recommendations, timeliness, and political engagement.

#	Issue	Recommendation	Possible Key Action Points
13	There is a lack of use of election observation reports by UN human rights bodies. Promotion of EU observation reports to the UN Human Rights Council and UN treaty monitoring bodies could extend the reach and strategic value of election observation activities.	Systematic submission of EU election observation findings and recommendations to UN human rights bodies.	<ul style="list-style-type: none"> • Support for election observation activities to clearly identify compliance issues in regards to applicable international and regional human rights instruments. • Information be made publicly available on the EU policy on submissions to human rights bodies, and reports submitted. • EU Member States be encouraged to systematically refer to EU election observation findings during the Universal Periodic Review process and in response to state reporting to treaty monitoring bodies.
14	EU election observation activities could have more structured relations with credible citizen observer groups, to share information, increase the likelihood of consistent statements, and to increase opportunities for mutual learning.	EU election observation activities have more structured collaboration with credible citizen observer groups.	<ul style="list-style-type: none"> • Systematic, regular, meetings at central level, sharing of main conclusions before the preliminary statement, when possible and appropriate. • Stronger requirement on joint discussion of recommendations before and after the final report is published, with, for instance, dedicated notes on the mission archive on the positions of credible citizen observer groups. • Closer collaboration when appropriate on specific aspects of an election where citizen observers can have added value (e.g. campaign finance, observation in insecure areas).

8 List of Acronyms

ANFREL	Asian Network for Free and Fair Elections
AU	African Union
CEDOH	Centro de Documentación de Honduras
CENI	National Electoral Commission
CIPRODEH	Centro de Investigación y Derechos Humanos de Honduras
CMVE	Centre for Monitoring Election Violence
CO	Chief Observer
CRIS	Common RELEX Information System
CSO	Civil society organisation
DAC	Development Assistance Criteria
DCO	Deputy Chief Observer
DEVCO	Directorate-General for International Development and Cooperation
DFID	Department for International Development (UK)
DoP	Declaration of Principles for International Election Observation
DoGP	Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations
DRI	Democracy Reporting International
EAT	Election assessment team
ECES	European Centre for Electoral Support
ECOWAS	Economic Community of West African States
EDR	Electoral dispute resolution
EEAS	European External Action Service
EEM	Election expert mission
EFM	Electoral follow-up mission
EIDHR	European Instrument for Democracy and Human Rights
EISA	Electoral Institute for Sustainable Democracy in Africa
EMB	Election management body
EODS	Election Observation and Democratic Support (EODS)
EOM	Election observation mission
EP	European Parliament
EQ	Evaluation question
EU	European Union
EUD	EU Delegation
EURS	European Union Special Representative
ExM	Exploratory mission
FIDA	Federation of Women Lawyers
FIDH	Fédération Internationale des Droits de l'Homme
FPI	Foreign Policy Instruments
HR/VP	High Representative for Foreign Affairs and Security Policy and Vice President of the Commission
GSP+	Generalised Scheme of Preferences Plus

GNDEM	Global Network for Domestic Election Monitors
ICG	International Crisis Group
IDEA	Institute for Democracy and Electoral Assistance
IEBC	Independent Electoral and Boundaries Commission
IEC	Independent Election Commission
IFES	International Foundation for Electoral Systems
IGO	International governmental organization
ISIE	Supérieure Indépendante pour les Elections
LTO	Long-term observer
MACCIH	Misión de Apoyo contra la Corrupción y la Impunidad en Honduras
MEP	Member of the European Parliament
MoU	Memorandum of Understanding
MS	Member State
NDI	National Democratic Institute
NELDA	National Elections Across Democracy and Autocracy
OAS	Organization of American States
ODIHR	Office for Democratic Institutions and Human Rights
OECD	Organisation for Economic Co-operation and Development
OIF	Organisation Internationale de la Francophonie
OSCE	Organization for Security and Cooperation in Europe
PAFFREL	People's Action for Free and Fair Elections
RFI	Radio France Internationale
SERC	Special Electoral Reforms Commission
STO	Short-term observer
TSE	Supreme Electoral Tribunal
UN EAD	United Nations Election Assistance Division
UNDP	United Nations Development Program
USAID	United States Agency for International Development