ELECTORAL
Insight

International
Electoral Co-operation

Cover photos
(clockwise from
top right):

Voters hold identity
cards, near Madras,
India, 2004.
AP (M. Lakshman)

Iraqis vote in
Baghdad, 2005.
CP (Paul Assaker)

Ballots in Palestinian presidential
election wait to be counted, 2005.
AP (Kevin Frayer)

Voting in Accra, Ghana, 2004.
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Bolivian woman deposits ballot in
La Paz, 2002. *AP (Dolores Ochoa)*

Eleanor Milne, Chris Fairbrother and
Marcel Joanisse
The Vote (1979–1980)
Indiana limestone, 121.9 x 182.8 cm,
House of Commons, Ottawa

The base stone of *The Vote*, a sculpture
on the east wall of the House of Commons
chamber, shows four heads with flowing
hair whose mouths shape, in song, the
first syllables of Canada's national
anthem, "O-Ca-na-da."

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Chief Electoral Officer's Message

International Electoral Co-operation

Jean-Pierre Kingsley
Chief Electoral Officer of Canada

The issues of *Electoral Insight* that Elections Canada has published in the past few years have dealt largely with electoral participation in Canada, particularly among youth, Aboriginal people, persons with disabilities, and women. In this issue, we broaden the field of view to examine international electoral co-operation and assistance.

Elections Canada has long played an active role on the world scene, offering its experience to new democracies and international organizations that promote democratic electoral processes. Since 1990, Elections Canada has participated in hundreds of international democratic development initiatives in nearly 100 countries. The purpose of such missions is to build mutually beneficial relationships through the exchange of information and expertise, so that all those involved learn from the experience. Our participation in international projects has included advising on constitutional and election law provisions, as well as all aspects of election administration. It has also involved conducting pre-election evaluations to assess the electoral environment and identify potential problems, training election officials, and developing and conducting voter education programs.

International assistance and co-operation ranges in effort from a small, one-time sharing of information to long-term, multi-faceted partnerships with other electoral management bodies. An example of the latter is our long-standing relationship with Mexico's Federal Electoral Institute (IFE), which began in 1993 with the visit by a group of Mexican electoral administrators to Elections Canada. Over the years, Elections Canada and IFE have collaborated on a number of important initiatives, including a series of trilateral conferences (with the United States) on various aspects of electoral administration, the signing of two five-year bilateral co-operation agreements (in 1996 and 2001), and professional exchange visits of electoral personnel. I am pleased that this issue of *Electoral Insight* includes an article by Manuel Carrillo, Chief of Staff for International Affairs at IFE.

Electoral assistance and co-operation can also take the form of comprehensive international evaluation missions. Two Canadian-funded international missions, which I chair, are described below. The approach taken by these missions is one of accompaniment – that is, the establishment of close ties with the electoral commissions involved, over and above traditional electoral observation, with peer review and the sharing of analyses and information on an ongoing basis. This approach, though unique to the world of international electoral observation, is in reality a continuation of the kind of relationship Elections Canada has developed and fostered for a number of years on a bilateral basis. As illustrated by our relationship with IFE, it is an approach based on respect for the independence of the partner electoral commission, as well as for the culture and history of the country.

The International Mission for Iraqi Elections (IMIE) is a recent example of such a relationship. This model of electoral co-operation has received international

recognition for its peer-to-peer approach and systematic examination of all aspects of electoral administration, including the legal framework for elections, voter registration and education, the role of the media, vote counting procedures, and electoral complaints processes, to name a few examples. Each aspect is the focus of an in-depth assessment by an internationally

recognized expert. The mission is led by a steering committee composed of independent electoral management bodies from around the world. These two elements – expert assessment and peer-level review by electoral management bodies – combine to make the model unique and credible, and to provide for effective interaction and capacity development with Iraqi electoral authorities.

The IMIE was established on December 20, 2004, as a result of the Iraq Election Monitoring Forum, organized by Elections Canada in Ottawa with the encouragement of the United Nations (UN) and the Independent Electoral Commission of Iraq (IECI), and the financial support of the Canadian International Development Agency. As an impartial and neutral mission, the IMIE's main tasks were to follow the election preparations, make and share informed judgments with the IECI and the international community, and to build capacity and confidence through assessment of identified targets and activities for the three electoral events that took place in 2005. For the January 30, 2005, elections, the IMIE focused on the election process inside Iraq, as well as the out-of-country registration and voting processes. The IMIE used this experience when it followed both the October 2005 referendum and the national elections that took place on December 15, 2005.

The IMIE is made up of independent electoral management bodies from Albania, Australia, Bangladesh, Canada, Ghana, Indonesia, Mexico, Panama, Romania, United Kingdom, Yemen, as well as the Association of Central and Eastern European Election Officials. In addition, the League of Arab States agreed to participate in the mission as an observer. Elections Canada established offices in Amman and Baghdad to lead and coordinate the activities of the mission's Steering Committee.

Not surprisingly, creating such a mission was fraught with many challenges. Initially, no member of the international community offered to monitor the Iraqi elections. The UN could not, because it was directly involved in organizing the elections. Another obstacle was the security situation. Additional security requirements meant that a traditional election observation mission – involving hundreds of international observers visiting thousands of polls on election day – was not possible. Not only would it have been prohibitively expensive, but also restrictions on vehicular traffic, put in place by the Iraqi authorities for three days before and after the election, greatly reduced the ability to carry out monitoring activities. Finally, there was little time left to plan and organize before the first electoral event on January 30, 2005.

Despite the undeniable challenges, the participants at the Ottawa Forum also saw opportunities, and it was in this context that the IMIE was formed. Elections Canada's rationale for participation in the IMIE was simple. Our first motivation was, as always, the democratic rights of the people of Iraq. Regardless of how people felt about the events leading up to this point, what was important now was to help the Iraqi people seize this admittedly fragile and imperfect, but also historic, opportunity to begin building democracy in their country.

Overview of the IMIE concept

The IMIE model for monitoring elections is distinct from, but complementary to, traditional electoral observation. Formed of independent electoral management bodies, the IMIE provides peer review before, during and after the elections. The focus is on providing advice and accompanying the Iraqis over the longer term. Our ultimate goal is to build the institutional capacity of the IECI – and to learn from them in turn.

One key to this approach is the independence of the IECI. The UN played a central role in this respect. From over 1,800 applicants, it drew up the list from which the members of the Commission were chosen. Also key was the presence of thousands of domestic election observers. The IECI accredited some 23,000 non-partisan observers, and 34,000 political entity agents. Many received training from international organizations. The most important point, though, is that these were Iraqi citizens observing their own elections.

Election monitors in training examine a mock-up of a ballot box in Arbil, Iraq, one week before Iraq's January 2005 elections.

In addition to providing pre-election assessment and evaluation of the election itself, the IMIE also provides

follow-up after the event. The IMIE offers a process of accompaniment, which is based on respect for the independence of the Iraqi electoral commission, as well as for the culture and history of the country.

IMIE's activities to date

For the January 30, 2005, elections, the IMIE Steering Committee met face-to-face three times, with ongoing virtual contact at all times. In addition, the IMIE organized monitoring for out-of-country registration and voting.

The first Steering Committee meeting took place in London on January 4–5, 2005. There, the Committee agreed to establish a secretariat for the IMIE, with liaison offices in Amman and Baghdad. The Committee also developed a 10-point system of evaluation:

- legal framework
- voter registration
- electoral preparations
- voter information and education
- equitable access to media
- certification of political parties, coalitions and candidates
- pre-polling and post-election complaint procedures
- polling [*i.e. voting on election day*]
- vote counting and compilation of results
- out-of-country registration and voting

For each area, an international expert was hired to write an assessment report, following criteria and questions laid out by the Steering Committee, and relying on the legal and regulatory documents developed by the IECI, as well as information provided through the Amman and Baghdad offices.

During its second meeting in Amman, Jordan, on January 28–30, 2005, the Steering Committee examined six preliminary assessments: legal framework, voter registration, electoral preparations, voter information and education, equitable access to media, and out-of-country registration and voting. Drawing judgments from academic experts and experienced practitioners, the Steering Committee agreed that the Independent Electoral Commission of Iraq had prepared and put in place a sound system, generally in keeping with international standards, although some areas required further review and discussion.

The IMIE released its preliminary report on January 30, after the close of polls in Iraq. This report was sent to the IECI

Photo: CP/Abaca (Ken Dilanian)

Iraqi women cast their votes in southern Baghdad on election day, January 30, 2005.

and is posted on the IMIE Web site (www.imie.ca) in English, Arabic and Kurdish.

The third meeting of the Steering Committee took place on March 16–19, 2005, at the UN headquarters in New York City as part of the UN-organized "Iraq Electoral Process Technical Debriefing: Lessons Learned and Upcoming Challenges." The IMIE's main objectives for the meeting were to review the conclusions of the expert assessors (10 reports), debrief and obtain the feedback of the IECI and others; make concrete recommendations for the forthcoming electoral events in Iraq – namely, the constitutional referendum and general election; and explore future IMIE collaboration with the IECI and the UN. The information provided at the meetings was useful for the drafting of the IMIE's final report, which is available on the IMIE Web site in English, Arabic and Kurdish.

For the October 15, 2005, constitutional referendum and the December 15, 2005, general elections, the IMIE process was similar to the one used for the January 30 elections: expert assessors evaluated key areas of the electoral process, and the Steering Committee drew on these assessments when evaluating each electoral event. For the October referendum, the IMIE Steering Committee met on October 14–16, 2005, in Amman, Jordan. A preliminary statement on the referendum was released on October 15 and is available in three languages on the IMIE Web site.

For the December 15 general elections, the IMIE Steering Committee met on December 12–16 in Amman, Jordan. Drawing on a number of information sources, including expert assessments, the IMIE field office in Iraq, international

monitors and domestic observers, the Steering Committee released its interim findings on the electoral process on December 15, 2005. The interim report addresses six target assessment areas: legal framework, electoral preparations, voter information and education, pre-electoral complaints procedures, voter registration and certification of political entities. While the Steering Committee found that the electoral preparations generally met international standards, it highlighted some technical and procedural issues of concern and made a number of recommendations. The interim report and accompanying press release are posted on the IMIE Web site in the three languages noted above.

In early January 2006, the IMIE sent a four-person team to Baghdad to undertake a follow-up assessment to its interim report. The team included Ali Al Jaroushe and Dussouki Tharwat Abaza from the League of Arab States, Douglas Rowland, a former Canadian parliamentarian and Rafael López-Pintor, a European academic. They undertook assessments of post-election complaints, political entity participation and post-election audits conducted by the IECI. In its report, released on January 19, 2006, and available on the IMIE Web site, the team identified both the achievements and shortcomings of the Iraqi electoral process. Lessons learned from this exercise are that technical expertise is both welcomed and needed to finely examine the workings of electoral administration in transitional states and, where appropriate, lend international, public credibility to emerging democratic processes.

In late February 2006, the IMIE Steering Committee held a debriefing meeting with the IECI. A report making recommendations to strengthen the Iraqi electoral process for the future was prepared and posted on the IMIE Web site.

Out-of-country registration and voting
Another important element of both the January 30 and the December 15 elections was the out-of-country registration and voting process. For the January elections, the IECI mandated the International Organization for Migration (IOM) to conduct the out-of-country vote in 36 cities across 14 countries. For the December elections, the IECI itself conducted the out-of-country vote in 48 cities across 15 countries. The IMIE sought and obtained accreditation to monitor the out-of-country registration and voting process for both sets of elections.

For the January 30 out-of-country voting program, the IMIE recruited more than 100 monitors in 13 of the 14 countries. For the December 15 elections, the IMIE deployed 400 inter-

Photo: CP (Jonathan Hayward)

Iraqi Canadians register on January 17, 2005, at a polling station in Ottawa for out-of-country voting.

national monitors in the 15 countries where out-of-country voting took place. These monitors were given detailed monitoring forms, which they returned to the IMIE for compilation and analysis. Their observations form the basis for the IMIE's assessments of the Iraq out-of-country voting program, which are available on the IMIE Web site in the three languages noted above.

The 2005 Iraqi electoral cycle proved to be an important learning experience for all involved and showed that the IMIE can be a model for future electoral assistance missions – in addition to international observers. Over the longer term, the IMIE is prepared to accompany the IECI as a professional and skilled independent electoral management body and to help the Iraqi people as they build and strengthen their democratic process.

Monitoring elections in Haiti

The IMIE experience is now being put to use in Haiti. At an international forum held in Montréal under the auspices of Elections Canada on June 16 and 17, 2005, the heads of eight independent electoral management bodies agreed to establish the International Mission for Monitoring Haitian Elections (IMMHE). Beginning in early August 2005, the IMMHE established a secretariat in Port-au-Prince, deployed long-term observers throughout the country, and is working in co-operation with other international observers and domestic observation groups to monitor election preparations in Haiti. For the first round of legislative and presidential elections, which took place on February 7, 2006, the IMMHE also deployed 127 short-term international observers across Haiti's 10 departments. The goal is to provide peer review and

advice to the Conseil électoral provisoire – Haiti's provisional electoral council. In this way, the IMMHE can contribute to building the confidence and capacity of key stakeholders, and provide support for the overall legitimacy of the electoral process in Haiti. The IMMHE's reports are available on its Web site (www.mieeh-immhe.ca) in five languages.

Voter registration for Haiti's elections, including the production of identification cards, was extended by several weeks to enable more Haitians to vote.

Articles in this issue

As noted above, this issue of *Electoral Insight* examines international electoral co-operation and assistance. Some articles in this issue focus on general and technical features of such co-operation. Democracy International's Eric C. Bjornlund, author of the compelling book *Beyond Free and Fair: Monitoring Elections and Building Democracy*, explains "parallel vote tabulations" to illustrate how they are preferable to exit polls in assessing the legitimacy of vote counts in transitional or post-conflict elections. Steven Griner of the Organization of American States contributes a comparative analysis of political party and campaign financing in Latin America, North America and the Caribbean. The study, carried out under the auspices of the Inter-American Forum on Political Parties, is intended to assist political reform and supportive international organizations.

We are also pleased to feature some important case studies of countries that have undertaken international electoral assistance. Manuel Carrillo of the Federal Electoral Institute provides information about Mexico's electoral assistance to other countries. The University of Waterloo's Peter Woolstencroft, together with John Fraser, formerly of the National Democratic Institute for International Affairs,

identify the rising number of organizations providing electoral assistance and co-operation and discuss whether international efforts were helpful in Bosnia and Herzegovina.

Meanwhile, as referendums take on increasing importance in resolving controversial political issues, Matt Qvortrup of The Robert Gordon University in Scotland compares the rules in the United Kingdom and Canada, to suggest standards that could be applied elsewhere. Thérèse Pearce Laanela of the International Institute for Democracy and Electoral Assistance tells us about the Electoral Knowledge Network, which is the successor to the Administration and Cost of Elections (ACE) Project. This dynamic repository of information on election administration provides models and guidelines for developing legislation and procedures. Elections Canada is pleased to be a very active partner in this initiative.

Finally, Jean-Louis Roy, President of Rights and Democracy (International Centre for Human Rights and Democratic Development), in Montréal, writes about his organization's role in supporting democratic development around the world.

Readers may notice some changes in this issue. We have added abstracts for each article to give a quick summary of the contents. For the convenience of our readers we have also included an annotated bibliography of guides and handbooks for international electoral observation and reporting.

We have added a "What's New" feature. This issue highlights recent developments in the Electoral Technology Accord, through which Canada's federal, provincial and territorial electoral agencies now share information technology and resources. Details are provided by Gerald Huhtala of Elections Manitoba.

I am grateful to all of the authors whose work is published in this issue for sharing their expertise, analysis and lessons learned from other countries. They give us a deeper understanding of the many available resources and how international assistance is applied around the world. I trust that we will all benefit from the insights of these authors and I invite readers of this publication to send comments about the articles to the postal or e-mail address on the inside cover page. ❧✖

Jean-Pierre Kingsley

Jean-Pierre Kingsley

International Electoral Co-operation
A View from Mexico

Manuel Carrillo
Chief of Staff for International Affairs at Mexico's Federal Electoral Institute

This article maps out the concept of international electoral co-operation and its evolution from north-to-south assistance to the two-way processes of bilateral and multilateral co-operation. It then provides a comprehensive historical overview of the many institutions involved in this growing field, and discusses regional and international electoral co-operation organizations. The article gives a detailed case study of the international electoral co-operation work of the Federal Electoral Institute (IFE) – Mexico's independent electoral management body, founded in the early 1990s. IFE's reputation – and that of its sister organization, the Federal Electoral Tribunal – has profoundly transformed Mexican elections and increased citizen confidence in the electoral system. At the same time, IFE has become a world leader in international electoral co-operation. The author concludes by putting forth four major lessons learned by IFE from participation in countless international projects and missions.[1]

What is international co-operation?

When we speak of international co-operation, we automatically think of an action of aid or assistance beyond the borders of a single country, but the concept also applies when two or more entities work together to achieve a common goal that benefits their mutual interests.

The concept of international co-operation acquired a double meaning because of its evolution. In its preliminary stages, during the 1950s and 1960s, it would be called *assistance*, implying the transfer of resources from the developed world to developing countries.

The appearance of this kind of international co-operation has often been associated with the policy adopted by the European Economic Community, now called the European Union, in which the more developed members helped less developed members, and subsequently assisted countries in other regions or continents. Consequently, at that time international co-operation represented actions of assistance performed by developed countries, working alone or together with international organizations to foster the economic and social development of a less developed country.

Electoral co-operation, as we understand it now, is activities carried out by national electoral management bodies or governments, international organizations, non-governmental organizations, regional associations of electoral authorities, as well as academic or research institutions, with the purpose of strengthening democracy, elections and all the related institutions and procedures.

This is a recent phenomenon, originating at the end of the Cold War, in tandem with the resulting revaluation of democracy both on the national and international levels. At that moment in world history, the already existing crisis of legitimacy among authoritarian governments in different

regions of the world crested and gave way to the idea of democracy as the most convenient form of government. Convenient, because democracy is the system that can best guarantee a direct correspondence between government and the governed, and at the same time guarantee respect for human rights and human dignity.

A large number of countries evolved to democratic forms of government, most of them right after the Cold War, since the new international rules were no longer based on international security but on democratic governance. In the 1970s, Mediterranean Europe was the protagonist of a transition known as the "Third Wave," a term conceived in 1991 by Samuel Huntington.[2]

This "democratic boom" caused the international community to modify its agenda. Understanding that a larger number of countries embracing democracy as their form of government would necessarily have a positive impact on international stability, the international community substituted the issues of the bipolar conflict with the expressed desire and need to co-operate on a global and regional scale to strengthen democracies.

International co-operation as we understand it today incorporates the following traits:

• based on joint actions aiming at a common goal
• looks for mutual benefit for two or more states or institutions
• results in a superior level of institutional development
• favours the optimization of both bilateral and multilateral relations
• incorporates a space of solidarity and the creation of a network of relations looking for common well-being in the international sphere
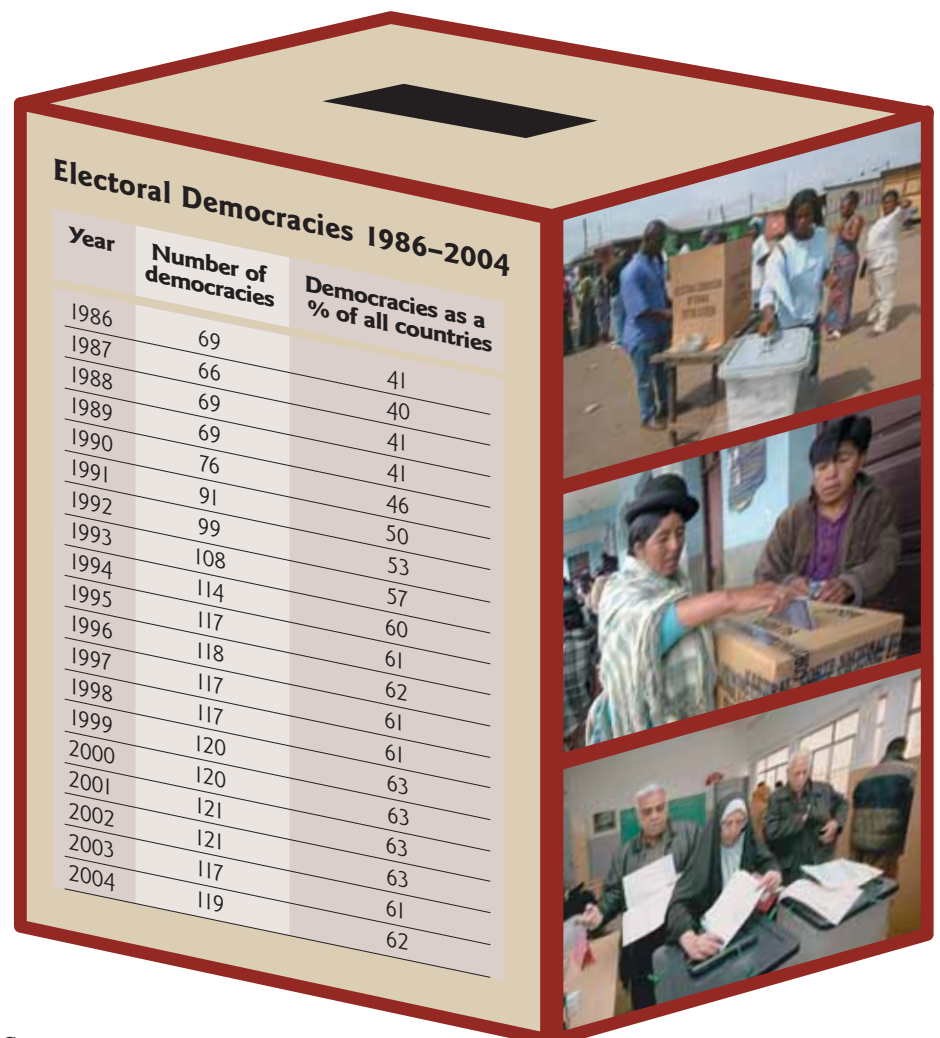
The most important stages in the development of international co-operation on electoral matters are consequently linked to the processes of democratization. We might point out the following stages as the benchmarks for this process.

The decolonization period as a precedent for international electoral co-operation (IEC)

The participation of the international community in electoral processes had its most relevant precedent in the decolonization period (1950 to 1960), when the United Nations and various regional bodies started working to observe the referendums that were taking place as part of the independence process of former colonies.[3]

International activities in this period established the basis for the development of "first generation co-operation, which was centred in the passive observation of voting processes such as referendums, plebiscites and general elections.

Year	Number of democracies	Democracies as a % of all countries
1986	69	41
1987	66	40
1988	69	41
1989	69	41
1990	76	46
1991	91	50
1992	99	53
1993	108	57
1994	114	60
1995	117	61
1996	118	62
1997	117	61
1998	117	61
1999	120	63
2000	120	63
2001	121	63
2002	121	63
2003	117	61
2004	119	62

Electoral Democracies 1986–2004

Source:
Data are from Freedom House, a non-profit, non-partisan organization. Compiled results of its annual *Freedom in the World* surveys of the nearly 200 countries in the world are available at www.freedomhouse.org/research/freeworld/2005/charts2005.pdf. Freedom House defines an electoral democracy as a state that has a competitive multi-party system, universal adult suffrage, regular elections with ballot secrecy and the absence of massive voter fraud, and open campaigning and media access by political parties.

1974: Establishment of "first generation" IEC

The decade of the 1970s witnessed the "third wave" of democratization, which extended up to the 1990s. In 1974, there were only 39 electoral democracies in the world, and in 1990 there were already 76 democracies.[4] (See table on previous page.) The third wave embraced countries of Latin America, Central and Eastern Europe, Africa and Asia,[5] which were able to evolve toward electoral democracies. This period generated an important demand for assistance from the international community on the part of these recently democratized countries, mainly because they needed to legitimize their electoral results. We must remember these were nations emerging from authoritarian regimes, which were transforming themselves into democratic regimes. Accordingly, the participation of the international community was limited to certifying that no electoral fraud was committed; in this way, it contributed to legitimizing or not legitimizing the electoral process.

1990: Emergence and consolidation of "second generation" IEC

The development of IEC has always been a response to the demand stemming from each wave of democratization, but there were two factors that eliminated obstacles to its rapid development: namely, the end of the Cold War and the inclusion of human rights on the international agenda.[6]

Observation of elections became widely accepted and common by the mid-1990s. This activity helped to define universal standards and eliminate the ambiguity of the term "free and fair elections." Among the indispensable requirements for elections to be qualified as free and fair was the existence of pluralism in politics and equal opportunities for political players entering an electoral contest.[7] It was the end of this decade when the "second generation" of IEC started. At that point, in addition to monitoring preparedness for an election (impartiality of the electoral authority organizing the election; efficiency and security in the instruments used to conduct the election), election day itself and the post-election period,[8] other qualitative issues were incorporated into the picture, such as the degree of real competition and the significance of the electoral contest.

Present-day IEC

The international community's participation in strengthening democracy around the world has evolved as a result of two factors: the internal demand of countries in the process of democratization, and the external offer of the international organizations working to promote democracy around the world.[9]

International co-operation on electoral matters, just like other types of international co-operation, has been the result of a demand generated by countries that have established electoral democracies. Many countries in the process of democratization have asked the international community for help in organizing their electoral processes.[10] This means that democracy itself has been the main promoter of international co-operation on electoral matters.[11] This idea is reinforced by the fact that most assistance has been provided to countries recently democratized, as well as countries that are currently living a process of democratic consolidation, and semi-authoritarian countries undergoing a process of liberalization, whereas assistance to authoritarian regimes has been rather scant.[12]

On the side of the "offer," following the initial impulse from the United Nations, different players have responded and participated. In fact, some authors speak of the existence of a global network currently working to strengthen democracy in general, and electoral processes in particular.[13] This network is very wide and has expanded rapidly in terms of its participants and types of activities. In some cases, support for the development of electoral democracy has been included in a wider scope of foreign policy related to human rights. In other cases, support for electoral processes has been linked with issues of regional security, because some countries consider the development of democracy as an element of stability in particular areas.[14]

Photo: AP (Dario Lopez-Mills)

In the 1990s, other countries became interested in learning about Mexico's new electoral process as the country's political environment evolved to a true multi-party system.

Later on, in the 1990s, there was a significant change in how democratic processes were understood. It was previously believed that economic support was the best way to foster democracies, and consequently only organizations with vast resources, such as the United Nations, the World Bank or some prosperous countries were able to support this process. However, new studies demonstrated that the strength and efficiency of political institutions, as well as the performance of political players, were fundamental traits in the development of democracy.[15] Consequently, international assistance ceased to be a matter of mere economic support and became a true capacity-building exercise for institutions and political players. More organizations were gradually able to join the international network, because of their ability to provide technical assistance by using their experience and know-how to help other countries undergoing similar processes or facing similar challenges.

Many countries in the process of democratization have asked the international community for help in organizing their electoral processes.

International players and modes of co-operation

Players who have been involved in the promotion of democracy include democratic governments and their agencies or institutions, for instance, independent electoral management bodies, multilateral institutions, international financial institutions, multilateral donors, and non-governmental organizations with global programs, regional non-governmental organizations (NGOs), and philanthropic organizations.

Such players form a network to promote democracy that has developed both in the vertical and horizontal dimensions.[16] The horizontal dimension refers to the collaboration and mutual learning among several organizations in the same level, for instance, between the Organization for Security and Co-operation in Europe and the European Union in Bosnia. The vertical dimension can be established when a global organization, such as the Electoral Assistance Division of the United Nations, provides assistance to an independent electoral commission to organize an election. Thus, the process includes the links among players on the same level, as well as co-operation among institutions on multiple levels.

Three different stages or generations can be distinguished in the evolution of this process.

First generation: 1970–1990

This political period was marked by the beginning of the democratization wave. Priority areas were the strengthening of electoral democracy to guarantee free and fair elections, the efficiency of the electoral roll, measures to avoid electoral fraud, and electoral observation to guarantee protection of basic political rights; in short, all the required elements of good management when organizing elections.

Second generation: 1990–2000

This period can be considered as a transitional phase toward consolidation among electoral management bodies in different regions of the world.

Priority areas were the consolidation of electoral justice, the improvement of access and equity in the electoral contest (campaign financing and access to the media), capacity building in electoral management bodies, civic education, consolidation of political parties, re-engineering of electoral

International assistance ceased to be a matter of mere economic support and became a true capacity-building exercise for institutions and political players.

systems, and new mechanisms, such as special prosecutors, to detect and sanction electoral offenses.

Third generation: 2000–2005

This period has been marked by true consolidation among independent electoral management bodies. Priority areas now include the use of technology in elections, transparency and accountability mechanisms, access to the media, resolution of electoral controversies, voting abroad, establishment of a career civil service in the electoral field, and greater efficiency in electoral management to reduce the cost of elections and improve the performance of electoral management bodies.

The constant improvement of democratic institutions, as well as the efficient organization of legitimate and credible elections, is a goal both for new and old democracies, which are working to continue modernizing their electoral processes. Several countries in the world are presently holding multi-party elections for the first time, or reforming their already existing electoral democracies.[17]

The international electoral network

Several organizations have been promoting democracy and international co-operation around the world, namely:

- Organization for Security and Co-operation in Europe (OSCE), created in 1973
- National Endowment for Democracy (NED), created in 1983
- Center for Electoral Promotion and Assessment of the Inter-American Institute of Human Rights (IIDH-CAPEL), created in 1983
- IFES, created in 1987

- Unit for the Promotion of Democracy of the Organization of American States (OAS-UPD), created in 1990
- Electoral Assistance Division of the Department of Political Affairs of the United Nations (UNEAD), created in 1992
- International Institute for Democracy and Electoral Assistance (International IDEA), created in 1995

All the above-mentioned organizations or specialized bodies are agencies managing the largest projects of electoral assistance in the world. Gradually they have come to use the help of electoral management bodies whose experience can be of use for other countries undergoing similar challenges.

At the end of the 20th century, an international network of electoral organizations began to appear as a structured effort to group electoral bodies in various regions. The first experiments took place on the American continent. First came the creation of the Tikal Protocol in 1985, grouping the electoral agencies of Central American countries. The Quito Protocol followed in 1989, linking the electoral agencies of South American countries. These regional bodies created the synergies that in turn favoured the creation of a larger regional association for the whole continent: the Inter-American Union of Electoral Organizations

(UNIORE), created in 1991. Later on, in 1997, a specialized organization joined Caribbean agencies in the Association of Caribbean Electoral Organizations (ACEO), notwithstanding the continued participation of some of them in UNIORE.

Similar exercises took place in other regions of the world. The Association of Central and Eastern European Election Officials (ACEEEO) was created in 1991, the Association of African Election Authorities (AAEA) came in 1994, the Association of Asian Electoral Authorities (AAEA) was founded in 1997, and the Pacific Islands, Australia and New Zealand Electoral Administrators Network (PIANZEA) also in 1997.

Mexico's participation in the international electoral network

The Mexican electoral authorities are the Federal Electoral Institute (IFE) and the Federal Electoral Tribunal of the Judicial Branch (TEPJF). Both officially entered the international network in 1993, and rapidly began exchanges with the electoral authorities of the continent, and later on with other regions of the world.

The transition of the political system in Mexico from a dominant party rule to a true multi-party system after the controversial elections of 1988, and the resulting electoral system, which had to find a way to become fraud-proof, actually became an asset to Mexico in the international sphere. Other countries gradually became interested in learning about the Mexican experience and the complexity of its new electoral system, which was tested in the federal elections of 1994, 1997, 2000 and 2003. For the first time in Mexican history, elections
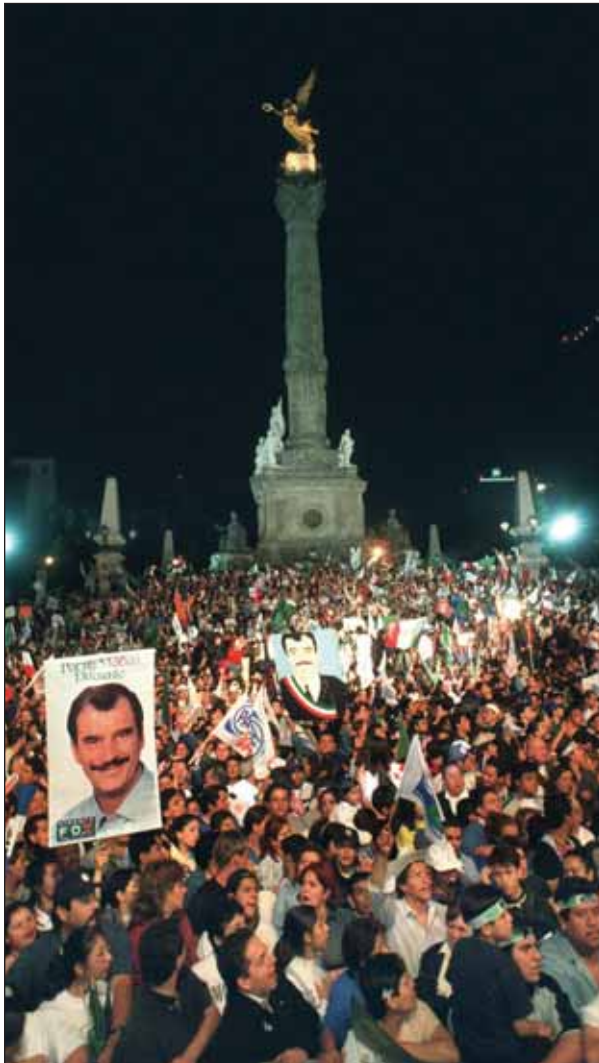
Supporters of opposition presidential candidate Vicente Fox gathered at the Angel of Independence monument in Mexico City, on July 2, 2000, to celebrate his victory, which ended over seven decades of one party's hold on the presidency.

Third conference of the Inter-American Union of Electoral Organizations (UNIORE), held in Mexico City, in July 1996. Created in 1991, the Union sprang from a desire by Central American and Caribbean countries to link themselves with electoral authorities in South America.

UN are East Timor in 1997, Iraq in 2004, and Haiti in 2004–2005. The added value of those experiences was the ability to shape a project of assistance that would respect the national sovereignty of countries undergoing difficult and violent transitions toward democracy.

Lessons learned

After these 12 years, Mexico has learned several important lessons, which can be summarized as follows:

became a fertile ground for the confidence of society, which appreciated the advantage of creating solid electoral institutions that worked on all fronts to guarantee not only free and fair elections, but also the true possibility of alternation in power.

Since 1993, when the presence of Mexico in the international electoral world began to be felt, IFE has received visits from 174 delegations from 34 countries, and 54 delegations of diplomatic officers from 82 countries, who have come to its headquarters to learn about the electoral system and the technical aspects of electoral processes in Mexico. IFE has also participated in 223 international conferences, workshops and seminars, 94 of them as co-organizer, and 129 as a participant. Mexico has been invited as international observer for 57 missions in 21 countries, and has participated in 52 missions of technical assistance in 26 countries. Furthermore, IFE has signed 17 agreements of international electoral co-operation, with international organizations such as the United Nations and International IDEA,

international NGOs such as IFES, and national electoral agencies from countries such as Canada, Spain, Colombia, Panama and India, among others.

Among the main international initiatives during these 12 years, the most relevant have been the three trilateral conferences (Mexico-United States-Canada), the entry of Mexico to UNIORE in 1996, the signing of the Letter of Intent for the Partnership for Electoral and Democratic Development (PEDD) in 1999,[18] and the hosting of the second Conference of the Global Electoral Organization (GEO) Network, following the lead of Canada, which hosted the first GEO Conference in Ottawa in 1999.

The most important recent experiences of Mexico in electoral training and electoral assistance promoted by the

- Democracy cannot be exported; it must be locally defined. There are no recipes or universal formulas applicable to all countries. The exchange of know-how can only be effective if it takes into account the cultural, social, political and historical context of each country. The comparative perspective can be useful to see how other countries have solved certain technical problems. It helps in looking for available options for feasible solutions. But a mere transplant of formulas without taking into account the national context is never the way to go.

- There is a need to professionalize the international observation of

Participants at the International Workshop on Electoral Administration for the Provisional Electoral Council of Haiti, held in Mexico City in November 2004.

elections and electoral technical assistance. The passive observation of elections is no longer a useful tool for international co-operation. Elections are a laboratory where the international experts of "electoral science" can discover new solutions and exchange ideas on best practices with their colleagues, which can be of great use in their country of origin. Watching over the cleanliness of an election is an important role of the international observers, but learning from the experience allows them to go a step forward in questioning their established ideas and comparing experiences and challenges.

• International exchanges on electoral matters must be two-sided; they are mutually enriching experiences for all participants. Respect for the other is essential at this point. An impartial attitude is very necessary for international electoral players, who must always remember they are witnessing a crucial moment for the political evolution of any country, no matter how developed or underdeveloped it is.

International co-operation on elections has been a true opportunity for Mexico to participate in the international community as new challenges arise for democracy everywhere. It has also been a unique chance to join the international discussion on the future of elections. In sharing the Mexican experience, we have received even more than we have tried to give to our counterparts. We are grateful for the opportunity and will continue our modest efforts to contribute to the improvement of democracy and elections in the world. ✘

NOTES

1. This article was written with the assistance of Isabel Morales, Carolina Varela and Lourdes González.

2. Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman, Oklahoma: University of Oklahoma Press, 1991).

3. For further details, see Robin Ludwig, "Letting the People Decide: The Evolution of United Nations Electoral Assistance," *International Relations Studies and the United Nations Occasional Papers*, No. 3 (2001), pp. 1–2.

4. As a percentage of all countries, the 39 democracies existing in 1974 represented 27.5%, whereas the 76 democracies existing in 1990 amounted to 46.1%. After 1990, the number of democracies continued to increase, but at a decreasing rate: from 1991 to 1992, the number of democracies grew to 99 from 91; in 1993 this figure increased to 108, and from 1994 to 1995 the figure increased to 117 from 114. See Larry Diamond, "Is the Third Wave Over?", *Journal of Democracy*, Vol. 7, No. 3 (July 1996), pp. 20–37. The number and percentage of electoral democracies have risen only slightly since 1995.

5. Portugal, Spain, Greece, Peru, Brazil, Argentina, Chile, among others.

6. See Arne Tostensen, "Election Observation as an Informal Means of Enforcing Political Rights," *Nordisk Tidsskrift for Menneskerettigheter*, Vol. 22, No. 3 (2004), pp. 330–344; and Jeroen de Zeeuw, "Projects Do Not Create Institutions: The Record of Democracy Assistance in Post-Conflict Societies," paper prepared for the UNU/WIDER Conference on "Making Peace Work," Helsinki (Finland), June 4–5, 2004, p. 3.

7. See Vikram K. Chand, "Democratisation from the Outside In: NGO and International Efforts to Promote Open Elections," *Third World Quarterly*, Vol. 18, No. 3 (September 1997), pp. 543–562; Gregory H. Fox, "Election Monitoring: The International Legal Setting," *Wisconsin International Law Journal*, Vol. 19, No. 3 (Fall 2001), pp. 295–319.

8. Horacio Boneo, "La observación (internacional y nacional) de las elecciones," *Diccionario electoral* (CAPEL/IFE/TEPJF/UNAM, 2003), pp. 885–910.

9. See Timothy D. Sisk, "Global Networks for Democracy Promotion: Enhancing Local Governance," Case Study for the UN Vision Project on Global Public Policy Networks (Global Public Policy Institute, 1999), available at www.globalpublicpolicy.net/index.php?id=165.

10. See Sisk, "Global Networks for Democracy Promotion."

11. See Carlos Santiso, "International Co-operation for Democracy and Good Governance: Moving Toward a Second Generation?", *European Journal of Development Research*, Vol. 13, No. 1 (June 2001), pp. 154–180.

12. See International IDEA, "Ten Years of Supporting Democracy Worldwide," 2005, p. 41, available at www.idea.int/publications/anniversary/index.cfm.

13. See Sisk, "Global Networks for Democracy Promotion."

14. This idea is based upon the classical article written by Michael Doyle in 1983, which according to Chand, "Democratisation from the Outside In," and Sisk, "Global Networks for Democracy Promotion," has significantly influenced the foreign policy of democracies.

15. De Zeeuw, "Projects Do Not Create Institutions," p. 3.

16. Sisk, "Global Networks for Democracy Promotion."

17. See CAPEL's database (in Spanish) on the processes of electoral reform in the Americas at www.iidh.ed.cr/capel/.

18. For information about this undertaking, see Partnership for Electoral and Democratic Development (PEDD), *Program Concept Paper* (issued at the launching of the partnership in Ottawa in April 1999). Founding members were Elections Canada, IFES, International Institute for Democracy and Electoral Assistance, Mexico's Federal Electoral Institute, and United Nations Electoral Assistance Division.

The ACE Project
A New Vision

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The ACE Project, which is a repository of information on election administration, was first released in 1998 to provide models and guidelines to develop election legislation and procedures. In 2004, the ACE partners decided to turn the ACE Project into the Electoral Knowledge Network. Its complexity and scope are greater than the initial project. The project now represents a new approach to electoral co-operation, including a significantly more interactive ACE Web site, the building of communities of practice, and a capacity development dimension. The ACE Web site, in English, French and Spanish, is available at www.aceproject.org.

Back in the 1990s, democratization was a worldwide whirlwind, with elections as the main rallying point for newly democratic countries. Those involved often felt that they were starting from scratch as they wrote legislation, procedures and manuals. Electoral advisors would send away for manuals done in other countries, which had to be faxed through often unreliable telephone services. As frustration grew stronger among individuals and organizations heavily involved in designing and building electoral structures, the idea emerged to support those at the forefront of electoral work by categorizing and making readily available the existing knowledge about democratic elections.

The core concept of the three founding partners (International Institute for Democracy and Electoral Assistance, United Nations Department for Economic and Social Affairs, and IFES) in 1997 was a common vision with decentralized implementation. Each organization took responsibility for particular tasks, taking advantage of its own funding sources, with their own rules and regulations. Thousands of pages of information on electoral processes covered 12 topic areas: legal framework, electoral systems, boundary delimitation, electoral management, voter and civic education, voter registration, voting operations, vote counting, parties and candidates, media relations, elections and technology, and election integrity. The Web site provided descriptions of election systems, alternative models for their implementation and thorough documentation on what to do to make the systems operational. The Internet and the CD-ROM were used as the major forms of distribution, complemented by a user's guide publication and print-friendly options. The ACE Web site is used around the world, with some 200,000 visitors per month. An evaluation conducted in 2003 indicated, among other things, that the project had tremendous value, and that the Internet could be used as a tool to promote interaction.

The ACE Project Web site is located at www.aceproject.org.

A unique partnership approach

In 2004, the founding partners, along with Elections Canada, EISA, Mexico's IFE and UNDP, agreed to review the overall vision and service lines of ACE with a view to transforming the project into a more active force, and to seek the collaboration of associate members such as universities, and regional and national electoral organizations. In February 2005, the University of Calgary became an associate member. The project has now developed to include three service lines: knowledge services, practitioners' networking and capacity development.

Commitment to election administration as a profession

Underlying the design of the ACE Project and its materials is a fundamental belief that election administration is worth being seen as a profession in its own right. A profession presupposes a sound knowledge base. Therefore, the ACE Project is intended to:

- provide easily accessible reference materials for professionals and policy-makers in the election administration field
- increase knowledge and enhance learning about democratic electoral processes
- provide alternative frameworks and guidance to election officials and policy-makers seeking to strengthen national electoral systems and processes
- identify elements in electoral system design and administrative practice that are cost-effective
- promote transparency, accountability, professionalism, sustainability and efficiency in the electoral process within the context of democratic development
- encourage the use of good practice in electoral administration and management
- highlight innovations in electoral administration in different countries

One of the challenges of the project is to produce materials of consistent quality that will be useful to the diverse cross-section of end users, including:

- senior government and elected officials with responsibility for election-related policy matters
- election officials at all levels who have functional responsibility for particular aspects of electoral management
- individuals and organizations (including regional organizations and networks) that provide advisory assistance to election management bodies

- international and domestic election observation groups
- journalists and media institutes
- research and policy institutes conducting analyses of electoral systems and processes
- academics and students, particularly those in the fields of election administration, public administration and political science
- multilateral and bilateral development assistance agencies that provide democratic electoral assistance
- intergovernmental, parliamentary and non-governmental organizations that assist election management bodies
- interested members of the public

| Electoral Systems |
| Legislative Framework |
| Electoral Management |
| Boundary Delimitation |
| Voter Education |
| Voter Registration |
| Voting Operations |
| Parties and Candidates |
| Vote Counting |
| Media and Elections |
| Election Integrity |
| Elections and Technology |
| About the Ace Project |
| Ace Sample Materials |
| Ace Case Studies |
| Links to Other Sites |
| Glossary |

A menu bar shows the many topic areas available on the ACE Project Web site.

Enhancing knowledge services

This service line focuses on upgrading and consolidating the knowledge base of the original ACE Project by introducing dynamic components and providing a set of interactive functions and specialized services for the ACE community of users. The upgrade of this component has two thrusts.

The first task is to expand, update and improve the ACE content, with the goal of producing a comprehensive and authoritative collection of highly readable, practical and informative documents covering management approaches, alternative methods, cost considerations and policy issues in electoral administration. Except for some specialist files, the content is intended to be understandable to a lay reader without prior training in law, management, politics or election administration. The ACE documents range from descriptive and conceptual to operational and procedural. The levels of discussion are hierarchical, moving from general summary information about an electoral function down into the intricacies of particular alternative processes or concepts, and then on to highly detailed, real examples of a process or conceptual construct.

Each of the 12 topic areas is currently being updated, and particular attention is given to some key themes:

- the importance of building sustainability into the development of electoral procedures and of identifying measures that are effective at low cost
- the interconnection between different functional aspects of election administration and the general

linkage of elements within any properly functioning system of electoral democracy
- the importance of evaluation exercises in making incremental improvements to the quality of election administration from one election to another

> *The ACE Web site is used around the world, with some 200,000 visitors per month.*

- the process of continuous consultation and dialogue with stakeholder groups, such as relevant government agencies, political parties, the media and civil society groups, for the purpose of building and maintaining trust and confidence in the electoral process
- concrete suggestions for networking, descriptions of lessons learned, research and other methods for promoting professionalism in election administration
- access to samples of technical specifications and materials such as forms, checklists, laws and regulations, training guides, and reports, as well as journal articles, research, data and expertise in election administration

The second thrust, which is truly innovative in comparison with what the ACE Project currently offers, will introduce many more dynamic and interactive features to the site. The following interactive services will be available from a dynamic user menu that will accompany each text or file of the ACE Project:

- Direct and systematic links with the **EPIC Project**[1] will provide updated comparative raw data on several countries, corresponding to ACE topic areas.

- An **Electoral Resources On-line** feature will replace the sample materials function currently used on the site and provide access to a wider and more organized collection of electoral resources that is continuously updated.
- A **Focus On** feature, produced three or four times yearly, will highlight timely, cross-cutting election-related issues. In addition to the three or four pages of text that are currently produced, there will be internal links to where the topic is being discussed within ACE, external links to relevant on-line resources, and a list of further reading or resources, as well as discussion possibilities.
- **Electoral Advice On-line**, which will be closely aligned with the second service line of the project, practitioners' networking. This portal will be divided into three main sections, each providing users with a particular service:
  - first, a help desk function where users can pose questions to the members of the topic area communities of practice
  - second, an archive of questions from users, with answers from experts
  - third, an Electoral Forum, serving as a virtual meeting place where the electoral experts can debate
- **Elections Today**, a clearing house for professional development information in electoral administration. It will list events such as seminars and conferences, and provide on-line tutorials, compilations of training materials, and listings and contact details of available courses, scholarships and job opportunities; Elections Today will also feature a newsletter about the activities of the network's practitioners.
- **Case Studies** featuring particular and relevant experiences of electoral reform and innovation; the collection,

which currently displays 133 case studies on the administration of elections and experiences in different countries, will be regularly updated.
- An **ACE Electoral Quiz** interactive feature, allowing ACE users to test and expand their knowledge in the 12 topic areas of the Web site, to examine particular issues more deeply and to further improve their skills in the electoral field.

Towards a practitioners' network

This service line focuses on facilitating a more active and interactive approach to building the ACE Project as a "living" knowledge hub by actively promoting global networking and the establishment of a virtual network of practitioners in the field of elections around the 12 specialized ACE topic areas.

Unlike other fields, election administration has very little codified knowledge in the dimensions of practice: what works well, what works less well, which solutions are appropriate under which conditions, what are the more cost-effective ways of working, what are the elements of sound process management. Knowledge is developed largely through experience, without analysis, structure or input from other developed fields of study.

While networking opportunities do exist in the form of regional conferences, these meetings tend to focus only briefly on any given topic, are attended by only senior election officials and usually have no follow-up in terms of further

development of the subject matter. There is no opportunity for those who are dealing with specific tasks, such as boundary delimitation or preparation for the vote count, to exchange concerns, learn from others or share their experiences.

For election practitioners, two primary kinds of peer support are of value. The first is support for people around the world who are grappling with similar issues – dealing with boundary disputes, developing voter registration software, or finding creative and constructive ways of liaising with political parties.

The first kind of practitioners' network, therefore, will be topic-based and, in time, should become a mechanism of mutual support and professional development, a source of expertise in the field, and a quality-control mechanism for the knowledge services section of the ACE Project.

The second type of support is for those who seek to network with colleagues who share a common or similar cultural, geographical, and

The EPIC Project Web site is located at www.epicproject.org.

historical background. Building on a model that has worked successfully for the EPIC Project, entities as diverse as regional organizations, professional

associations of electoral administrators, electoral management bodies and non-government organizations that promote democracy will serve as hubs to deliver high-quality regionally tailored services to election practitioners. These organizations are also the most effective sources of data and research, country case studies, sample materials, up-to-date news, and other resources relating to how elections are run.

It will place particular emphasis on training, professional advisory services and peer partnerships, especially among electoral management bodies, to increase their capacity to administer free and fair elections.

Southern Africa will be the first pilot in the new regional strategy of the ACE Project. As part of this strategy, EISA will help strengthen existing sub-regional networks in Southern Africa, in particular, the Southern African Development Community (SADC) Electoral Commissioners Forum and the SADC Election Support Network. This will include support for electronic networking,

as well as for organizing periodic face-to-face staff meetings among the institutions involved.

Ensuring capacity development

This service line focuses on introducing a capacity development component to the ACE Project. It will place particular emphasis on training, professional advisory services and peer partnerships, especially among electoral management bodies, to increase their capacity to administer free and fair elections, and to promote their professionalism.

Overall, the objective of this third component is to more forcefully take advantage of the wealth of knowledge and expertise both in the materials and the networks of the ACE Project, so that member organizations have a menu of capacity development services. The ACE partners agree that there is growing global demand for capacity development services to electoral management bodies, as well as a growing need to improve

opportunities for the training and professional development of officials involved in election administration in developing countries and transition economies.

As this is a more exploratory, as well as potentially resource-intensive initiative, the intention is to begin with a pilot. With ACE partner EISA as the host and manager, capacity development services will be threefold: technical advisory services, training and the promotion of peer partnerships. The methodology and structure that prove successful in the pilot will form the basis for a model. The basic concept is to support the capacity of regional organizations to strengthen delivery of quality electoral services to their respective constituencies. ✖

NOTE

1. The Election Process Information Collection (EPIC) Project (www.epicproject.org) publishes comparative and country-by-country data on how countries actually manage their elections, as opposed to the principles, options and how-to information provided by ACE. The EPIC Project is a joint endeavour between the International Institute for Democracy and Electoral Assistance (International IDEA), the United Nations Development Programme (UNDP) and IFES.

Improving Vote Count Verification in Transitional Elections

Eric C. Bjornlund
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Despite the increasing popularity of exit polls in international election assistance programs, this article argues that "parallel vote tabulations" (PVTs) or "quick counts" are a more appropriate tool for verifying vote counts in transitional or post-conflict elections. PVTs – often conducted by local monitoring organizations – are generally more reliable than exit polls in political environments characterized by intimidation or uncertainty, as is typical in such elections. Although exit polls can provide insights about voter motivation, the use of exit polls to verify or project results often fails to serve the purpose of true democratization by undercutting the role of domestic organizations. To contribute more effectively to democratic elections, international donors and advisors must better understand these techniques.

The sophistication of vote count verification techniques developed since the 1980s has made it increasingly difficult for autocrats to manipulate the aggregation of election results without being exposed. International and domestic election monitors have developed effective techniques to detect this kind of fraud. Yet, despite years of experience and a large body of evidence, international organizations and experts have disagreed sharply about the appropriateness, effectiveness and reliability of particular vote count verification techniques. Different verification methods compete for resources and attention, sowing confusion and uncertainty in tense political situations. This poor coordination has threatened the international community's effectiveness in encouraging and monitoring democratic elections.

Since the 1980s, international and domestic election monitoring organizations have conducted parallel vote tabulations (PVTs) to assess the accuracy or verify the integrity of election results as reported by electoral authorities in transitional or post-conflict elections. In recent years, monitoring organizations have made increasing use of exit polls in such environments as well. In a PVT (also known as a quick count), local monitors observe the actual balloting and counting at polling stations and independently report the local results.[1] PVTs enable monitoring organizations to verify the aggregation (or "tabulation") of election results after the ballots are counted at polling stations. In an exit poll, researchers ask selected voters from a sample of polling places about how they have just voted.

But PVTs and exit polls have sometimes worked at cross-purposes. Exit polls sponsored by international groups may distract from PVTs conducted by domestic groups or may not be reliable in less-than-free political environments. Indeed, if reliable exit polls are possible in a given country, PVTs – which tend to be more expensive and difficult to organize – are probably not necessary. Where both PVTs and exit polls exist, the results of a reliable PVT should take precedence for vote count verification, and interested parties should look to exit polls primarily for insights about voter motivation as opposed to vote count verification.

Eric C. Bjornlund is also the author of Beyond Free and Fair: Monitoring Elections and Building Democracy *(Woodrow Wilson Center Press and Johns Hopkins University Press, 2004), which provides a comprehensive account of election observation in new democracies.*

Experiences from recent elections in Macedonia and Ukraine offer some important lessons about the need for better coordination among the sponsors of different election monitoring techniques. In Macedonia in 2002, a foreign-sponsored exit poll used to quickly project results overshadowed a well-executed PVT by a national group. This did little to advance the larger democratic development goals shared by all the organizations involved. In Ukraine in 2004, exit polls suggested fraud, but a PVT did not support this conclusion. Such discrepancies can hurt the credibility of election monitoring.

Comprehensive and sample-based PVTs (quick counts)

The National Citizens' Movement for Free Elections (NAMFREL) in the Philippines pioneered the idea of an unofficial "quick count" to check the accuracy of the official ballot count. By aggregating results collected from individual polling stations throughout the country for the critical 1986 "snap" presidential election, NAMFREL called the officially announced results into question and provided the basis for international criticism of the process.[2] For the 1988 plebiscite in Chile on whether President Augusto Pinochet could continue in office, domestic monitoring groups working with outside advice added an important innovation to the quick count methodology: the use of statistical sampling.[3] Since then, multilateral organizations and domestic monitoring groups advised by international organizations have successfully used statistically based quick counts to verify election results in dozens of countries.

Statistical sampling is necessary for reliable verification because a comprehensive PVT, which attempts to collect

Official observers appointed by candidates join an international observer to keep a watchful eye on transparent ballot boxes in the southern city of Mykolayiv during the repeat of Ukraine's runoff presidential election on December 26, 2004.

Photo: Anne-Marie Lalonde

all of the local election results in a country, generally cannot provide a basis for an assessment of the accuracy of the official vote count. There are two important reasons for this.

Exit polls may not always be reliable, especially in post-conflict or transitional environments.

First, monitors can never collect results from all of the polling stations in a country, even under the best of circumstances, even with plenty of time and extensive resources. It is generally more difficult to obtain results from rural or harder-to-reach areas, which might have different voting patterns than urban areas. Because the missing data are not random, it is not possible, if the election is close, for a comprehensive tabulation to assess whether the reported vote count is accurate. Even collection of a large percentage of the results will be statistically skewed and potentially misleading.

Second, civic groups using a comprehensive methodology generally cannot process and interpret the enormous amount of data in a reasonable time after the elections. This is enough of a challenge for the government and the election authorities, with all the resources and authority they command. Accordingly, the results of a comprehensive PVT are not available in time to check the officially announced results.

A comprehensive independent tabulation nevertheless can serve constructive purposes, such as providing an organizational focus for volunteers, deterring vote count fraud and providing a basis for later investigation of claims of vote count fraud in particular localities. But an independent tabulation drawn from

a statistically significant sample is both faster and more accurate than an independent count that seeks to obtain the results from all of the polling places in the country, which are inevitably incomplete and unrepresentative. Like an exit poll, a PVT can use statistical sampling to project results within statistically significant margins of error and compare them to results as reported. But a PVT differs from an exit poll in that it is based on actual polling results, as counted by election officials and witnessed by monitors, rather than on what individual voters report in interviews about how they voted.

Exit polls

Nevertheless, in recent years, domestic and international organizations have increasingly turned to exit polls to verify the officially reported results in transitional elections. They compare the findings of exit polls (and public opinion surveys) to results as reported by election authorities. Yet exit polls may not always be reliable, especially in post-conflict or transitional environments. And although they can offer insights into voter motivations, exit polls cannot generally be used reliably for verification. Exit polls are inherently too uncertain to justify questions about the credibility of official results.

Exit polls have been problematic and controversial even in the United States, where they have a long

history. For one thing, there continues to be concern that the early release of exit polls will influence those yet to vote. More important, the reliability of exit polls is in question. In Florida in 2000, for example, television networks relying on exit polls first called the race for Al Gore, then later for George W. Bush, only to finally conclude that they did not actually know the results. In 2004, exit polls erroneously showed John Kerry leading in several key states, which would have made him president.

The validity of exit polls is particularly suspect in transitional or semi-authoritarian societies, where an historic climate of intimidation may make many voters unwilling to participate. The validity of any exit poll relies on the willingness of voters to report how they voted to a stranger. Indeed, international and domestic election monitoring groups invented PVTs in part because exit polls seemed inappropriate in the climate of intimidation that has often prevailed in transitional or post-conflict elections.

Photo: AP (Wilfredo Lee)

Election workers in Fort Lauderdale, Florida, watch the November 7, 2000, election results after they have finished counting the ballots. On that election night, American television networks initially (and mistakenly) named Democratic challenger Al Gore the winner in the close presidential race, based on information from Florida exit polls.

Foreign-sponsored exit poll overshadows PVT in Macedonia

In Macedonia in September 2002, a foreign-funded exit poll went ahead, even though the elections took place in an uncertain political climate in the wake of violent ethnic clashes the year before.[4] Violence, intimidation and extreme nationalist rhetoric had plagued the pre-election environment. These conditions necessarily raised questions about whether voters felt safe to express their political preferences and, thus, about the appropriateness and accuracy of an exit poll. Intimidation was so pervasive that, despite the country's population of only two million, the international community mobilized one of the largest international monitoring efforts ever, including some 800 observers from the Organization for Security and Co-operation in Europe.

It was an exit poll that gave the impression that the opposition had actually gained more votes.

At the same time, a non-partisan Macedonian election monitoring group, Citizen's Association MOST, conducted a PVT based on random samples of actual results and reported these findings for each of the six electoral districts. Their data provided a stronger basis for assessing the credibility of the official count.[5] Nevertheless, the media and international community initially ignored these valid data because an exit poll conducted and announced by an international organization had already provided the first public numbers. Greater co-operation among monitoring organizations involved in vote count verification, both national and international, could have reduced the chances that the exit poll would undercut the position of the local organization.

Because there was no significant controversy about the election results in Macedonia, the merits of the exit poll as a means of verifying the reported results were not called into question. At the very least, though, the use of an exit poll by one international organization while another was mobilizing a virtually unprecedented monitoring effort to counter a climate of intimidation suggests at least the existence of sharply different perspectives within the international community about what monitoring approaches were appropriate.

Questions about exit poll in Ukraine

In Ukraine, it is conventional wisdom that then-opposition leader Victor Yushchenko won the initial runoff presidential election on November 21, 2004. A *Washington Post* editorial on December 2, for example, declared, "Despite the government's brazenly unfair campaign, a majority of Ukrainians voted for … Yushchenko [and] authorities then tried to steal the election …"[6] But while international observers condemned the election process, their statements did not go so far as to assert a winner. Although

Officials of Ukraine's election commission empty a ballot box after voting is over at a polling station in Kiev, during the first runoff presidential election on November 21, 2004.

these reports confirmed that the broader election process in Ukraine was seriously flawed, they offered little or no evidence that a majority actually voted for the opposition candidate.

It was an exit poll that gave the impression that the opposition had actually gained more votes. The Ukrainian election commission reported that the government's candidate, Viktor Yanukovych, won 15 million votes (49.5%) to 14.2 million (46.6%) for Yushchenko, but the exit poll by a consortium of local organizations found a 54-to-43% majority for the opposition candidate.[7] Supported by international donors, the poll surveyed 20,000 voters through ostensibly anonymous questionnaires. If this was accurate, the election commission's count overstated the result for Yanukovych by about 2 million votes, as he "really" received about 13.1 million of the 30.5 million votes cast, and correspondingly understated the result for Yushchenko by 2.2 million votes.

Yet, it would be extremely difficult to carry out such a truly massive amount of election day fraud by cheating at individual polling places. Contemporaneous reports by observers of problems, albeit extremely troubling, provided little support for the theory that several million votes were stolen a few dozen or a few hundred at a time. Rather, to carry out the extent of fraud implied by the exit polls would seem to require manipulation of the process of aggregating vote counts.

To detect such manipulation, as it had in the past, the non-partisan Committee of Voters of Ukraine (CVU) conducted a PVT based on a random sample of actual polling station results from 1,500 polling places. But it declined to report PVT results after the election because, it said, the difference between the candidates was within the statistical margin of error. In other words, the PVT showed a close race and thus appeared to rule out extensive tabulation fraud. After Ukraine's supreme court ordered a new election, the CVU did release a detailed report on the fraud its observers had witnessed

around the country.[8] Although these accounts leave little doubt that there were indeed widespread problems, they seemed inadequate in scale and scope to explain the difference between the results of the exit polls and the official count.

The international community never really knew which candidate actually received more votes in Ukraine's presidential election on November 21. Although Ukrainian and international outrage paved the way for a fairer election to take place on December 26, the failure of Western governments and the observers they funded to acknowledge the limitations of their analytical tools exacerbated the tension between Russia and the West and may complicate efforts to hold other countries to international norms.

Exit polls in Macedonia and Ukraine were accorded significant weight. Whether those exit polls were appropriate and their methodology sound remains open to question. For different reasons, these exit polls overshadowed well-executed PVTs in both countries.

Choosing appropriate tools and improving coordination

The experiences in Macedonia, Ukraine and elsewhere raise important questions about the appropriateness and effectiveness of different kinds of vote count verification techniques. To continue to deter or detect manipulation of the vote counting process, election monitoring organizations must continue to maintain the discipline of rigorous, robust verification of election results, and they must adapt to new technological and political challenges. Statistically based PVTs – which draw on much larger sample sizes than exit polls and are based on actual results, like comprehensive tabulations – will continue to be important in transitional societies lacking a history of successful polling or a fully stable, secure political environment.

Greater international co-operation is needed to consider the appropriate circumstances for PVTs, exit polls and other tactics to assess the legitimacy of vote counts in transitional or post-conflict elections. Variables in such a calculus will include the available budget, the salience of the election, the size and complexity of the country, the nature of the electoral system, the state of political development, and the capability of domestic election monitoring organizations.

Although international organizations, donors and advisors share the same goals for elections in new and emerging democracies, they sometimes work against one another. It is critically important for the relevant international organizations and experts to consider carefully the issues involved in designing, implementing, interpreting and assessing vote count verification exercises, and to attempt to agree

Photo: AP (Alexander Zemlianichenko)

Supporters of opposition presidential candidate Viktor Yushchenko react favourably to the first exit poll results during a rally at the Independence Square in Kiev, on December 26, 2004.

on which vote count verification techniques are appropriate in which circumstances.

To make a continuing contribution to combating election fraud, PVTs and similar verification efforts must be publicly explained and well understood by authorities and international advisors. Legitimate concerns must be better addressed, and international actors in the democracy field have to try to learn from and co-operate with each other. Better coordination among donors and implementing organizations is essential to ensure the continued effectiveness of vote count verification in controversial elections. ✍✖

NOTES

1. Practitioners, donors and commentators have not maintained a rigorous distinction between the terms "parallel vote tabulation" and "quick count." In some regions and countries, the term "parallel vote tabulation" refers to a sample-based verification exercise, and the term "quick count" connotes a comprehensive tabulation. In other places, the term "quick count" has been used when the purpose of the exercise was to rapidly project results after the close of polls, rather than to later verify official results. For the purposes of this article, I use the two terms as synonyms.

2. NAMFREL, *The NAMFREL Report on the February 7, 1986 Philippine Presidential Elections* (Manila: National Citizens Movement for Free Elections, 1986); Lewis M. Simons, *Worth Dying For* (New York: W. Morrow, 1987), p. 247; David G. Timberman, *A Changeless Land: Continuity and Change in Philippine Politics* (Armonk, New York: M. E. Sharpe, and Singapore: Institute of Southeast Asian Studies, 1991), p. 147; National Democratic Institute for International Affairs (NDI), *Reforming the Philippine Electoral Process: Developments 1986–88* (Washington: NDI, 1991), p. 48.

3. Larry Garber and Glenn Cowan, "The Virtues of Parallel Vote Tabulations," *Journal of Democracy* Vol. 4, No. 2 (April 1993), p. 100.

4. Williams and Associates, "Exit Poll Analysis: Republic of Macedonia 2002 Parliamentary Elections" (November 2002), available at www.iri.org/pdfs/MK_Exit_Poll.pdf.

5. Citizen's Association MOST, *Monitoring Report: Parliamentary Elections 2002* (election report), pp. 26–28, available at www.accessdemocracy.org; "Citizen's Association MOST Announces Parallel Vote Tabulation Results in Four Districts" (press release, Skopje, September 16, 2002), available at www.accessdemocracy.org; Eric C. Bjornlund, *Beyond Free and Fair: Monitoring Elections and Building Democracy* (Washington: Woodrow Wilson Center Press, and Baltimore: Johns Hopkins University Press, 2004), p. 287.

6. "Democracy for Ukraine," *Washington Post* (editorial, December 2, 2004), p. A34.

7. Peter Finn, "Partial Vote Results Show a Tight Race in Ukraine Runoff," *Washington Post* (November 22, 2004), p. A15.

8. Committee of Voters of Ukraine, "Report of the Committee of Voters of Ukraine on Observation of Voting and Vote Tabulation on November 21, 2004" (report, December 2, 2004), available at www.cvu.org.ua, under the section on "Presidential" elections.

Political Financing and International Electoral Co-operation

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The Organization of American States (OAS) and the International Institute for Democracy and Electoral Assistance completed an unprecedented comparative analysis of political party and campaign financing in the 34 member states of the OAS. The relationship between money and politics affects all countries, big and small, rich and poor. The observations and results of the three-volume study are intended to assist political reformers in the hemisphere and suggest solutions to international organizations supporting their efforts. This study was made possible through generous contributions from the government of the United States and the Canadian International Development Agency. Elections Canada provided financial and substantive support, co-hosting a workshop for U.S. and Canadian electoral officials, academics and politicians, as well as drafting an important concept paper on enforcement mechanisms.

Do elections cost too much?

The leaders of the Western Hemisphere posed that question in 2001, when they approved the *Inter-American Democratic Charter* and expressed their concern for "the problems associated with the high costs of election campaigns." Four months previously, at the Third Summit of the Americas in Québec, the presidents and prime ministers of the same countries mandated the OAS to address issues related to political party funding and access to the media.

In response, the OAS, in conjunction with the International Institute for Democracy and Electoral Assistance, embarked on an unprecedented 34-country comparative analysis that focused on four themes specific to political party and campaign financing: disclosure, enforcement, public financing and access to the media.

A separate analysis included the effects of financing on the political participation of women.[1] The purpose of the study was not just to catalogue norms, but to analyze how they are applied.

Ultimately, changing the relationship between money and politics is not primarily a technical task, but an unpredictably political one. This study takes into account the normative aspects of regulating party and campaign financing, but pays particularly close attention to the political contexts. Political leaders in countries as disparate as Canada, the United States, Mexico, Chile, Peru, Honduras and Guatemala have implemented new political financing regimes, each with its own objectives and each with its own consequences. The comparative analysis details these initiatives and offers some general recommendations for political reformers and the international community.

* *The views expressed are those of the author and do not necessarily reflect those of the Organization of American States.*

Disclosure

The methodology of this analysis included collecting hard information, such as political financing legislation, cost estimates and regulations affecting media access.[2] Additionally, national researchers attempted to place this information in its appropriate political context by interviewing political leaders, academics and representatives of civil society. Political leaders in particular decried the escalating costs of politics, attributing most of this increase to media expenses. Paradoxically, though, few could say with any precision how much elections actually cost. This revelation should not come as a surprise, however. While disclosure in Latin America is on the books (see table on next page), it is hardly enforced. In the Caribbean, disclosure, especially for parties, is practically non-existent. Canada and the United States are the exceptions, although information can be slow in coming and totalling the expenditures of groups not directly affiliated with parties or campaigns can be challenging.

Photo: AP (J. Scott Applewhite)

President George W. Bush (right) and Democratic challenger Senator John Kerry, pictured here at one of their televised debates as presidential candidates, both ran very expensive campaigns in 2004.

Estimates of campaign expenditures vary from region to region. In the Caribbean, some political leaders in Jamaica speculate that financing a general election campaign could run as high as C$7.4 million (US$6 million), while in Antigua and Barbuda the price tag might reach C$2.5 million (US$2 million). The preponderance of public financing in Mexico offers the clearest picture in Latin America. For the presidential elections of 2000, parties received C$453 million (US$366 million) from the State, mandated to represent 90% of total financing.

Canada and the United States both held elections in 2004, both under new campaign financing rules. Vigorously controlled limits on campaign expenditures in Canada helped keep the spending of the political parties, candidates and third parties to a relatively modest C$101.5 million (US$83.2 million) – while in the United States, the totals of the two presidential campaigns, political parties and advocacy groups ("527s"[3]) approached C$3.7 billion (US$3 billion), with a little more than C$1.38 billion (US$1.1 billion) spent on congressional campaigns.[4] Electing a chief executive and a legislature cost about 50 times more in the United States than in Canada, or about five times as much per capita when their respective populations are taken into account.

Enforcement

Canada and the United States aside, disclosure is dramatically lacking in the Western Hemisphere. A study

Within six months of voting day in a general election, each of Canada's registered political parties must submit a report on its campaign spending to the Chief Electoral Officer. Candidates and third parties that advertise for or against a candidate or party during an election also submit reports.

Political Party and Campaign Financing in the Caribbean, Latin America and North America

Country	Disclosure	By party	By candidate	Contribution limits	Spending limits	Public funding	Media limits
Caribbean							
Antigua and Barbuda	Yes, not enforced	No	Yes	No, anonymous contributions	No	No	No
Bahamas	No	No	No	No	No	No	No
Barbados	Yes	No	Yes	No	Yes, limited to candidates	Yes	Partial, on TV and radio
Belize	No	No	No	No	No	No	No
Dominica	No	No	No	No	No	No	No
Grenada	No	No	No	No	No	No	No
Guyana	Yes, not enforced	No	Yes	No	Yes, not enforced	No	No
Haiti	No	No	No	Yes, not enforced	No	No	No
Jamaica	Yes, not enforced	No	Yes	No	Yes, not enforced	No	No
St. Kitts and Nevis	No	No	No	No	No	No*	No
St. Lucia	No	No	No	No	No	No	No
St. Vincent and the Grenadines	No	No	No	No	No	No	No
Suriname	Yes	No	Yes	No	No	No	No
Trinidad and Tobago	Yes	No	Yes	No	Yes, limited to candidates; not enforced	No	No
Latin America							
Argentina	Yes	Yes	No	Yes	Yes	Yes	Yes**
Bolivia	Yes	Yes	No	Yes	No	Yes	Yes
Brazil	Yes	Yes	Yes	Yes	No	Yes	Yes
Chile	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Colombia	Yes	Yes	Yes	No	Yes	Yes	Yes**
Costa Rica	Yes	Yes	No	Yes	No	Yes	Yes
Dominican Republic	Yes	Yes	No	No	No	Yes	No
Ecuador	Yes	Yes	No	Yes	Yes	Yes	Yes**
El Salvador	No	No	No	No	No	Yes	No
Guatemala	Yes	Yes***	No	No	No	Yes	No
Honduras	Yes	Yes	No	No	No	Yes	No
Mexico	Yes	Yes	No	Yes	Yes	Yes	Yes**
Nicaragua	Yes	Yes	No	No	No	Yes	Yes
Panama	Yes	Yes	Yes	No	No	Yes	No
Paraguay	Yes	Yes	Yes	Yes	No	Yes	Yes**
Peru	Yes	Yes	No	Yes	No	Yes	Yes
Uruguay	No	No	No	No	No	Yes	No
Venezuela	Yes	Yes	Yes	No	No	No	No
North America							
Canada	Yes	Yes	Yes	Yes	Yes	Yes	Yes
United States	Yes	Yes	Yes	Yes	Yes****	Yes****	No

* There is no public funding, other than remission of customs duties for vehicles and some other election-related materials brought in by political parties.

** There is an indirect limit, usually determined by the overall limit for the presidential campaign. Brazil has limits for radio and television. Chile has limits for television, but not for radio, cable or press. In Colombia, private media advertising is banned for parliamentary elections.

*** Only for public financing.

**** Only for publicly funded presidential primary and general elections and only if the candidate accepts the public funding. Public funding is provided to qualified political parties for their respective party conventions.

by the United States Agency for International Development revealed that the Caribbean and Latin America required less information from their candidates and parties than most other regions of the world. Even where disclosure is required, it is seldom enforced.

Elements of public financing are present in 17 of 18 Latin American countries, although in the Caribbean, only Barbados provides state funds to parties.

In most cases, electoral bodies are charged with enforcement of the political financing legislation, by any measure an ominous challenge. Usually, though, enforcement agencies are further handicapped by a lack of human, technological and financial resources. The lack of resources is a product of increasing fiscal austerity, but also of a lack of political will. Budgets provided to the electoral commissions pale in comparison to the resources of the parties and campaigns during elections. There are important exceptions, though. The Federal Electoral Institute in Mexico and the Electoral Tribunal of Panama demonstrate that robust enforcement is not impossible in Latin America. While a number of factors contribute to the effectiveness of these bodies, including juridical and administrative autonomy, the simultaneous distribution of public financing to the parties themselves provides an important "carrot and stick" for enforcement.

Public financing

Many assert that disclosure cannot merely be forced on political parties. The "carrot," they argue, can be more effective than the "stick." The international community has been particularly enthusiastic about public

financing as just such an alternative. Not only does public financing introduce an important element of transparency and accountability, it also provides a modicum of political equity and allows parties to exist between elections, making them more permanent institutions in democracy. Indeed, elements of public financing are present in 17 of 18 Latin American countries, although in the Caribbean, only Barbados provides state funds to parties and on a very limited basis.

State resources have allowed otherwise disadvantaged individuals (women, in particular) to become viable political candidates in Canada, Panama and Argentina and have helped level the playing field in Mexico, previously dominated by the Institutional Revolutionary Party. Despite the potential of public financing to make politics more equitable and transparent, evidence indicates that it supplements rather than supplants private funding. Using the public purse has not necessarily made campaigns cheaper. Moreover, increasing fiscal

pressures as well as a growing public disenchantment with parties probably preclude the enactment of generous public financing regimes, although their role will remain important.

Access to the media

Indirect public financing through media exposure is a case in point. Access to the media in the hemisphere is a *sine qua non* to a viable candidacy, but this access does not guarantee electoral success. In an effort to provide equal opportunity, Brazil and Chile make free media time available to political parties. They provide this media time not only during elections, but between them as well, with the intent of institutionalizing parties and contributing to public discourse. Again, publicly provided media exposure has yet proven to limit – let alone decrease – the escalating costs of campaigns. Other issues currently being addressed in the hemisphere include more qualitative aspects of media, including the regulation of polls, the right of response and the concentration of media ownership. Attempts to legislate the quality of media coverage, however, bump up against freedom of expression issues

Photo: AP (Dolores Ochoa)

A group of Ecuadorean women with candles and funeral attire march through Quito streets in 2002 to protest the low number of women candidates in that year's elections.

and should be addressed with caution by politicians.

Does political financing affect the political participation of women?

Financing represents a formidable obstacle to women as they consider whether or not to run for office. In the United States, at least one poll indicated that women are much more hesitant to become candidates because they do not believe that they are as well positioned as men to raise funds. This poll of state legislators in the United States revealed that 37% of women admitted that they had never considered running for office until someone else suggested it to them and only 11% stated that the decision to run was entirely their own. The same poll revealed almost opposite results for men.[6] Anecdotal evidence suggests that women face similar doubts in Latin America and the Caribbean.

Their trepidation is not unfounded. Private contributors in Latin America and the Caribbean are few in number. It is often difficult for women with no previous political credentials to penetrate these circles and raise the funds to mount a viable campaign. In Latin America and the Caribbean, especially, and perhaps to a lesser

Political financing regimes can be made more transparent and equitable through continued political reform and the support of the international community.

degree in the United States and Canada, women are often the primary caregivers in the household. Interviews and the limited empirical research available in the hemisphere suggest that women have costs often not incurred by men when they decide to pursue public office, including child care and household responsibilities.

Many countries have introduced targeted training and economic incentives for political parties – either through legislation or voluntary means – to increase the participation of women in political structures, but much is still left to be done. Equal Voice, a multi-partisan advocacy organization that promotes the involvement of women in politics in Canada, has advocated reform of the electoral system and the lowering of many financial requirements that exclude women. According to this group, women's participation in Parliament has been slipping recently. With only 65 female members of Parliament (21%), Canada ranks 36th in the world among democracies in terms of women's representation in the national legislature, after Nicaragua.[7]

Private funding mechanisms, such as EMILY's List[8] (Early Money Is Like Yeast) in support of Democratic women and its Republican equivalent, the WISH List[9] (Women In the Senate and House), in the United States serve as particularly interesting models that require further study and potentially modified replication. Tapping into the potential of women as politicians and contributors has made EMILY's

EMILY's List, a large grassroots political network, is dedicated to recruiting, funding and electing Democratic women to federal, state and local office in the United States.

List one of the largest political action committees in the country.

Again – do elections cost too much?

No doubt the cost of politics is rising. Public financing, free media exposure, and contribution and expenditure limits have yet to stem the tide. Reform-minded political leaders and the international community continue to seek ways to promote norms and strengthen practices that promote transparency, enforcement and equity, especially in the media. Public financing and free media exposure are important tools for achieving these goals, but the strategy must include other elements, such as incentives for political parties to abide by campaign legislation, and increased resources for enforcement entities to investigate and, if need be, sanction violators.

Controls and limits should not just be limited to the demand side of politics (i.e. the candidates and the parties), but the supply side as well. Business

leaders and media conglomerates, especially in Latin America and the Caribbean, must respect legislation governing their participation in politics. Until the contributors as well as the recipients become an integral part of the regulatory framework, electing and being elected in an equitable and transparent manner will remain an unattainable illusion.

In the age of instant communication and increasing reliance on the mass media, it is probably unrealistic to believe that politics can be made cheaper. However, political financing regimes can be made more transparent and equitable through continued political reform and the support of the international community. Political reform begins with the parties themselves, but its effectiveness will also depend on enforcement agencies, advocacy groups and watchdog organizations. The international community must continue to offer practical know-how and promote best practices to support those seeking to reform political financing regimes and those ultimately charged with enforcing them.

Through this study, the OAS does not prescribe any particular formula for financing parties and campaigns, but offers instead some guiding principles and positive models that merit consideration. Ultimately, each political financing regime will reflect its country's political history and democratic values. The political financing regime in Canada promotes equity; the United States regime values freedom of expression and Mexico's remedies past inequities. As political reformers in the Western Hemisphere attempt to change the relationship between money and politics, the international community should stand ready to provide technical and political support with an appreciation of these varied political values. ✎✖

NOTES

1. The comparative analysis was divided into three geographical volumes: *De las normas a las buenas prácticas* (Latin America); *From the Grassroots to the Airwaves* (Caribbean); and *The Delicate Balance between Political Equity and Free Speech* (United States and Canada). All three volumes can be accessed through www.ddpa.oas.org/publications.

2. In each of the 34 countries covered in this study, national researchers were hired to complete an extensive questionnaire, conduct interviews with political leaders, electoral authorities, and academics, and provide a concise analysis of the effects of legislation and pending reform. The information from these national analyses served as the input for the thematic chapters on enforcement, disclosure, public and private financing regimes, access to the media and gender. Separate thematic authors were contracted in each of the three regions.

3. The term "527" refers to the section of the U.S. Internal Revenue Code that regulates advocacy groups that raise money for political activities including voter mobilization efforts and issue advocacy, but do not expressly advocate the election or defeat of a federal candidate. Unlike political parties, 527s are not required to file with the Federal Election Commission.

4. Figures for the United States were obtained from the Center for Responsive Politics and are current as of August 1, 2005 (www.opensecrets.org). The Canadian figures are as submitted by the political parties, candidates and third parties to Elections Canada. Expenses related to party leadership contests and candidate nomination contests are not included. The breakdown of expenses includes the following:

5. United States Agency for International Development, *Manual de financiamiento de la actividad política: una guía para fomentar la transparencia en las democracias emergentes* November 2003, p. 37. (Translation provided by the OAS Unit for the Promotion of Democracy.)

6. "Is Financing an Obstacle to the Political Participation of Women?" Final Report, OAS Unit for the Promotion of Democracy, the Inter-American Commission on Women, and the International Institute for Democracy and Electoral Assistance, December 16, 2003. Available at www.upd.oas.org/fiapp.

7. www.equalvoice.ca

8. www.emilyslist.org

9. www.thewishlist.org

Campaign Spending in the Federal Elections of November 2, 2004, in the United States and the 38th General Election for the House of Commons on June 28, 2004, in Canada (millions)

	United States		Canada	
Presidential campaigns (including primaries)	C$1,009.8	(US$828)	N/A	
Congressional/House of Commons candidates	C$1,384.1	(US$1,135)	C$49.8	(US$40.8)
Political parties	C$1,934.3	(US$1,586)	C$51	(US$41.8)
Advocacy groups/Third parties	C$743	(US$610)	C$0.72	(US$0.59)
Totals	**C$5,071.2**	**(US$4,159)**	**C$101.5**	**(US$83.2)**

International Electoral Co-operation and Assistance
Lessons from Bosnia and Herzegovina

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International electoral co-operation and assistance have become dominant features of elections, especially in the new liberal democracies. In the last 30 years, organizations – governmental and non-governmental, in North America and abroad – that have electoral assistance and co-operation as their central purposes have grown tremendously. While "free and fair elections" has become a widely accepted goal, the contested nature of democracy is evident in judgments about the quality of particular elections. The case of Bosnia and Herzegovina – complex because of the republic's violent birth and diverse ethnic population – illustrates a number of issues that international agencies and their field personnel must handle. One set of issues involves the registration of voters and the accuracy of voters lists. Another set relates to the uncoordinated work of municipal election commissions, which were also hampered by a shortage of personnel and funds. Electoral reforms in 2004 suffered from an ill-considered provision for representation of "ethnic minorities" on municipal councils. The varying interests of political parties and social entities have hindered election system development.

Since the 1980s, a rapid and extraordinary institutionalization of international electoral co-operation and assistance has occurred, especially in the case of the newly fledged liberal democracies of the last 25 years or so. This article identifies major actors in the world of international electoral assistance and co-operation; discusses the contested meaning of democracy; and, with reference to Bosnia and Herzegovina,[1] highlights some issues challenging the development of election systems.

The growth of international electoral assistance

At one time, a country's elections were its own business. National political systems developed policies, rules and procedures, unaware of how other systems handled problems, unconscious of "best practices." Even within countries, this was true. For example, in Canada, although elections had been a central feature of politics for over a century, national and provincial election officials had no systematic contact before 1970. The contemporary global interest in international electoral assistance reflects the

emergence of globally shared values, especially concerning the desirability of democratization and the conduct of "free and fair elections."

Internationally, limited efforts by the League of Nations and the United Nations aside, the first forms of electoral co-operation were largely driven by American ideals and interests.[2] For the first two thirds of the last century, the United States helped various countries establish and implement election systems. What Thomas Carothers[3] has termed the "first wave" of assistance to democracy – in the 1960s and 1970s – was primarily motivated by the American belief that democratization would counter Soviet-inspired political destabilization. Similar, but more ideological, thinking motivated the second wave of democratization that began in the 1980s. In the United States, private agencies emerged as part of "Project Democracy," which competed at the level of ideas with Marxism-Leninism.[4]

Although some other countries had developed international electoral assistance programs prior to the second wave of democratization, the 1980s saw a veritable explosion of international agencies – governmental and non-governmental – with electoral assistance and co-operation in their mandates. Europe's developing interest manifested itself in the *Charter of Paris for a New Europe* (1990) and its Office for Free Elections, later the Office for

> *The 1980s saw a veritable explosion of international agencies – governmental and non-governmental – with electoral assistance and co-operation in their mandates.*

Democratic Institutions and Human Rights (ODIHR). The Commonwealth of Nations put election assistance high on its agenda. Leading international electoral assistance agencies are shown in the box below.

The interactions between international agencies, on the one hand, and domestic institutions, political parties and social groups, on the other, are complicated by controversies about what constitutes "free and fair elections."

Contested concept: "free and fair elections"

The simplicity and popular appeal of the "free and fair elections" concept obscures its embedded contentiousness. Robert Dahl, a leading American political scientist, specifies a number of criteria that democracy requires. Citizens elect officials who control government decisions. Elections are "free, fair, and frequent" and "coercion is comparatively uncommon." Citizens can exercise freedom of expression "without danger of severe punishment." They have

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Leading international electoral assistance and co-operation agencies

- Carnegie Endowment for International Peace (www.ceip.org)
- Carter Center (www.cartercenter.org)
- Commonwealth of Nations (www.thecommonwealth.org)
- Friedrich-Ebert-Stiftung (www.fes.de)
- IFES (www.ifes.org)
- International Institute for Democracy and Electoral Assistance (www.idea.int)
- International Republican Institute (www.iri.org)
- Inter-Parliamentary Union (www.ipu.org)
- Konrad Adenauer Foundation (www.kas.de)
- National Democratic Institute for International Affairs (www.ndi.org)
- National Endowment for Democracy (www.ned.org)
- Office for Democratic Institutions and Human Rights (www.osce.org/odihr)
- Office of the High Representative in Bosnia and European Union Special Representative (www.ohr.int)
- Organization for Security and Co-operation in Europe (www.osce.org)
- Organization of American States (www.oas.org)
- United Nations Development Programme (www.undp.org)
- United Nations Electoral Assistance Division (www.un.org/Depts/dpa/ead/eadhome.htm)
- United States Agency for International Development (www.usaid.gov)

access to many, independent, and alternative sources of information, and the right to "associational autonomy." All of these are stated in the context of *inclusive citizenship*, understood as no denial of rights "that are available to others" and "are necessary" for the conditions mentioned.[5]

Dahl's use of "comparatively" and "severe" indicates that judgments about electoral systems are a matter of degree. All election systems – even the well-established – have inevitable flaws and problems.[6] The American presidential elections of 2000 and 2004 raised concerns about the process in Florida and Ohio, respectively, states decisive for the final result. In the United Kingdom, the recent expansion of postal voting soon resulted in extraordinary abuses and the voiding of some municipal elections.[7]

Eric C. Bjornlund, a lawyer highly familiar with election monitoring, observes that "there has been surprisingly little progress in the development of a practical set of criteria by which to judge whether an election has been free and fair."[8] The subjectivity of "free and fair" justifies his call for election monitoring to be based "on the methodologies and professionalism of observers and the quality of their analysis rather than merely on whether they endorse or question an election's legitimacy."[9]

Although various election observation agencies, such as the United Nations Electoral Assistance Division (UNEAD), the Carter Center and the National Democratic Institute for International Affairs (NDI), are currently developing standards and codes of conduct, two essential problems remain. Judgments about the conduct of elections are subject to partisanship, from which international agencies

Bosnian workers for the Organization for Security and Co-operation in Europe sort absentee ballots cast in Bosnia's 1996 elections at an OSCE warehouse in a Sarajevo suburb.

have not been immune. Second, democratic theorists differ on the merits of providing guaranteed representation by gender, or for specific social formations, such as ethnic groups.

International electoral assistance and co-operation in Bosnia and Herzegovina

The bloody break-up of Yugoslavia from 1990 to 1995 culminated in the Dayton Peace Accords, which legitimated the republics of Bosnia, Croatia and Serbia. In 1996, Bosnia held elections, which were noteworthy for being a studied and financially well-supported attempt to move from ethno-nationalist politics to electoral competition among parties that straddled its diverse communities and provided moderating influences.[10]

The Dayton agreement resulted in the creation of the Office of the High Representative in Bosnia and European Union Special Representative (OHR) and assignment to the Organization for Security and Co-operation in Europe (OSCE) of authority to establish elections (at the

national, state and municipal levels), which followed recommendations from ODIHR. The attempt to "engineer" electoral processes had mixed and controversial results. Yannick du Pont, a well-placed European observer, noted that OSCE, having funded all parties in the 1996 elections (including one led by an accused war criminal), in the 1998 elections provided (now non-financial) support mostly to multi-ethnic parties. OSCE was criticized by ODIHR for its lack of neutrality.[11] Carrie Manning, an American political scientist, described OHR as using elections "as an explicit tool for sidelining the nationalist parties, encouraging moderates, and improving compliance with Dayton."[12] The 1996 elections were widely interpreted as reinforcing Bosnia's ethnic divisions.[13] Subsequent elections saw declines in support for the nationalist parties, though they remained dominant.[14]

By 2001, a Provisional Electoral Commission, still managed by OSCE but with Bosnian representation, controlled Bosnian elections. A permanent Electoral Commission

(Bosnian-managed with international representation) was established for the 2002 general elections. In April 2005, OHR announced that effective June 30, 2005, the three international members of the Commission would withdraw, marking a further step in Bosnia's electoral evolution.

Despite the Commission's accomplishments, major problems persist with voter registration, the accuracy of the voters list and fears of voter intimidation.[15] Approximately two million Bosnians were displaced by war or sought permanent residence outside the country. The largely successful return of confiscated property has not been matched by the populace's return to their former residences. Voters fall into one of three categories: regulars (living in their municipalities of registration); postal voters (living outside Bosnia and required to re-register for each election); and absentee voters (living in one municipality and registered to vote in another, but who may cast special ballots for counting and allocation to their municipality of registration).

> *Despite the Commission's accomplishments, major problems persist with voter registration, the accuracy of the voters list and fears of voter intimidation.*

In the first post-war years, there was justified mistrust of political parties, given the overwhelming strength of the hardline ethnic nationalist parties.[16] Fears of voter intimidation led to voters lists not being distributed to political parties. Latterly, voter intimidation has diminished sharply; however, the Commission's fear of the threat remains, so it is reluctant to display voters' addresses. The current voters list suffers from voters often

being registered in the wrong polls. A more accurate list depends on the Commission's ability to engage the political parties in the updating process.[17]

Notification of death remains a civic responsibility of the family (and not of attending physicians or hospitals), resulting in large numbers of deceased on the "current" voters list. Revising the civil requirement of death-notification by assigning statutory responsibility to the health care system would be a simple improvement, easily undertaken.

Another problem with the accuracy of the voters lists lies in the varying performances of the municipal election commissions (MECs).[18] Their members are nominated by the mayors and councils of individual municipalities (and confirmed by the Commission); inevitably, there are partisan appointments.

More damaging, however, are the MECs' uncoordinated activities. Many, but not all, set up centres in schools to register those who will be of voting age at the next election; few actively register "returnees" (i.e. displaced persons returning to their former properties, possibly registered to vote in another municipality). In some cases, political parties have an interest in keeping their "ethnic vote" registered as absentees and voting in their wartime (or immediate post-wartime) residences.[19] The effect is high party pluralities in particular seats (producing more parliamentary and council seats) to the detriment of voters' representation in their areas of residence. This was certainly the case in Bijeljina. Few

of the approximately 15,000 Bosniak (i.e. Bosnian Muslim) returnees to this predominantly Serb municipality were re-registered as regular voters of Bijeljina. The only complaint came from a moderate multi-ethnic party (the Alliance of Independent Social Democrats – SNSD) that does not appeal directly to Bosniaks.

Monitoring the MECs' effectiveness has been hampered by a chronic shortage of personnel and funds at the Electoral Commission, a situation that may have been ameliorated by election law amendments made in 2004. They included:

- regular funding for the Electoral Commission from the national budget
- regular funding of MECs from municipality budgets
- some new regulations on the composition of MECs
- changes in the selection of polling station committees
- changes to the regulations on the use of paid electronic media advertising
- change in the fixed date of all elections
- guaranteed ethnic minority representation on municipal councils

Encouraging minority representation warrants a closer look. Bosnia's three principal ethnic populations (referenced as "constituent peoples") – Bosniak, Serb and Croat – have certain rights enshrined in the constitution as accepted at Dayton and amended by the Bosnian national and state legislatures in early 2002.[20]

The proposed addition to the national election law – so indeterminate that it was unclear how many seats on a municipal council would have been available to "ethnic minorities" – put the ethnic minority cart before the constituent peoples' horse.[21] While the

constitution's 2002 amendments guaranteed a minimum standing for all constituent peoples in the national and state legislatures and in the government, no such provision had been made for municipal councils. The 2004 amendments could have produced, for instance, representation in the Banja Luka council for Hungarians, but not for Croats.

Encouraging minority representation warrants a closer look.

What was the source of the "ethnic minorities" idea? This is a well-known project of the Council of Europe. Every Bosnian institution, indigenous and international, from Lord Ashdown, the High Representative, to the most junior member of a remote municipal council professes a commitment to doing everything required to "join Europe." Was the "ethnic minorities" idea placed with the Electoral Commission as a European standard?

A Muslim couple in Sarajevo cast their ballots in the 2000 general elections in Bosnia.

NDI warned the Commission of the amendment's pitfalls and lobbied OHR, OSCE, several embassies representing countries of the Peace Implementation Council[22] and administrative staff at the national legislature. It remains unclear which political body – Bosnian or non-Bosnian – initiated the proposed change in municipal representation. OHR, according to one senior voice, insisted it was "out of the election business."[23]

NDI held a round of meetings with embassy officials in Sarajevo to alert them to the wider implications of the amendments to the election law and, in particular, to potential problems created by amending the law after the election date was announced.[24]

OSCE knew of and appreciated the situation, as it had a well-prepared commentary on apprehended problems with the election law amendments, though it is not known if its senior administrators had been apprised of the commentary. However, it appears that OSCE, having created and fledged the Bosnian Electoral Commission, was not prepared to criticize the Commission or impinge on its independence.

The Commission was also below complement. It was supposed to have one member from each of Bosnia's three constituent peoples and one "other." However, the Serb appointee resigned in 2002 and was not replaced,

because supplementary appointive powers had not been established. The Bosniak member of the Commission had been seriously ill for many months and died at the time the election law amendments were going forward to the national parliament.

The national parliament passed this flawed legislation without comment from either the OHR political observers or any Bosnian politicians. Many international workers in the field of democratization have ample legal experience, but little or no experience with political party activities and the actual effects of election laws; thus it is probable that OHR observers did not have adequate experience to comment. Bosnian politicians have not established an effective committee system, wherein legislation is critically examined. Latterly, work by international organizations in this field has shifted from strict parliamentary committee work to the more currently popular idea of committees holding public meetings.

Although the 2004 amendments were passed by the Bosnian national legislature, the Electoral Commission declared that they would apply selectively to that year's municipal elections (paid electronic media advertising; changes in selection process for polling station committees). There was no change of election date or provision for guaranteed minority representation.

International organizations working in Bosnia failed to coordinate their activities, creating recipient fatigue. For example, often the same party activists were trained over and over by different organizations.[25]

In sum, the case of Bosnia illustrates the complexities of electoral co-operation and assistance. Agency personnel must be cognizant of the difficulties in determining fair and free elections caused by the varying capacities of domestic institutions, the varying agendas of international agencies, and the varying interests of domestic political and social organizations. ✎✗

NOTES

1. For brevity, henceforth we refer to Bosnia and Herzegovina as Bosnia.

2. Yves Beigbeder, *International Monitoring of Plebiscites, Referenda and National Elections: Self-determination and Transition to Democracy* (Dordrecht, Netherlands: M. Nijhoff, 1994).

3. Thomas Carothers, *Aiding Democracy Abroad: The Learning Curve* (Washington: Carnegie Endowment for International Peace, 1999).

4. Carothers, *Aiding Democracy Abroad*, pp. 20–29.

5. Robert A. Dahl, *On Democracy* (New Haven: Yale University Press, 1998), p. 85.

6. Beigbeder, *International Monitoring*, p. 145.

7. Six municipal councillors in Birmingham were removed from office following a judicial investigation into allegations about postal voting abuses; see Richard C. Mawrey, QC, Commissioner, *In the Matter of a Local Government Election for the Bordesley Green Ward of the Birmingham City Council Held on 10th June 2004 and in the Matter of a Local Government Election for the Aston Ward of the Birmingham City Council Held on 19th June 2004.* Available from Her Majesty's Courts Service Web site: www.hmcourts-service.gov.uk/cms/files/full_judgment_bordesley_green-aston_wards_election_10th_june_2004.pdf. (Accessed May 31, 2005.)

8. Eric C. Bjornlund, *Beyond Free and Fair: Monitoring Elections and Building Democracy* (Washington: Woodrow Wilson Center Press, 2004), p. 95.

9. Bjornlund, *Beyond Free and Fair*, p. 121.

10. Carrie Manning, "Elections and Political Change in Post-War Bosnia and Herzegovina," *Democratization* Vol. 11, No. 2 (April 2004), pp. 60–61.

11. Yannick du Pont, "Democratisation through supporting civil society in Bosnia and Herzegovina," *Helsinki Monitor* Vol. 11, No. 4 (2000) p. 12.

12. Manning, "Elections and Political Change," p. 69.

13. Manning, "Elections and Political Change," p. 63.

14. Manning, "Elections and Political Change," pp. 67, 82.

15. With reference to the October 2004 elections, the topic of anomalies with the voters list and fears of voter intimidation arose in conversation between NDI and the Electoral Commission (March 24); with Mrs. Srbrenka Golic, chief of staff to the Alliance of Independent Social Democrats (SNSD) leader Milorad Dodik (February 23 and April 2); with Mr. Peter Djokic, leader of the Socialist Party of the Republika Srpska (SPRS) on April 7; and in comments received in training seminars for SNSD, SPRS, and the Democratic Peoples' Alliance (DNS) given by the NDI political party staff from February to June 2004.

16. Serb Democratic Party (SDS); Party for Democratic Action (SDA); and Croatian Democratic Union (HDZ).

17. Bosnia is the only country in the former Yugoslavia to provide parties with an electronic voters list, but it is in an inefficient, "unsortable" PDF format.

18. The chairperson of a MEC is roughly equivalent to an electoral district returning officer in Canada.

19. Meetings on July 14 and July 28, 2004, with Mr. Dimitrije Ivanic, MP (SNSD mayoralty candidate in Bijeljina); meetings on July 29 and August 10 with Dr. Lazar Prdanovic, MP (SNSD mayoralty candidate in Zvornik). Confirmed in discussions with U.S. Embassy political staff on July 8 and July 21.

20. "Ethnic minorities" (numbering 17) have some constitutional standing as "others."

21. The Bosnian constitution does not specify where the residual power lies or which level is paramount in overlapping jurisdictions. No Bosnian legal appeal has addressed the issues but Dayton does make the High Representative the ultimate authority in the land.

22. Those countries that are guarantors of the Dayton Peace Accords.

23. Meeting with deputy High Representative in Banja Luka, April 2, 2004. The head of the governance section of OHR's political department said that the OHR legal department had vetted and approved the amendments (meeting on March 29, 2004).

24. Meetings were held on May 10 between NDI and Canadian Ambassador S. Whiting, U.S. Ambassador C. Bond and United States Agency for International Development officials; May 11 with A. Cole, U.K. Embassy Second Secretary; May 12 with A. Freiherr, German Ambassador, and A. Mollander, Swedish Ambassador; May 13 with Ambassador Humphries of the European Commission; and May 21 with Ambassador R. Beecroft of OSCE.

25. NDI and the International Republican Institute are forbidden by USAID from offering "material assistance" to parties. USAID coordinates their training activities but other inter-agency co-operation depends on personal arrangements. In some cases, generous expense allowances lure activists.

Referendum Regulation
Canada and the United Kingdom as Models for Fair Practices

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Referendums are increasingly being used to resolve controversial political issues, not least in developing democracies. There is some international consensus on standards for what constitutes free and fair elections. The same is not, however, true for referendums. Based on a comparison of rules existing in the United Kingdom and Canada, this article outlines some of the main features of referendum regulation that could be considered a basis for developing a set of international standards for ensuring that referendum processes are free and fair.[1]

Since the collapse of Communism in Eastern Europe and the intensified integration of Europe, there has been growing recognition of the need for public consent to legitimize momentous social and political change, beyond the legitimacy that can be conferred by an elected government. This has led to a marked increase in national referendums over the past decade and a half. The reasons for this trend, as could be expected, are manifold. But the most important one seems to be that "elected officials are seen as unresponsive and 'out of touch,' even in countries with long-established and well-functioning democracies."[2] This perception is possibly related to the decline in the number of voters who identify with the political parties.

Referendums contribute to decision making by expressing the undiluted will of the majority. True, not all referendums are binding, but in practice, it could be difficult for a government to go against the expressed will of the majority of citizens. The Swedish referendum on right-side driving in 1955[3] is one example of such a case. In actual referendum campaigns, there have been claims of demagoguery, one-sided campaign spending, and government intervention, raising questions about the conduct of the referendum and whether its result genuinely reflects the public will.

Referendum regulations have scarcely been dealt with in the scholarly literature.[4] As well, no specific set of standards that could be applied internationally has been suggested. This article seeks to remedy the lack. The general trend toward greater use of referendums in developing and newly democratized countries necessitates a set of standards for referendums. The criteria could include impartial administration, proclamation, adoption of the referendum question, wording of the referendum question, registration of referendum organizations, limits on expenditures and contributions, disclosure of expenses and contributions, fair access to media, and public access to information.

Regulations for referendums are relatively rare. Both Canada and the United Kingdom, however, have introduced detailed mechanisms to regulate referendums. By comparing referendum regulations in Canada and the United Kingdom, we intend to extract a set of standards that could be internationally applied to reflect the principles of fairness, transparency and access.

Impartial administration

A neutral electoral commission is considered necessary to prevent governments from interfering with the running of elections. The same criterion should apply to referendums. Canada has established a permanent non-partisan electoral body to administer referendums, as well as elections. In the United Kingdom, while the Electoral Commission does not have jurisdiction over conducting elections, it does have jurisdiction over administering referendums.

In Canada, at the federal, provincial and territorial levels, the chief electoral officer of the jurisdiction is responsible for the conduct of referendums. However, only at the federal level and in Quebec do the respective chief electoral officers have the authority to adapt the legislation pertaining to elections for the purposes of a referendum. In all other Canadian jurisdictions, the government concerned makes referendum regulations. Quebec is the only jurisdiction where a separate body, the Conseil du référendum, is established to hear any judicial proceeding relating to a referendum. At the federal level, the Commissioner of Canada Elections, who is appointed by the Chief Electoral Officer, ensures that the provisions of the legislation are complied with and enforced for referendums and elections alike.

In the United Kingdom – both in England and in the devolved areas of Scotland, Wales and Northern Ireland – the Electoral Commission has certain responsibilities at U.K.-wide, national and English regional referendums. Election offences must be referred to the Crown Prosecution Service in England and Wales, the Director of Public Prosecutions in Northern Ireland or the Crown Office in Scotland.

The proclamation

In Canada, referendums are usually proclaimed by the government of the jurisdiction concerned. However, in Quebec and Saskatchewan, the legislative assembly may direct that a referendum be held. In Saskatchewan, a referendum may also be initiated with a petition signed by 15% of electors. In the United Kingdom, a referendum is proclaimed by the government, which is then required to introduce a bill seeking parliamentary approval for the holding of the referendum. There are no provisions for citizen initiatives in the United Kingdom.

The referendum question

Most jurisdictions in Canada allow a referendum to be called on any issue of public concern. At the federal level, however, a referendum can only deal with a question relating to the Constitution of Canada. In Alberta and British Columbia, the legislation states explicitly that any amendment to the Constitution of Canada must be put to a separate provincial referendum.

In the United Kingdom, the referendum question is formulated by the Government of the day and usually laid out in the bill providing for the referendum, although it can be set out in secondary legislation later. There are no criteria in the United Kingdom as to which issues can be addressed by a referendum. The framework

Photo: CP (Martin Rickett)

Officials count ballots in Sunderland on November 4, 2004, after voters in the United Kingdom's most recent referendum rejected establishing an elected assembly for the north-east region of England. The U.K.'s Electoral Commission was responsible for commenting on the intelligibility of the question, registering campaign organizations, monitoring spending limits and donations, and administering the balloting.

This shows the question on the ballot in Quebec's 1995 sovereignty referendum. Subsequently, in 2000, Canada's Parliament passed the Clarity Act*, which authorizes the House of Commons to determine the clarity of a referendum question on the secession of a province.*

legislation (*Political Parties, Elections and Referendums Act 2000*) requires the Commission to comment on the intelligibility of the referendum question and to publish a statement of its views. This formula was applied recently in relation to the European Union (EU) bill providing for a referendum on the treaty establishing a constitution for the EU. While the government could legally ignore advice from the Electoral Commission, the consensus is that this would be politically impossible. The Commission publishes its advice before parliamentary debate commences.

> *The results of a referendum could be challenged if the wording of the question was not clear.*

In Canada, most jurisdictions have not legislated a formal process for the adoption of the question. However, there are rules for the wording of questions at the federal level and in Quebec. The text of the question or questions for a federal referendum must be put forward in the House of Commons and approved by both the

House of Commons and the Senate. In Quebec, the question must, likewise, be debated in the National Assembly, and debate on the wording of a proposed referendum question takes precedence over all other matters before the legislature.

Even if an option obtains a majority of the votes, the results of a referendum could be challenged if the wording of the question was not clear. It is for this reason that the *Clarity Act* was adopted in 2000 in Canada. The Act provides that if any referendum concerns the separation of a province, the federal government must determine that the question was clear and unambiguous before entering into secession negotiations with that province. The Act was passed subsequent to the complex wording of the 1995 Quebec sovereignty referendum question.

Referendums conducted in Canada are generally consultative in nature. Only in Alberta, British Columbia and Saskatchewan may the results of a

referendum be binding. In Alberta and British Columbia, the results may be binding on the government if one option receives 50% + 1 of the votes cast. In Saskatchewan, one option must receive more than 60% of the votes cast and the participation rate must exceed 50% for the results of a referendum to be binding. In the United Kingdom, referendums can be either advisory or binding. There was a provision in the 1979 referendums on Scottish and Welsh devolution that these would only be passed if supported by more than 40% of the electorate. Both fell short of this figure (although a majority of the Scots voted for devolution). Since then, no provisions for supermajorities have been used. However, in the case of the November 4, 2004, referendum on a regional assembly in the North East of England, which was advisory, ministers said they would carefully consider whether to act on the result if the voter turnout was very low. Less than half (47.7%) of the electorate voted and the referendum question was rejected by almost 80% of those who cast ballots.[5]

Recognition of referendum organizations

The first umbrella organizations were pioneered in the 1975 British referendum on continued membership in the European Economic Community (EEC) – the forerunner of the EU (the majority voted for continued membership). Currently, referendum campaigns involve "permitted participants" who must register with the Electoral Commission. The Commission can designate a permitted participant campaigning for a specific outcome in a referendum to act as the lead campaign organization for the outcome it supports. This is in accordance with the *Political Parties, Elections and Referendums Act 2000*.

Such a participant, known as a "designated organization," is allowed higher spending limits and can receive public monies to run its campaign. The Commission will only designate an organization if it can also do so for other organizations favouring each of the possible referendum outcomes. Individuals or groups, including political parties, are required to register with the Commission if they intend to spend more than £10,000 on referendum expenses.[6]
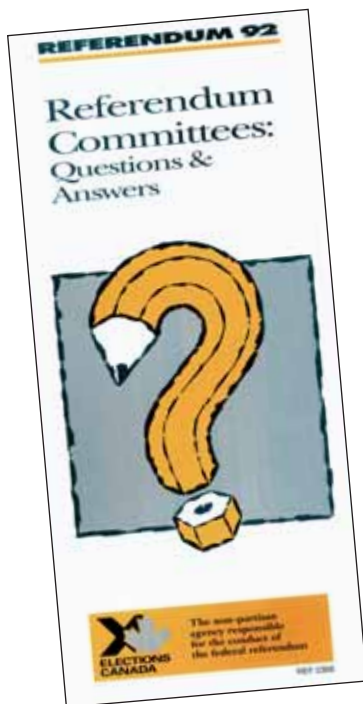
Canada's 1992 federal referendum rejected changes to the Constitution of Canada. This pamphlet told groups supporting or opposed to the referendum question how to register as referendum committees, with the potential of obtaining free broadcasting time, and about the spending limits they must observe. There were 241 registered referendum committees.

In Canada, umbrella organizations exist only in Quebec. In this province, members of the National Assembly must register their choice of option with the province's chief electoral officer (the directeur général des élections du Québec) within five days of the National Assembly's adoption of the question, thereby forming the

committees in support of each of the options. If none of the members of the Assembly come forward, the Chief Electoral Officer is entitled to invite up to 20 electors to register to form a committee. Further to the decision of the Supreme Court of Canada in *Libman*, private intervenors may now spend up to $1,000 in advertising during a provincial referendum, after obtaining the authorization of the directeur général des élections du Québec.

The federal level in Canada and the province of Ontario provide instead for the establishment of referendum committees. At the federal level, a person or group may apply for registration with the Chief Electoral Officer as a referendum committee at any time during the referendum period, but only a referendum committee may spend more than $5,000 to directly support or oppose a referendum question. In Ontario, any individual or group campaigning or advertising in favour of a particular option must apply for registration with the province's Chief Election Officer if the organization wishes to spend more than $1,000.

Limits on expenses and contributions

A contentious issue is whether there should be a ceiling on expenditures. Some argue that expenditure ceilings keep costs within manageable limits, ensure that referendums cannot be "bought" by the richest side, and increase public confidence in the result. Others contend that ceilings prevent a truly effective information campaign.

Disparities in campaign spending raise concerns that one side prevails based on financial superiority, rather than as a result of genuine support.
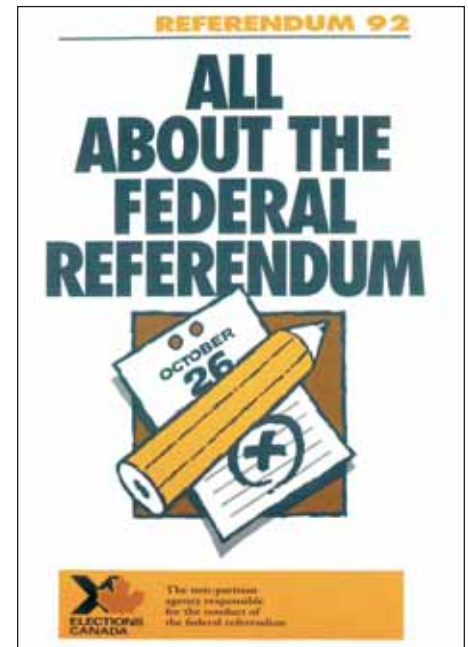
Canada's 1992 federal referendum was its first in 50 years, and Elections Canada mounted an extensive information program for electors. This pamphlet informed voters about the referendum process and how to ensure they were on the voters list.

This is not a conclusive debate. Many argue that the outcome of a referendum seems to be driven by other structural factors, such as the economy, the length of time the government has been in office, etc.[7] In recent years, some have cast doubt on the importance of money in ballot campaigns, though it has been reported that "negative" spending in many cases has been successful.[8] Still, restrictions on the use of money in ballot campaigns are fairly common.

In the run-up to the first Quebec referendum on sovereignty-association in 1980, the National Assembly passed the Quebec *Referendum Act*, restricting campaign expenditures, and mandating that two campaigns be established, each representing one side of the argument. The Act states, "The total of contributions to each national committee by the same elector in the same referendum shall not exceed the amount of $3,000"

(section 91). A white paper issued by the Quebec Minister of State for Electoral and Parliamentary Reform in 1977 said that:

> "[the regulations were inspired by] countries with strong traditions of democracy ... above all by the experience of Great Britain in 1975 …. The parliamentary system, the long-standing democratic tradition, and a deep-rooted sense of fair play are British concepts, which have all been absorbed into Quebec's own political tradition, and the referendum mechanisms that Great Britain built on these concepts seem to the Government of Quebec to be an invaluable guide …."[9]

Disparities in campaign spending raise concerns that one side prevails based on financial superiority, rather than as a result of genuine support.

At the federal level in Canada, there is no limit on the amount an individual or group may contribute to a referendum committee. Nevertheless, a committee is not permitted to spend more than $0.30 × the number of names on the preliminary lists of electors in the areas where the committee has indicated it will be active.

In Quebec, the National Assembly is obliged to give each referendum committee an equal subsidy for its campaign fund. All expenses related to the referendum must be paid out of this fund. Contributions may be made only to the fund, and no elector may contribute more than $3,000. Expenses must not exceed $1.00 per

elector on the preliminary or revised lists, whichever is greater. Similar rules apply in Ontario, where no one may contribute more than $7,500 in total to campaign organizers who are promoting the same result in a referendum. Expenses for such campaign organizers are limited to $0.60 × the number of electors in the electoral district where the organizer is registered.[10]

This system has been copied in the United Kingdom – explicitly citing Canada as the model. In 2000, the British Labour government enacted legislation based on the Quebec Act, namely the *Political Parties, Elections and Referendums Act 2000* (PPERA). Due to its comprehensiveness, this Act is currently cited as a key reference point in debates about the regulation of referendums. Like the 1978 Quebec *Referendum Act*, PPERA introduces limits on campaign spending. The restrictions on campaign spending are as follows (sections 117 and 118):

- Political parties may spend money in proportion to the total percentage of votes obtained in the last general election. Parties obtaining more than 30% may spend up to £5 million, those obtaining between 20–30% may spend £4 million, between 10–20% – £3 million, and so on.
- For other permitted participants the limit is £0.5 million.
- Individuals who are not registered with the Electoral Commission as permitted participants may not spend more than £10,000.
- Designated umbrella organizations may spend a total of £5 million.

Disclosure of expenses and contributions

In Canada, referendum committees must submit financial reports at the federal level, in Quebec and in Ontario. Reporting requirements similar to those for general elections have been adopted, including the disclosure of the name and address of any donor who contributes more than a specified amount. The report must be submitted within a stated deadline: 90 days after the referendum in Quebec, four months at the federal level and six months in Ontario.

In the United Kingdom, permitted participants must report to the Electoral Commission the referendum expenses they incurred during the campaign period and the donations they received. Reports must be submitted within three months of the referendum if the permitted participant incurred expenditures of £250,000 or less, or within six months of the referendum if more than £250,000 was spent. Permitted participants that spent more than £250,000 must submit a statement from an independent auditor with their reports.

Equal access to the media

While it is impossible to ensure complete fairness and parity in the quality of media exposure or prevent bias in the media, public broadcasters are generally expected to strike a balance of quantity (i.e. print space or air time) between the contending sides for referendum-related content. While simple allocation of broadcasting time is unlikely to produce total fairness, it is at least recognized that both sides of the argument must have the opportunity to present their case, i.e. have access to the media.

In Canada, at the federal level, each network is obliged to provide a total of three hours to all registered referendum committees that have requested free broadcasting time. The time is then allocated among the committees by the Broadcasting Arbitrator, who is appointed by the Chief Electoral Officer, taking into consideration the regional and national interests of the various committees and the different views on the referendum question (see the *Referendum Act,* section 21).

However, whereas rules regarding campaign spending were first pioneered in Canada, and then implemented in the United Kingdom, the reverse is true as far as broadcasting is concerned.

Equality of access was initiated in the first U.K.-wide referendum in 1975 (on whether the U.K. should remain a member of the EEC), when each side was allocated four 10-minute television spots.[12] In the 1979 referendums on Scottish and Welsh devolution, no similar provisions were introduced. Consequently, the Independent Broadcasting Authority decided to allocate broadcasting time to political parties (rather than to the two sides).

While simple allocation of broadcasting time is unlikely to produce total fairness, it is at least recognized that both sides of the argument must have the opportunity to present their case.

But this proved controversial, since three out of four parties favoured devolution, and the decision was successfully challenged.[13] In the U.K. referendums, the two designated umbrella organizations are allocated equal broadcasting time.[14]

Public access to information

Alongside the opposition to public funding in support of a position, there is also a general acceptance of the need for funding to provide the public with neutral information about the issue and referendum process. However, restrictions must be made on this information and regulation is necessary – a task that typically falls to the electoral management body responsible for the conduct of referendums. In the United Kingdom and in Canada, the legislation explicitly provides some guarantees to ensure public access to information. For example:

- Section 110 of the *Political Parties, Elections and Referendums Act 2000* in the United Kingdom provides that each umbrella organization is allowed free postage for delivery of one piece of information to be distributed to all households.
- Subsection 3(5) of the federal *Referendum Act* in Canada provides that the text of the question be provided in such Aboriginal languages, and in such places in those languages, as the Chief Electoral Officer, after consultation with representatives of Aboriginal groups, may determine.

At the 1992 federal referendum in Canada, Elections Canada provided voting information in 37 Aboriginal languages. Posters, audio tapes and booklets showing the referendum ballot and translations of the referendum question were widely distributed to Aboriginal communities. The booklets were also available at all polling stations across Canada for Aboriginal electors to consult.

- Section 31 of the federal *Referendum Act* in Canada provides that the Chief Electoral Officer shall, as soon as possible after the issue of a proclamation and by whatever means he considers appropriate, inform the public about the referendum question and how the referendum will be conducted.
- Section 26 of the Quebec *Referendum Act* provides that the provincial chief electoral officer must send the electors a booklet explaining the referendum options and giving equal space to each option. The text is established by the two referendum committees.

Conclusion

Based on the regulations that have been introduced in Canada and the United Kingdom, it is possible to extract a set of standards that could potentially be applied internationally. For instance, we could argue that

referendums are most likely to be free and fair when the following conditions are met.

- An independent electoral management body has the responsibility for the conduct of referendums.
- The referendum question is clear and the legislation clearly states when the results are binding.

- Referendum organizations are recognized under the legislation.
- Both sides receive equal access to direct or indirect public funding.
- Restrictions on referendum expenses and contributions prevail.
- Organizations report their contributions and expenses, which are made public by the independent electoral management body.

As Jeremy Bentham stated: "The utility of this remedial process would depend entirely upon the way in which it was administered; yet the rejection of a means so salutary can only originate in culpable indifference, anxious to save itself the trouble of discovering expedients."[15] ✘

NOTES

1. The authors wish to acknowledge support from Paul Degenstein, Laurence Morel, Lawrence LeDuc and Gary Sussman, and in particular the Referendums and Political Parties Branch (Department for Constitutional Affairs) of the United Kingdom and the U.K.'s Electoral Commission for comments on a previous draft.

2. Lawrence LeDuc, "Referendums and Initiatives: The Politics of Direct Democracy," in Lawrence LeDuc, Richard G. Niemi and Pippa Norris, eds., *Comparing Democracies 2: New Challenges in the Study of Elections and Voting*, 2nd ed. (London: Sage, 2002), p. 70.

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4. Ben Seyd, "Regulating the Referendum," *Representation* Vol. 35, No. 4 (1998), pp. 191–199.

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12. House of Commons Standard Note, *Referendums: The New Rules*, www.parliament.uk/commons/lib/Referendums.pdf.

13. *Wilson v. Independent Broadcasting Authority*, 1979 SLT 279.

14. *The Funding of Political Parties in the United Kingdom*, July 1999, Chapter 9: Media and Advertising, www.archive.official-documents.co.uk/document/cm44/4413/4413.htm.

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Profile

The Bond of Trust
A Guarantee for Democracy

Jean-Louis Roy
President, Rights & Democracy

Rights & Democracy (International Centre for Human Rights and Democratic Development) is a non-partisan organization with an international mandate. It was created by Canada's Parliament in 1988 to encourage and support the universal values of human rights and to promote democratic institutions and practices around the world. Rights & Democracy works with individuals, organizations and governments in Canada and abroad to promote the human and democratic rights defined in the United Nations' International Bill of Human Rights. *Linked with respect for human rights is a fair and smooth election process, which is key to establishing a bond of trust between governors and governed. An overview of the situations in Togo, the Ivory Coast and Haiti shows the immense challenge democratic change poses in certain regions of the world.*

The electoral process

The electoral process is at the heart of a democracy. Its mission and functions should normally foster the emergence of the elements that make up legislative authority – namely, a majority government, a leader and a political program – all legitimized by a majority vote within a given country.

As a rule, the electoral process should forge a *bond of trust* between citizens and their governments that centres on this political program for an agreed time frame.

The past two decades have seen considerable expansion of this process in Latin America, Africa, Asia, and Central and Eastern Europe. Elements of the electoral process, including registration on voters lists, polling locations and dates, the counting of votes, and so forth, can vary widely. Some derive from constitutional provisions and others from specific laws, all of which are open to judicial interpretation.

The electoral process further involves a managing authority that is autonomous or related to an existing administrative structure. The independence and impartiality of this authority are critical.

The concrete application of these constitutional and legislative provisions and the activities of the managing authority call for substantial deployment of human and material resources. They depend on the establishment and control of a broad system, in which justice, fairness, independence and transparency coexist. Only when these conditions are in place can civil and political rights, essential to the bond of trust that makes a democracy, be exercised.

The goal of international electoral co-operation is to support the implementation of this multi-faceted process, taking into consideration a set of complex and compassionate values that can foster both the idea and the manifestation of the bond of trust. Although this bond can always be improved, it must be suitably strong and well established, otherwise a state's institutions will rapidly become

The Web site of Rights & Democracy (International Centre for Human Rights and Democratic Development) is located at www.dd-rd.ca/splash.html.

ineffective and the legitimacy of its leaders will be called into question.

Only an informed civil society that is aware of its inalienable rights can foster and develop democratic standards, mechanisms, institutions, practices and customs.

Rights & Democracy's efforts in electoral co-operation aim to nourish that invigorating climate of trust before, during and after an election.

Human rights

A successful democratic transition is inextricably linked with respect for human rights, and hinges on their protection and the affirmation of their universality, especially when rights have been denied or restricted. Only an informed civil society that is aware of its inalienable rights can foster and develop democratic standards, mechanisms, institutions, practices and customs.

It is only within this kind of democratic culture that the rule of law, a corruption-free government, mature

and representative political parties, free elections, and the consolidation and maintenance of internal peace are possible.

Rights & Democracy, therefore, supports the creation of groups and commissions dedicated to the protection of human rights and the strengthening of regional intergovernmental institutions, such as the African Union. We are committed to a concrete analysis of democratic progress throughout the world by carrying out research, publishing studies, and participating in meetings, conferences and debates.

Our mandate includes working in developing countries and the world's more unstable regions where major efforts at reconciliation and action are needed to engender trust in democratic rights and values. Below are some examples of the initiatives in which we are currently engaged around the world.

Togo

After forty years of authoritarian rule, on which the international community, notably the European Union, finally imposed sanctions, the death of Gnassingbe Eyadema on February 5, 2005, should normally

have ushered in a transition to democratic reform in Togo.

However, in the absence of any willingness and hence any initiative on the part of the international community or the African Union, Togolese democracy advocates were left to their own devices and rendered powerless spectators in a series of absurd and tragic events:

1. dismissal of the Constitution, which provides that the leader of the National Assembly is to take over as president of the republic during any period of dissolution
2. proclamation by the armed forces of Eyadema's son, Faure Gnassingbe, to succeed his father as president
3. resignation of Faure Gnassingbe

In the face of this crisis, certain Togolese non-governmental organizations (NGOs) sought to promote standards and practices likely to create the bond of trust described above. Rights & Democracy was among the first organizations to back their efforts by funding two workshops on training in electoral observation and by financing their observation activities during the April 2005 presidential election.

West Africa

A Rights & Democracy representative was also on-site to observe events during the election period, but had to be pulled out several hours before the election for security reasons.

Given the country's needs, and the partnerships established during the last presidential election, we are renewing our support for the Togolese people in their ongoing electoral development. We are offering to assist in the establishment of an international coalition with a mission to support democracy in Togo. Although elections to the legislature are unlikely to forge the bond of trust so desperately needed by the country and its citizens, it is unacceptable to abandon democratic activists in Togo for a second time. Another electoral process that violates the most fundamental democratic standards and denies people their civil and political rights is inconceivable.

Ivory Coast

Our work in the Ivory Coast, a strategic country in West Africa, is in some ways broader in scope than the efforts we deployed in Togo. We have initiated the creation of a coalition of human rights defenders and provided funding to cover its basic needs, as well as the publication costs for a newsletter on human rights violations, and the promotion and protection of those rights at the national and regional levels.

We are currently expanding this coalition in view of the presidential election to be held in the fall of 2006, to allow for greater involvement. This could be achieved through a three-pronged approach.

With the Ivory Coast media, in particular radio stations, we plan to:

Photo: Geneviève Gasser, CIDA

Voter registration for Haiti's elections.

1. host a series of workshops on the fair and balanced reporting of information during an election period

With the expanded coalition, we plan to:

2. hold public forums on civil and political rights
3. provide training to the public on the fundamental role of grassroots observation of the electoral process

This work, which we are currently planning with our Ivory Coast and international partners, could build on the manifesto they are now preparing.

At the time of writing, it is impossible to predict the events or outcome of the presidential election, if it even takes place. However, we do know that its failure or postponement beyond 2005 could again plunge the country into destructive conflict. Our support for the citizens of the Ivory Coast essentially consists in laying the groundwork for a bond of trust that the upcoming election will either validate or thwart.

Haiti

Rights & Democracy shares a willingness with many NGOs and public institutions to support Haiti's democratic activists, and is learning just how difficult it is to translate this willingness into action.

The overall denial of rights and freedoms, worsening living conditions for the vast majority of Haitians, and radically increased violence and incivility affecting more and more people, have given rise to a massive loss of interest in the system. These circumstances are certainly unpropitious for the creation of productive and sustainable partnerships.

However, as in the cases of Togo and the Ivory Coast, letting the Haitian people fend for themselves is out of the question. Rights & Democracy is supporting two major social organizations: the Citizens' Forum and the National Coordination for Advocacy on Women's Rights (CONAP). Their activities during the previous election had significant effect. We are joining

efforts with these organizations to determine the most effective methods of intervention and advocacy in the current Haitian context. Our long-term goal is to help them assess and structure their experiences, constructive or not. The results of this work could then be used to create different training programs that promote all human rights, obviously including civil and political rights.

Conclusion

These examples show that recognition of and respect for human rights are central to an open political system, in which the electoral process is transparent and conclusive.

Furthermore, fifteen years of concrete and diversified co-operation have taught us that the famous idea of the indivisibility of human rights cannot be ignored. Even the most well-established electoral process is unlikely to produce the results expected if civil and political rights, in addition to social and economic rights, are not integrated at the axis of a democratic system. ✒

Electoral Observation
Guides, Guidelines and Handbooks
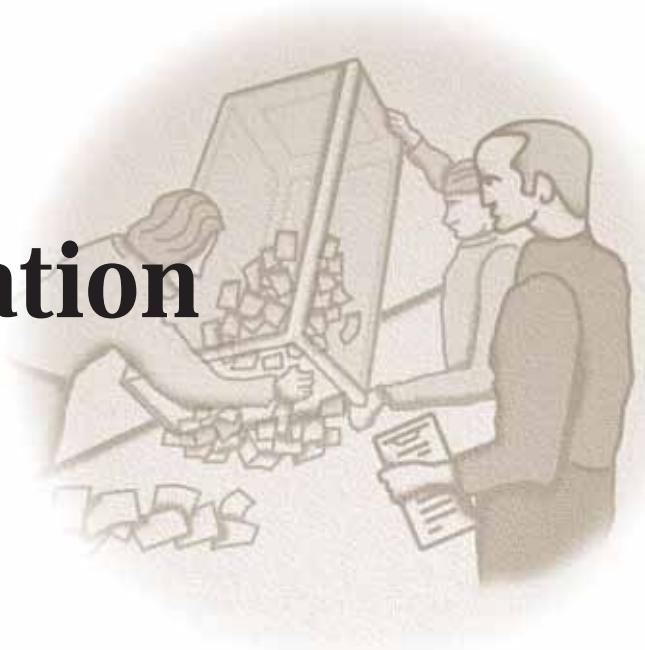
Albert, Madeleine, ed. *Election Observing: Practical Guide for Members of Election Monitoring Missions Abroad.* 2nd ed. Sainte-Foy: Directeur général des élections du Québec, 1999. 62 pp.
www.electionsquebec.qc.ca/en/pdf/publications/
Guide_observation_en.pdf

This document examines the process of electoral observation in some detail: its principles and applicable codes of conduct, the main stakeholders, preparations for observation and follow-up to missions, the personal preparation of observers, and a list of elements likely to be observed. It is designed as a practical but comprehensive guide for members of election monitoring missions.

Commission of the European Communities. *Implementation of the Communication on Election Assistance and Observation.* Commission Staff Working Paper. Brussels: Commission of the European Communities, 2003. 18 pp.
europa.eu.int/comm/external_relations/human_rights/
doc/sec_2003_1472_en.pdf

This document outlines the methodology employed by the Commission of European Communities to make European Union election activities (e.g. funding and monitoring) more consistent, transparent and credible. It includes the Commission's guidelines for decisions on the deployment of electoral observation missions, for increasing the role of the European Parliament in these missions, and for increasing a country's domestic capacity to conduct and observe its own elections.

Howard, Ross. *Media and Elections: An Elections Reporting Handbook.* Vancouver: Institute for Media, Policy and Civil Society, 2004. 32 pp.
Available for downloading in English, French and Arabic at www.impacs.org.

This free handbook has become a widely used resource on the basics of election reporting for the training of journalists in emerging democracies. It is a welcome addition to documents oriented toward media and election training produced by other organizations over the past several years.

Institute of Commonwealth Studies. Commonwealth Policy Studies Unit. *Good Practice Guidelines for Commonwealth Observers.* London: Commonwealth Policy Studies Unit, 2002. 8 pp.
www.cpsu.org.uk/downloads/GUIDELIN.PDF

This step-by-step guide walks an observer through the process of election monitoring, from pre-election research and personal preparation to final reporting. Many sections are specific to Commonwealth Secretariat observers, but the guidelines may be generally applied.

IFES. *Instructions for Assessment of the Election Process.* Washington: IFES, 2004. 10 pp.
www.ifes.org/publications-detail.html?id=184

This brief introduction to electoral observation includes a guide to proper conduct, monitoring techniques, and

assessment forms for poll opening, vote monitoring and ballot counting.

International Institute for Democracy and Electoral Assistance. *Election Guidelines for Determining Involvement in International Election Observation.* International IDEA Election Guidelines Series, No. 1. Stockholm: International IDEA, 2000. 31 pp.
www.idea.int/publications/
guidelines_for_determining/upload/
guidelines_for_determining.pdf

This document identifies generally accepted criteria and prerequisites upon which an organization may decide to observe an international election, while highlighting both the importance and implications of such activities. It is designed to help organizations determine whether an invitation for involvement should be accepted and to objectively justify this decision to the requesting authority.
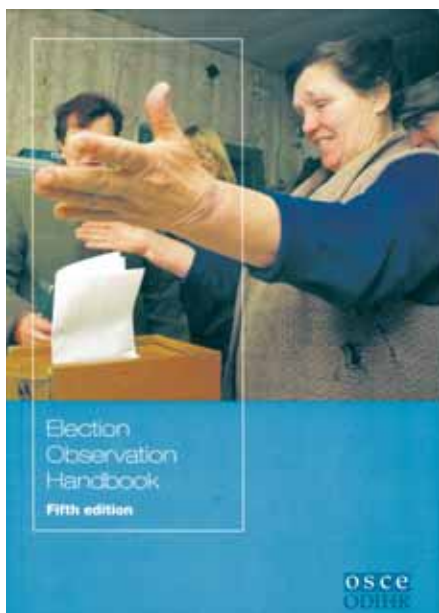
Organization for Security and Co-operation in Europe. Office for Democratic Institutions and Human Rights. *Election Observation Handbook.* 5th ed. Warsaw: OSCE/ODIHR, 2005. 89 pp.

www.osce.org/publications/odihr/
2005/04/14004_240_en.pdf

This handbook provides a thorough overview of the ODIHR's observation methodology and serves as a reference work for election observers, taking into account issues such as the participation of women and the inclusion of national minorities. It informs the OSCE community at large about the planning, deployment and implementation of an election observation mission.

Organization for Security and Co-operation in Europe. Office for Democratic Institutions and Human Rights. *Handbook for Domestic Election Observers.* Warsaw: OSCE/ODIHR, 2003. 123 pp.
www.osce.org/publications/odihr/2003/
10/12344_126_en.pdf

This handbook outlines effective methodologies for election monitoring that have been developed and employed by both international and domestic observers, and considers to what degree international standards should be respected or adapted by domestic observers. While intended for domestic observer groups, it may also be of use to international, political, party and candidate observers.

Organization for Security and Co-operation in Europe. Office for Democratic Institutions and Human Rights. *Guidelines for Reviewing a Legal Framework for Elections.* Warsaw: OSCE/ODIHR, 2001. 35 pp.
www.osce.org/publications/odihr/
2001/01/13588_128_en.pdf

This handbook sets forth the basic components of a legal framework governing elections (e.g. election commissions, voter registration, balloting procedures) and the minimum standard that is necessary

for each to ensure that an election is democratic. Its guidelines and checklists are intended for legal assessors and for parliamentarians drafting or amending election-related text.

Organization of American States. *Manual for the Organization of Electoral Observation Missions in the Framework of the OAS.* Washington: OAS, 2000. No pagination or URL available.

This publication is currently under revision.

United Nations, et al. *Declaration of Principles for International Election Observation* and *Code of Conduct for International Election Observers.* Washington: National Democratic Institute for International Affairs, 2005. 8 + 3 pp.
www.accessdemocracy.org/library/
1923_declaration_102705.pdf

These two documents, endorsed by over 20 international organizations, provide specific standards for international election observation, defining the role of observers and emphasizing the right of citizens to participate in government. While designed for use by observation missions, they may also guide representatives of the international news media who find themselves observing elections.

What's New

Electoral Technology Accord

Gerald Huhtala
Manager of Information Technology, Elections Manitoba

Canada's federal, provincial and territorial electoral agencies have signed an accord to develop a system for sharing Information Technology (IT) knowledge and resources. The accord is intended to encourage sharing of information and skills among the agencies and result in reducing the cost of administering elections in their various jurisdictions.

The concept for the system was first proposed by the Chief Electoral Officer of British Columbia, Harry Neufeld, in July 2003 at the Conference of Canadian Election Officials in St. John's, Newfoundland and Labrador. Given that electoral offices in Canada have many processes in common, similar legislative mandates, and similar budget restrictions on their IT resources, Neufeld proposed that sharing IT resources among agencies would benefit everyone concerned. Recognition of common concerns resulted in the creation of the Electoral Technology Accord (ETA), of which all the provincial and territorial agencies and Elections Canada are members.

A working group with representation from each participating jurisdiction was asked to create a white paper outlining possible areas of collaboration in which services, knowledge and resources could be shared. During the first half of 2004, IT representatives met to discuss and document current practices, operations and resources in use at their respective offices.

Several prospects for collaboration and sharing emerged. Short-term opportunities, such as sharing system and database designs, software standards, and possibly hardware sharing and bulk-buying, could support longer-range projects, such as shared applications, training systems, call centres, and geographic information systems, hardware and data.

The meetings also documented examples of existing collaboration among jurisdictions in the areas of voters lists, hardware and software, and processes. It became clear that, in the long run, a common data model and a common understanding of differences across jurisdictions would make it possible to share computer applications and resources to the benefit of all members of the ETA.

The final white paper presented at the July 2004 Conference of Canadian Election Officials in Toronto identified several tasks that could be addressed by a formal Technology Accord Working Group during the subsequent 12 months. These tasks included adapting common standards for describing business areas, using these standards to document common electoral data models, recommending a management/communication methodology for the group, and identifying priorities for the 2005/2006 time frame.

In addition, the white paper established the principle that participation in any aspect of the ETA would be optional based on a jurisdiction's needs, abilities and return on investment at the time – but that all jurisdictions would be included when findings or reports were made.

The white paper was accepted and adopted by the chief electoral officers in November 2004 and the formal Working Group, with a technology representative

from each participating jurisdiction, was established to address the proposed tasks.

Between October 2004 and May 2005, the group identified and documented how all jurisdictions collected and stored their voter, address, and electoral event data. From these three data sets, 48 database tables and more than 250 individual data fields were identified and incorporated.

or purchase, the shared model would be adopted. This adoption would ultimately result in cost savings, the data analysis and design having been shared among the jurisdictions.

In addition to the data models, the group established a formal change process for data models, shared research and development directions, and proposed communication methods and "next steps" centred on financial

A report on the completed data modelling work and proposed structure and future direction was presented at the July 2005 Conference of Canadian Election Officials in Whitehorse, Yukon. The data model was accepted as a shared resource for the accord participants to use in their operational plans where they could. Plans for the working group to add electoral finance and electoral geography to the common data model during the next 12 months were approved unanimously. In addition, the group agreed that sharing research, hardware and software, staff, and operational processes in the future would be a great asset to all electoral offices in Canada. ✖

ELECTORAL TECHNOLOGY ACCORD (CANADA)

Working Group Report on a Common Data Model

JUNE 2005

The group took an inclusive approach to creating its shared model. If even one jurisdiction needed a type of data, it was incorporated. The goal was to make sure no jurisdiction would have to change its processes to share in the common data model, but that when possible, due to system re-engineering

and geographic data modelling. All participants, whether from large or small offices, agreed that meeting to share knowledge had a huge benefit in itself – they were able to take back to their agencies new ideas, new directions and, in some cases, sound advice about what not to do.