



# POLICY BRIEF



**ELECTORAL INTEGRITY:**  
ENSURING RHETORIC REFLECTS REALITIES  
IN AFRICAN ELECTORAL ASSESSMENTS  
BY NADIA ZOUBIR

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# **ELECTORAL INTEGRITY: ENSURING RHETORIC REFLECTS REALITIES IN AFRICAN ELECTORAL ASSESSMENTS**

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# Policy Brief: Addressing Electoral Integrity in Africa

**Nadia Zoubir**

## EXECUTIVE SUMMARY

The conduct of regular elections is fast becoming the norm in Africa and, as a result, there has been a natural shift from encouraging the holding of regular elections to assessing the integrity of the process of such elections. The increasing number of election observation missions (EOMs) in Africa whose methodology embraces international principles and norms has resulted in the promotion of best practices. Yet, despite major developments in this field, African elections are still marred by irregularities and bad practices which compromise their integrity.

Because the African Union (AU) and the regional economic communities (RECs) play a leading role in promoting democracy on the continent the Electoral Institute for Sustainable Democracy in Africa (EISA) felt it was important to review the role, work and impact of these intergovernmental organisations on the observation of and reporting on elections. This policy brief reviews current trends in election practices in Africa and the challenges that affect their integrity. It also proposes ways in which these intergovernmental organisations can better assess and promote the integrity of elections in their member states by enhancing their framework, methodology and relations with different stakeholders.

## INTRODUCTION

In recent years election analysts and practitioners have turned their attention to the notion of 'electoral integrity'. While many election observation missions have understood the limits of the terms 'free' and 'fair' or 'transparent' and 'credible' as the concluding note of an election, a deeper analysis and process-based approach to the election cycle has led experts to question the integrity of some elections. Although it may seem simple to agree on a universal definition of electoral integrity the issue is not clear-cut because it requires a reading of key phases of the electoral process, which may differ in impact depending on the political and historical context of a country.

Although pan-African election assessment groups have regularly led observation missions on the continent in the past decade, their value has unfortunately been marginal. Indeed, as at this date 27 African countries are either ruled by authoritarian regimes or are nominal democracies, while the remainder are either flawed democracies or hybrid regimes where serious election irregularities are commonplace ([www.theguardian.com/global-development-professionals-network/ng-interactive/2015/feb/25/democracy-africa-maps-data-visualisation](http://www.theguardian.com/global-development-professionals-network/ng-interactive/2015/feb/25/democracy-africa-maps-data-visualisation)). Yet when these countries hold an election the conclusions drawn by pan-African election assessment groups such as those from the AU and the RECs very often confidently contain the terms 'free' and 'fair', thus discouraging governments from implementing any recommendations the EOMs might make.

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In order to address this problem and improve not only the quality of the assessments but also the role of pan-African election assessment groups on the continent, EISA conducted from January 2015 to June 2016 a research- and advocacy-based project focused on addressing electoral integrity in Africa. The goal of the project was to contribute to the development of a strengthened framework for the assessment of electoral integrity by providing a context-specific definition and setting principles and norms at continental and regional levels.

A working group comprising five regional experts and one international expert collaborated with EISA in establishing the modalities of this project in order for the group to give as much support as possible to continental and regional institutions that contribute to democratising the continent. Seven case studies were completed by means of desktop and in-country research by practitioners and scholars in the field.

The countries studied were Tunisia, Nigeria, Congo-Brazzaville, Zambia, Mozambique, Burundi and Kenya. They were selected on the basis that they are states in which two election cycles have been completed and were deemed largely acceptable either by the African Union, the regional economic body, or other independent observers, such as civil society groups.

The researchers communicated directly with relevant stakeholders and also used the election observation reports of pan-African election assessment groups to support the findings of the case studies. A validation workshop, which took place in Johannesburg on 23 September 2015, was attended by representatives of regional economic communities such as the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS), and the Southern African Development Community (SADC), along with other organisations involved in Africa, such as The Carter Center (TCC), the Election Observation and Democratic Support Project of the European Union (EODS), the South African Institute of International Affairs (SAIIA) and the Hans Seidel Foundation (HSF). An important outcome of the workshop was the contribution to and endorsement of the recommendations that appear at the end of this policy brief.

The case studies have served as a basis for highlighting the gap between reality and the assessments made by election observation missions. They also stress the need for a strengthened framework and guiding principles capable of giving pan-African election assessment groups the tools to measure the integrity of elections impartially and consistently. Cognisant of the fact that a number of existing research initiatives deal with this theme from an academic perspective, this exclusively continental research investigates whether African election assessment institutions have been able to undertake comprehensive assessments of electoral integrity through observation.

Researchers examine the major factors that have an impact on the integrity of elections in Africa, as illustrated by the case studies. The authors review the limitations of pan-African election assessment groups in extending their reports to cover electoral integrity and how deficiencies can be redressed to benefit democracy-building in Africa.

## CURRENT APPROACHES TO ASSESSING ELECTORAL INTEGRITY

Undeniably, regional and continental institutions have taken initiatives to improve the quality of elections in Africa by adopting evolving benchmarks and principles that have set standards for democratic elections. African states have subscribed to a number of regional and sub-regional protocols and charters, among them the African Union Constitutive Act, the African Charter on Democracy, Elections and Governance, the OAU/AU Declaration on the Principles Governing Democratic Elections in Africa, the Guidelines for AU Election Monitoring Missions, the ECOWAS Protocol on Democracy and Good Governance, the EAC Principles for Election Observation and Evaluation, the ECCAS Treaty and, the SADC Principles and Guidelines on Democratic Elections. However, these instruments do not explicitly incorporate the notion of electoral integrity.

For this reason election observation has not resulted in the gradual introduction of 'best practices' and a different approach is needed to ensure that each election in a country is better than the previous one. This goal can only be achieved if the reports generated by election observation missions examine

unequivocally the integrity of an election throughout the different phases of the electoral cycle. This necessitates an analysis of the most significant phases that are key to the integrity of an election and the adoption by all regional and continental institutions of a standardised means of assessment to ensure a common language for electoral integrity.

Pan-African election assessment institutions have, over time, adopted a long-term cyclical approach to election assessment. Accordingly, when financially possible, these institutions have deployed a mid- to long-term election observation mission to improve the quality and credibility of their assessments. Although this significant advance must be acknowledged, the existing regional and continental instruments prevent African election assessment institutions from reaching an overall assessment of the integrity of a four- or five-year electoral process. Indeed, the different African instruments often reduce electoral integrity to a synonym for transparency, credibility, freeness and fairness.

In alluding to electoral integrity these instruments fail to relate it to the technical and procedural conduct of elections, making it impractical for election observer missions to use them for their assessments. It is thus important to examine each component and phase of the electoral cycle and decide how relevant each is to the integrity of a particular election. What is more, the case studies demonstrate the need to make both a qualitative and a quantitative assessment.

One of the objectives of this project is to determine whether or not the current election assessment framework is rigorous enough for the analysis and evaluation of electoral integrity in Africa. The case studies have identified common trends and mapped the challenges encountered in African electoral processes.

The study of Congo-Brazzaville, for instance, shows the extent to which the electoral law pertaining to boundary delimitation has served the interests of the incumbent government and represents a real source of contention in the Congolese political landscape. The Congolese case demonstrates how regimes resort to tactics such as gerrymandering to benefit their political interests. This tendency is also reflected in the Kenya and Nigeria case studies. It underlines a continental problem – voting choices are frequently based on tribal and ethnic criteria rather than on proposed programmes and social projects.

Despite being an important aspect to consider in assessing electoral integrity, boundary delimitation is frequently brushed aside because it is difficult to observe; recent experiences in North Africa attest to this challenge. In three of the case studies neither the AU nor the RECs assessed the boundary delimitation issue. These studies also highlight the need for specific thematic expertise within election observation missions.

Another recurrent issue that is reflected in the case studies is the undue influence of money in politics; this is illustrated in the two studies of West African countries where there are regulatory frameworks but political parties and donors have devised ingenious ways of bypassing the law. Election management bodies (EMBs) and other institutions are increasingly aware of this problem and have had difficulty in monitoring campaign finances. This is the case in Tunisia, where the Court of Accounts, which is mandated to publish a report within six months of the announcement of the final results, failed to do so. The report was eagerly awaited by national and international stakeholders who recognised that there was a significant imbalance between the access to resources of those candidates representing political parties and those who were standing as independents, despite praising the government's efforts to provide public finance to mitigate the negative effects of malpractice.

The trend in Southern Africa, as noted in the research, is that the regional body is often silent on the issue of campaign financing. For instance, in its previous election assessments the SADC Election Observation Mission to Zambia did not highlight the risks of unregulated funding.

In the case of Mozambique the research noted that although the AUEOM listed in its report the laws relating to the regulation of political financing, it failed to assess the issue. Such factors highlight the absence of a clear methodology and system for assessing what is a key thematic issue.

With the increasing use in Africa of innovative technology, a new set of challenges has surfaced. In Kenya's 2013 elections the flawed use of technology by the Independent Electoral and Boundaries Commission (IEBC) fuelled suspicion and mistrust and, worse still, resulted in many citizens losing confidence in the IEBC.

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In this context the research noted the AUEOM's limited assessment in its report of the use of technology. This again points to the absence of the requisite expertise to make a detailed assessment of such issues. The use of innovative technology also makes it difficult for EOMs to observe and report on some elements of the elections.

The voter registration process, which is often used to exclude some segments of the population, is both difficult to observe and crucial to the integrity of an election. It is particularly relevant on a continent where wars and economic struggles have generated internally displaced persons (IDPs) and refugees and is made more complicated in situations where citizens lack proper documentation.

The accuracy of the voters' register is frequently a source of disputes between opposition and ruling parties, a point highlighted in the case studies. When the credibility of the voters' register is in doubt, the trend has again been that pan-African observer groups limit their assessment to the registration exercise as opposed to an analysis of the credibility of the register itself.

In the studies of the Congo, Zambia, Mozambique and Kenya, countries where stakeholders were suspicious about the independence of the EMBs the perceptions of the stakeholders are examined along with the capacity of the EMBs to act professionally.

Another challenge in Africa is the reversal of constitutional consolidation. This was the case in Kenya and, more recently, in Burundi, where, in order to convey its disapproval of the tampering with the laws to allow the president to run, unconstitutionally, for a third term, the AU refused to send an EOM. The East African Community (EAC) provided the only international observer mission on the ground.

The case studies also examine the post-election reforms made on the basis of EOM reports in order to improve the integrity of elections. In the cases of Kenya and Burundi polling and counting systems have been improved to reduce electoral malpractice. In addition, the period for verification of the voters' rolls was extended. In Burundi in past elections, as a result of recommendations from the AU and the EAC, Independent National Election Commission agents underwent further training to prepare them to respond to emergencies.

Unfortunately, these improvements could not be assessed in the most recent Burundi elections given the larger political crisis and the subsequent absence of fully fledged missions within the country. In Zambia, despite recommendations that the electoral code of conduct be enforced and a special electoral court be established to expedite the resolution of election disputes, no action was taken.

The AU's presence and recommendations, complemented by those of numerous other EOMs throughout the consecutive transitional elections that have taken place in Tunisia since 2011 translated into improved procedures, especially in relation to the transmission, processing and announcement of results.

Despite the modest improvements illustrated in these examples from the different case studies many of the recommendations of the AU and the RECs have failed to be implemented because of the lack of a comprehensive and systematic methodology and, more importantly, due to the inappropriate use of the terms 'free', 'fair', 'transparent' or 'credible' elections. This trend, therefore, highlights the need for a follow-up mission as part of the long-term approach of pan-African groups.

#### KEY CHALLENGES IN ASSESSING ELECTION INTEGRITY IN AFRICA

Pan-African election assessment groups face several obstacles in the course of their work. The first is the fact that the AU and the RECs, as intergovernmental organisations, observe elections in their member states, which often prevents them from making objective assessments. Another challenge is that the AU is financially dependent on its member states and, more importantly, has an obligation to contribute to stability and peace. Thus, reports emanating from its EOMs tend to support, rather than reprove, member states. For this reason, in areas where EOM reports have identified irregularities or weaknesses in the electoral process, their recommendations have not resulted in reform.

As it stands now, the current framework for election observation does not enable the safeguarding of electoral integrity despite the continental norms that have been adopted. Governments have little incentive to improve the quality of the process as a whole as long as the elections are declared free, fair, and peaceful.

Another issue is the fact that the RECs do not systematically publicise their reports and only release statements. This defeats the purpose of election observation, which requires a report at the end of the process whose aim is to publicise the findings and make recommendations for improving future elections in the host country.

In some instances there is genuine difficulty in observing certain phases of the electoral cycle such as boundary delimitation, campaign financing and voter registration. Often there are political implications in reporting on certain aspects, which result in an inclination to refrain from drawing attention to violations of integrity for the sake of possible elections that need to be conducted in a transition situation.

## RECOMMENDATIONS

### ➤ **Strengthen synergies among the RECs and the AU**

There should be closer cooperation and coordination between the sub-regional and continental bodies. The case studies demonstrate that it is not uncommon for the AU and the RECs to assess the same election in different ways. The AU and the RECs should systematically harmonise their reports and echo each other's recommendations to ensure that they are addressed by the stakeholders in order to guarantee improved electoral practices on the continent. Their work should be complementary and, while the AU could benefit from a relationship with a knowledgeable resource body (provided that the REC is strong and functional), the RECs could also use additional backup and support from the AU. This explains why the AU's Peace and Security Council has recently stressed 'the need for the Commission to build and ensure greater synergies, cooperation and collaboration with the Regional Economic Communities and Regional Mechanisms for Conflict Prevention, Management and Resolution' (Communiqué of the 573rd meeting of the PSC on elections in Africa, held on 8 February 2016). In this regard, there is a need for regular methodology review meetings at which technical teams from relevant units or departments of the AU and RECs and electoral experts meet to review their assessment of different elements of specific elections to understand how conclusions were reached. RECs such as ECOWAS and EAC already have such post-election review meetings but such reviews need to be extended to include the AU and other RECs that observed in the countries being reviewed.

### ➤ **Invest in the RECs (building capacity)**

The RECs play a central role in maintaining the political stability of their member states. As the Burundi case study shows, the EAC's presence was critical when the AU based on the provisions of the ACDEG, did not observe the undemocratic presidential election, which took place on 21 July 2015. Although the AU's decision was politically motivated and necessary, the EAC, as a regional institution, who had been involved in the mediation process could not afford not to observe that election. Most Central African states, as highlighted in the Congo-Brazzaville case study, could benefit from a stronger and more influential REC. Indeed, the limited impact made by the ECCAS as a regional institution explains, in part, the deplorable state of democracy in the region. Building the capacity of the different RECs and making them the primary influence on and implementers of principles of electoral integrity is hence fundamental.

### ➤ **Rationalise costs (quality versus quantity)**

More and more election assessment institutions have recognised the importance of conducting long-term election observation missions and have opted to do so. Since 2013 the AU has conducted 12 long-term missions (in Kenya, Zimbabwe, Mali, Guinea [Conakry], Madagascar, Guinea-Bissau, Malawi, Mozambique, Tunisia, Lesotho, Nigeria and Ethiopia). The AU is mandated to send observer

missions to every member state, however, short-term observation is much less costly and, therefore, remains the norm.

The RECs undertake medium- to short-term election observation missions and occasionally, as in the case of the EAC, conduct a pre-election assessment mission, but do not invest in longer-term or cycle-based observation.<sup>1</sup> Given that the integrity of an election cannot be assessed or based solely on election day, which is only an event and a marginal aspect when considering the integrity of the entire process, it is advisable to extend the length of time missions spend in the country.

EISA notes commendably the progress made in implementing the mandate to monitor all African elections and the time may have come to reassess the overall effectiveness of this process in terms of the special needs of upcoming elections. A cost-effective exercise, presumably led by the AU Democracy and Electoral Assistance Unit (DEAU) in consultation with the RECs, at the start of each calendar year, could enable the production of a budget for the varying scale and duration of elections scheduled for the upcoming 12 months.

#### ➤ **Prioritise cycle-based approach to election assessment**

International observers can and should play an important role in contributing to the process of confidence-building by making their methods more objective, with verifiable elements that enable them to make credible and efficient recommendations for improvements. The main focus should, therefore, be on assessing to what extent the integrity of the conduct of the election had been measured. The cycle-based approach should include the deployment of a pre-election assessment mission ahead of the elections, an EOM during the campaigns and voting, follow-up missions after the election and fact-finding missions in between elections.

#### ➤ **Professionalise election observation**

Election observation requires analytical and technical expertise, so the recruitment of experts should match the needs of the mission. Specific recruitment criteria should be stated in the regional guidelines for EOMs. The AU has been moving in that direction, by including core teams, in the long-term EOMs, composed of legal and election analysts. The RECs are yet to systematically incorporate the deployment of core teams in their missions. In addition, the deployment of experts should not be restricted to long-term missions, they are also needed in short-term missions.

Drawing on the findings of this research, pan-african EOMs should include expertise in **the** following areas: boundary delimitation, voter registration, use of technology and political finance as these aspects have received limited assessments by pan-african EOMs.

#### ➤ **Recognise the right of out of country voters (as an issue of inclusion and a fundamental right to choose leaders)**

Out of country voting (OCV), a recurring issue, was brought up in the different case studies and in the discussions with the working group for this project. The increasing trend of migration (diasporas) on the continent, particularly forced migration (refugees, IDPs), which results from political instability, has led experts involved in this project to question OCV in the context of electoral integrity.

The issue of the inclusion of such segments of the population, especially in post-conflict elections, is highly relevant to the integrity of elections. While this aspect remains crucial to the assessment of electoral integrity, the costs (logistical and financial) of such operations make it difficult to rebuke governments that do not make provision for OCVs and to determine whether disenfranchising

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<sup>1</sup> Cycle-based observation includes, pre-election assessments, long term observer deployment during the election period, post-election reviews or follow-up missions and fact-finding missions in-between elections.

these citizens was a deliberate act. This relevant and important aspect of electoral integrity should be explored further and deserves to be a project of its own.

➤ **Retain joint meetings among EOMs to standardise assessments and avoid incongruent conclusions**

The AU and RECs can play a credible leadership role in the community of international election observation missions (IEOMs). The AU has already demonstrated its leading role on the continent by convening and hosting important meetings among the IEOMs, intergovernmental and international non-governmental organisations, in order to share experiences and concerns. The EOMs are and must remain independent of each other; all the significant missions have endorsed the set of principles and benefit from these exchanges, which we recommend should continue, and deal with aspects of electoral integrity other than simply the voting on election day.

➤ **Increase the EOMs' engagement and consultations with citizen observers**

Meetings among IEOMs should be complemented by international and citizen observation. International observation missions should develop better and more systematic mechanisms of cooperation to support one another's recommendations. A logical complementary process would be to engage the increasingly important local civil society monitoring groups, closest to the ground and with obvious advantages of access, familiarity and inclusiveness.

Citizen groups have proliferated in many African countries, including those featured in the case studies (especially Kenya and Nigeria) and civil society organisation (CSO) monitoring networks have sprung up and are increasingly capable of sustaining grassroots networks of observers, with extensive polling station coverage.

CSOs, again particularly those in Kenya and Nigeria, are also showing an ability to undertake parallel vote tabulation. The IEOMs, including the AU and the RECs, should verify their results and maintain regular communication with CSOs in order to advise on the use and release of such information. Such relationships help make election observation more inclusive and enhance the authority of common findings.

Information and communications technology (ICT) (cellular, in particular) has become ubiquitous throughout Africa, which means that CSOs can be linked electronically in order to report any threats or use of violence, thus enabling security forces to respond quickly, as long as they are seen to be non-partisan and apolitical.

➤ **‘Depoliticise’ election observation**

The AU and RECs face the dilemma of fulfilling a dual mission of promoting rule-bound and legitimate processes of ‘dispute resolution’ through non-violent political (i.e. electoral) means, while also striving to prevent, mitigate and help resolve election-related violent conflicts, which have all too frequently escalated into regional conflicts.

Unlike extra-continental organisations and NGOs, the AU and RECs carry the weight of ensuring peaceful elections for the sake of the region and, therefore, have more leverage than other EOMs. However, in their willingness to guarantee peaceful elections, the AU and RECs often risk producing election reports that obscure or ignore flagrant abuses committed during those elections. The implementation of the ‘do-no-harm’ approach in such cases is counterproductive, because the mission reports are not totally accurate and do not necessarily reflect the reality of the conduct of the elections.

Pan-African observation groups should separate their mediation roles from their election assessment role. While both roles were recognised in the course of this project they are not mutually exclusive and a decision should be made about whether mediation would have an impact on election assessment reports, which are different from diplomatic statements. If EOMs were to submit more probing and constructively critical reports than routine endorsements of the host country's activities it would benefit both parties. This important issue was highlighted in the Communiqué of the 573rd meeting of the Peace and Security Council (PSC) on elections in Africa that was held in February 2016,<sup>2</sup> when the PSC recommended a comprehensive review of AU election observer missions and methodology.

Furthermore, there is a need to dissociate the observation role from the intricacies of political processes that may otherwise limit the capacity of intergovernmental organisations such as the AU to make objective/credible and useful/helpful assessments. Assessments made and recommendations presented should be seen as aiming to contribute to and improve the effort to consolidate democracy at the national level.

Although the importance of independence of the EOMs has been stressed, experts have suggested that there should be closer collaboration between the AU and the RECs working on the basis of the African Peace and Security Architecture (APSA). The Peace and Security Council of the AU has recently highlighted the importance to the avoidance of possible electoral risk factors through 'early warning and timely briefings by the Continental Early Warning System' in order to 'enable the Council to make timely and appropriate responses' (Communiqué of the 573rd meeting of the PSC on elections in Africa, February 2016). As highlighted in Article 15 of the 2010 Assessment Study of APSA, there is also a need for improved inter-departmental collaboration within the AUC, specifically between the Departments of Political Affairs (DPA) and Peace and Security (PSD).

#### ➤ **A uniform approach to assessing electoral integrity**

There is a need for standardised definitions and applications of principles governing elections. In addition to approaching elections in their cyclical dimension and not as disconnected events it is important to adopt a new system that is directly linked to the electoral cycle and analyses its different components and phases. Such a system should be established to serve an objective assessment, whose conclusions may be easily verified and contrasted with reality, thus helping observers to move away from methodologies and assessments that depend, to a large extent, on subjective opinions.

#### ➤ **Adopt guidelines and a specific methodology for the assessment of the integrity of the election**

The methodology should focus on specific thematic issues that are either not directly observable or may require particular technical expertise. Examples are party and campaign financing, voter registration, boundary delimitation and the use of technology. Current election assessment frameworks should be reviewed to harmonise them with other international benchmarks and incorporate international best practices in these thematic areas. The UN Human Rights Commission is showing increasing interest in working with IEOMs on this and detailed templates have been developed by The Carter Center's Democratic Elections Standards Project (<http://electionstandards.cartercenter.org>). The case studies demonstrate the importance of having all pan-African EOMs agreeing to follow a flexible, yet common, set of standards. This project served as a basis for the design of a tool, 'the Scorecard for Electoral Integrity in Africa', which the pan-african observer groups could use to assess, specifically, the integrity of elections. While this tool is in its pilot phase and is still being tested for further development, it should be used in conjunction with strengthened

<sup>2</sup> <http://www.peaceau.org/uploads/psc-573br-elections-in-africa-8-2-2016.pdf>

benchmarks that need to feature in existing instruments. See Annexure I for the 'Scorecard for Electoral Integrity in Africa'.

➤ **Follow-up and follow through**

EOMs should be able to implement an effective follow-up to assess how identified challenges and failures are being dealt with and how recommendations can be translated into practical measures to improve the level of electoral integrity. Successive observation reports should be linked so that progress can be tracked incrementally and persistent failures may be addressed more efficiently, both by the concerned national institutions and actors and by international support programmes that build on and benefit from observer reports. In addition, through greater information-sharing and communication at all stages of the electoral process, pan-African institutions that are unable to extend their stay in a country could explore the possibility of drawing on the longer-term missions of others and follow up on the implementation of the recommendations.

➤ **Foster a network of experts ready to advise on developments (mail blasts and online platforms)**

Pan-African election assessment institutions should use their networks of experts to acquire knowledge and expertise. Experts can intervene in any situation ranging from basic information about a country's election process to an in-depth political analysis of a crisis situation about which urgent expert advice is needed. A network of experts can be co-ordinated and maintained through simple mail blasts or online platforms.

➤ **Publish and disseminate EOM reports**

In order to improve future elections it is critical that EOMs produce full reports containing practical recommendations that the relevant stakeholders can implement. The Nigeria case study demonstrates the drawbacks of not making EOM reports available. ECOWAS only publishes preliminary statements and these do not provide sufficient detail or analysis to help improve the conduct of future elections. Furthermore, the AU Democracy and Electoral Assistance Unit should publish and disseminate all EOM reports to the AU member states and country EMBs and RECs, highlighting, in all cases, the host country's legal obligations under the AU Constitutive Act, UN treaties, the African Charter on Democracy, Elections, and Governance (ACDEG) and other relevant instruments, and draw attention to any gaps between avowed principles and electoral performance. Member states that have not yet ratified the ACDEG should be encouraged to do so.

## ANNEXURE I: THE SCORECARD FOR ELECTORAL INTEGRITY IN AFRICA

The assessment scorecard, which is provided in excel form, presents 20 elements of the electoral process with specific questions on each element and allows the user to select contextual variables that affect the weighting of the different elements of the electoral cycle. For instance, the delimitation of constituencies will not hold significant weighting in a proportional representative system while in a majoritarian system it will do so and will have an impact on the assessment of the fairness of the electoral process. The variables are: electoral systems, context of the elections, nature of observer involvement and the use of technology.

Scorecard for Electoral Integrity in Africa	
<b>Please select from drop downs below before completing the scorecard</b>	
Boundary delimitation / electoral system	FPTP
	Mixed
Description of context	Post-conflict/transition
	Diaspora/ethno-religious minorities
	Focus of persons with disabilities
Involvement of election observation groups	Closed society
	Post conflict election
	High-stake/critical election
	Open society
Use of technology	Fully automated
	Partially automated
	Not applicable
Thematic issues	<p>Reference points</p> <p>* Guarantee of rights and freedoms in the Constitution</p> <p>* Presidential tenure limit in the constitution</p> <p>* Legal framework contested by major segments of population</p> <p>* An independent election management structure established by the Constitution</p> <p>* Provisions for affirmative action on women participation and representation</p> <p>* Provision for regular conduct of elections</p> <p>* Electoral system stipulated in the constitution</p> <p>* Provisions for amendment or review of the constitution stipulated and complied with</p> <p>* Provide for election observers to observe the electoral processes</p> <p>* Provide effective mechanisms and remedies for compliance with the law and the enforcement of electoral rights, defining penalties for different offences</p> <p>* Powers and functions of EMB stipulated</p> <p>* Independence of EMB guaranteed financially and politically</p> <p>* Procedures for conduct of elections stipulated</p> <p>* Includes regulatory provisions on political finance (ceilings and disclosure)</p> <p>* Provisions of state funding to parties</p> <p>* Regulations concerning the utilisation of public assets and funds</p> <p>* Party and campaign finance laws are fairly applied to all contesting parties/candidates</p> <p>* Electoral legislation establishes a specific time frame for results announcement</p> <p>* Electoral legislation clearly indicates authority responsible for result announcement</p>
1 Legal Framework	High

2 Electoral System	<ul style="list-style-type: none"> <li>* Electoral system is understood by electoral stakeholders</li> <li>* Electoral system is inclusive and ensures representation of minority interests</li> </ul>	Medium
3 Party and Campaign Finance	<ul style="list-style-type: none"> <li>* Public funding available for political parties with support*</li> <li>* Political parties submit verifiable financial accounts to EMB</li> <li>* There is equity in the utilisation of public resources</li> </ul>	Medium
4 Election Management	<ul style="list-style-type: none"> <li>* Government provides adequate funding for EMB</li> <li>* Election management is cost efficient and sustainable</li> <li>* Manner in which Commissioners are appointed ensures financial independence and impartiality</li> <li>* Appointment and dismissal procedures are well articulated, impartial and transparent</li> <li>* Fiscal autonomy of EMB guaranteed</li> <li>* Reporting lines are clearly defined and ensure transparency</li> <li>* EMB institutionalises selection criteria for recruitment of polling staff and performance management process</li> <li>* EMB fully responsible for managing the counting process</li> </ul>	High
5 Voter Registration	<ul style="list-style-type: none"> <li>* Registration process ensures participation of all eligible voters</li> <li>* Registration facilities are easily accessible</li> <li>* Sufficient time for registration, public voter roll inspection, objections and adjudicating appeals</li> <li>* Party agents authorised to monitor voter registration process</li> <li>* Process is open to independent observers</li> <li>* Voters roll is free and accessible to political parties</li> <li>* Voting rights considerate of citizenship, residency requirements, legal age of majority and other grounds for disqualification</li> <li>* Voter registration process is accessible to minorities and vulnerable social groups</li> <li>* Voters roll is clean and up to date, accurate and complete at the time of registration</li> </ul>	High
6 Boundary Delimitation	<ul style="list-style-type: none"> <li>* Sufficient technical skills to manage the process</li> <li>* Independent, impartial body that is reflective of society manages the process</li> <li>* Criteria for delimitation enables fair representation</li> <li>* Process is consultative</li> <li>* Electoral boundaries determined in a non manipulative manner that does not favour particular groups or political interests</li> </ul>	High

7 Procurement and Operations	<ul style="list-style-type: none"> <li>* Process of acquiring election materials is transparent</li> <li>* Security provided is suitable for specific environment</li> <li>* Co-ordination between EMB and civil society</li> <li>* Civic and voter education is continuous, independent, co-ordinated and consistent</li> <li>* Government funds civic and voter education programmes</li> <li>* Civic and voter education promotes participation of youth, women and rural voters</li> <li>* Presence of civil society group support</li> <li>* Existing forums utilized to disseminate information</li> <li>* Political parties collaborate with EMB</li> </ul>	Medium
8 Civic and Voter Education	<ul style="list-style-type: none"> <li>* Nomination and registration process is transparent</li> <li>* Non-restrictive registration procedure</li> <li>* Nomination and registration process takes place over sufficient time period</li> <li>* Sufficient time for public candidate nomination list inspection, objections and dispute resolution</li> <li>* Political parties candidate nomination list promotes women participation</li> <li>* Nomination and registration procedures are democratic and fully representative of all interests</li> </ul>	Medium
9 Candidate registration	<ul style="list-style-type: none"> <li>* Adequate time allocated for campaigning taking into account the type of election, size and context of the election</li> <li>* Parties and candidates adhere to the electoral code of conduct</li> <li>* Fairness of the campaign process</li> <li>* Campaigns conducted in an environment without violence and intimidation</li> </ul>	High
10 Conduct of Election Campaigns	<ul style="list-style-type: none"> <li>* Polling stations are accessible</li> <li>* Adequate number of polling stations provided</li> <li>* Layout of polling station allows easy flow of voters</li> <li>* Polling stations open on time</li> <li>* Empty ballot box is displayed before security</li> <li>* Secrecy of ballot is guaranteed</li> <li>* Ballot design is user friendly</li> <li>* Persons on the queue at closing time are allowed to cast their votes</li> <li>* Provisions are made for people living with disabilities to vote</li> <li>* No intimidation and campaigning at the polling station</li> <li>* Presence of security personnel at polling stations</li> </ul>	High
11 Polling and Counting	<ul style="list-style-type: none"> <li>* Procedure for counting is understood by all authorised to be present during the count</li> <li>* Counting process occurs immediately after close of voting in the polling station</li> <li>* Voting station has adequate lighting, communication systems and security</li> <li>* EMB election report contains detailed information on registered eligible voters and voter turnout</li> <li>* Immediate public announcement and posting of results following the counting process</li> <li>* National result centre exists and is open to the public</li> <li>* Timeframe exists for result announcement and seat allocation</li> <li>* Results are managed in a manner that favours the acceptance of results</li> </ul>	High
12 Results management		

13 Inclusion and participation of women		<ul style="list-style-type: none"> <li>* Direct or indirect interventions should be employed to promote women's representation</li> <li>* The electoral system utilised promotes the participation of women</li> <li>* Women are able to freely participate in the management and practice of elections</li> </ul>	High
14 Inclusion and participation of minorities, PLWD's and vulnerable groups		<ul style="list-style-type: none"> <li>* Interventions employed to promote minorities, PLWD's and vulnerable groups</li> <li>* Electoral system promotes participation of minorities, PLWD's and vulnerable groups</li> <li>* Special measures taken to enable easier access to voting procedure</li> <li>* Targeted civic education programmes</li> </ul>	High
15 Role of the media		<ul style="list-style-type: none"> <li>* Equal coverage to all contesting parties and candidates</li> <li>* Press freedom guaranteed and enforced</li> <li>* Independent media authority continuously monitors and regulates the media</li> <li>* Coverage of elections adheres to an enforceable code of conduct that promotes fair reporting</li> <li>* No unreasonable censorship of the media</li> </ul>	High
16 Role of the security agencies		<ul style="list-style-type: none"> <li>* Agencies are neutral in providing election security</li> <li>* Security agencies adhere to their mandate</li> <li>* Presence of security forces does not intimidate voters</li> <li>* Regular consultation and collaboration with EMB pertaining to security and logistics arrangements during election period</li> <li>* CSOs are free to participate in the electoral process</li> <li>* Adherence to code of conduct and legal framework for elections</li> <li>* CSOs are autonomous</li> </ul>	High
17 Role of CSOs		<ul style="list-style-type: none"> <li>* Pre-election assessment mission deployed in advance prior to election day</li> <li>* Timorous preparation for election observation and monitoring</li> <li>* Election observation groups ensure that participants declare any conflicts of interests</li> <li>* Election monitoring and observation missions have adequate knowledge of the regional and national context of host state</li> <li>* Timorous invitation of election observer groups issued by EMB or relevant authority responsible for providing accreditation</li> <li>* Accreditation process is speedy, efficient and non-discriminatory</li> <li>* Accredited observer groups are provided the same legal protection received by citizens of the host state</li> <li>* Observer groups interact with key stakeholders involved in the electoral process</li> <li>* Observation missions produce and distribute impartial, credible and professionally written reports on the electoral process</li> <li>* Election observation reports are produced timely</li> <li>* Electoral code of conduct enables observer groups to perform their duties freely</li> <li>* An enforceable code of conduct governs the behaviour of observation groups</li> </ul>	High
18 Involvement of election observation groups		<ul style="list-style-type: none"> <li>* Clear provisions for appeals and complaints</li> <li>* Conflict management structures established in addition to recourse to the appropriate jurisdiction operate in the post-election period</li> <li>* Complaints and appeals are handled timely</li> <li>* User friendly technology</li> <li>* Ensures secrecy of the vote</li> </ul>	High
19 Management of complaints and appeals		<ul style="list-style-type: none"> <li>* Clear provisions for appeals and complaints</li> <li>* Conflict management structures established in addition to recourse to the appropriate jurisdiction operate in the post-election period</li> <li>* Complaints and appeals are handled timely</li> </ul>	High
20 Use of technology		<ul style="list-style-type: none"> <li>* Score /100</li> </ul>	0.00

## ABOUT EISA

EISA was established on 28 June 1996 as the Electoral Institute for South Africa. EISA extended its area of work to the Southern African Development Community (SADC) region and changed its name to reflect its outreach to the SADC region on 15 December 2000. EISA undertook a further name change to reflect its extended geographic outreach to the entire African continent on 23 April 2010 when it registered the name 'The Electoral Institute for the Sustainability of Democracy in Africa' and in 2011 amended its name to the 'Electoral Institute Sustainable Democracy in Africa'. The acronym EISA has been used throughout.

EISA envisions an African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment. It strives for excellence in the promotion of credible elections, citizen participation and the strengthening of political institutions for sustainable democracy in Africa.

EISA has deployed continental observer missions for the past ten years including missions to Angola (2008), Botswana (1999, 2004, 2009), Central African Republic (2010, 2011), Democratic Republic of Congo (2005 referendum, 2006 elections), Egypt (2011, 2012, 2014, 2015), Ghana (2008, 2012), Guinea Conakry (2010), Lesotho (1998, 2002, 2007, 2012, 2015), Liberia (2011), Madagascar (2005, 2007, 2013), Malawi (2004, 2009), Mauritius (2000, 2005, 2010), Mozambique (1999, 2004, 2009, 2013, 2014), Namibia (1999, 2004, 2009), Senegal (2012), Seychelles (2011), South Africa (1999, 2004, 2009, 2014, 2016), Tanzania (2005, 2010), Uganda (2011, 2016), Zanzibar (2005, 2010), Zambia (2005, 2008, 2011, 2015, 2016), and Zimbabwe (2000, 2002, 2008). The final reports on these missions can also be found on its website [www.eisa.org.za](http://www.eisa.org.za)







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