

Electoral Management Bodies and International Electoral Assistance:

Principles applied, key lessons, and where to from here?

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Global Electoral Organization (GEO) Conference
Washington, D.C.
March 27-29, 2007

- It is an honour to be here and to share the podium with such distinguished speakers.
- I appreciate the opportunity that these GEO conferences bring to explore in depth our understandings of electoral processes, and how they may support democratic development.
- I will be looking at this question from the perspective of the electoral management body.
- Before I do, though, it would be useful to say a few words about some of the challenges we face in the current context.

- As we all know, democracy assistance is more contested today than it was in the early 1990s, during the early years of the so-called “third wave”. As Thomas Carothers, and other analysts have pointed out, the growing backlash can be traced to a number of factors, including a perceived link between democracy promotion and foreign intervention. At worst, it is seen as a code word for ‘regime change’.
- Another problem concerns authoritarian regimes that implement some visible aspects of democracy, including elections, while maintaining authoritarian and repressive practices.
- Still another problem is the growing disappointment in some countries with democracy’s perceived “failure to deliver” in terms of alleviating extreme poverty and inequality.
- These issues remind us that democracy is not an irreversible process. Without proper care and nurturing, it can be stalled and in some circumstances even reversed.

- As organizations concerned with supporting international electoral assistance, what can we do?
- I think it is helpful to begin by recalling a few principles. These are not new – they have been reiterated on numerous occasions over the years – but in light of the challenges we still face, I think they bear repeating.
- First – the impetus for democracy must come from within – it cannot be imposed from the outside. This does not mean it cannot be supported by external organizations – the challenge, of course, is finding the right way to provide such support.
- Secondly – democracy must be reflective of the history, values and culture of the society in which it is developed. There is no “one size fits all”.
- Thirdly – there are degrees of democracy – it’s not an “all or nothing” proposition, but always a work in progress. This applies as much to long-standing as to new democracies.

- In light of these basic principles, I think there is a particular case to be made for recognizing and strengthening the role of electoral management bodies (EMBs) in international electoral assistance.
- To make this case, my presentation will proceed in 3 parts:
 1. Key lessons from the EMB literature
 2. Elections Canada's recent support to election commissions in Iraq and Haiti – and what we learned
 3. Where to from here? Two points:
 - Assistance to EMBs is a key aspect of supporting democratization processes
 - Assistance by EMBs is a valuable resource that could be utilized to greater advantage

1. Lessons from the EMB literature:

- Although the literature on election management is not extensive, we have seen a noticeable growth in recent years, with significant contributions from Raphael Lopez-Pintor, whose 2000 study was commissioned through IFES and supported by the UNDP, and has become the classic in the field. Other important contributions have been provided by the Venice Commission, notably its 2006 collection

of articles, and by International IDEA's latest handbook on electoral management design. Most recently, IFES has contributed yet again through the new book, *Every Vote Counts* – a collection of articles and case studies documenting the role of both elections and EMBs in building democracy.

- These and other studies have demonstrated very clearly the importance of EMBs as “institutions of governance” – to use Lopez-Pintor's expression – whose role extends well beyond election day.
- So why is effective electoral management important?
- First, because for a large part of the globe, participation in elections is their primary – perhaps their only – form of active participation in the political process. It is therefore vitally important to secure public trust in the electoral process, as it also affects confidence in wider democratic processes.
- Secondly, because elections are inherently political processes – that is, they are about power -- who can vie for it, who is the source, and how

it gets divided. This, combined with the sheer magnitude of the operation and the very short time frames involved makes them very complex to administer.

- As Lopez-Pintor argues, election management bodies must be viewed as institutions for democracy building. They do this directly, by organizing multi-party elections; and indirectly, by strengthening the rule of law, safeguarding the basic rights of citizens, and creating and enhancing public confidence in democratic institutions.
- As for the structure of EMBs, there is a growing consensus that they be permanent bodies, independent of the executive, and staffed by professional civil servants. The trend worldwide is that they also include political party representation.
- In short, they should demonstrate independence in decision-making and action, as well as impartiality, transparency, and professionalism.
- Where elections are organized by independent electoral commissions (the majority of democracies today), the composition and size of

commissions needs to be considered carefully, as this has a direct impact on their perceived impartiality and effectiveness.

- The need for a permanent, professional staff, together with the hiring of large numbers of temporary staff on a cyclical basis – make ongoing professional and operational training especially important.
- Having said all of this, I should note that I am representing an EMB that is unique in terms of its structure and longevity. Elections Canada is the oldest independent EMB in the world (established in 1920), and its structure is equivalent to a one-person commission where responsibility for decision-making and administration is effectively fused in one person – the Chief Electoral Officer. There are very effective mechanisms in place for ensuring the independence and accountability of Elections Canada, and it enjoys a very high degree of trust among voters, parties and candidates. Still, it is likely not a model that would be recommended for countries in transition, where the need to represent various sectors of society and or partisan interests usually requires a multi-member commission.

2. Elections Canada's support to Election Commissions in Iraq and Haiti

- As many of you will already know, our former Chief Electoral Officer, Jean-Pierre Kingsley, recently led two international monitoring missions in Iraq and Haiti.
- The missions evaluated and made recommendations on a full range of electoral aspects, including the legal framework, voter registration, civic education, certification of parties and candidates, vote counting and compilation, and complaints procedures. They also made recommendations on the structure and functioning of the electoral management bodies in both countries, which I will outline in a few moments.
- By way of context, the International Mission for Iraqi Elections (IMIE) was formed late 2004, under the leadership of Elections Canada and with the encouragement of the UN and the Independent Electoral Commission of Iraq (IECI). Financial support was provided by the Canadian International Development Agency.

- The IMIE followed the three Iraqi electoral events in 2005:
 - i. the January 30th Transitional National Assembly and Governorate elections;
 - ii. the October 15th Constitutional Referendum; and
 - iii. the December 15th Council of Representatives elections.

- The International Mission for Monitoring Haitian Elections (IMMHE) was established in June 2005, during an international forum held in Montreal. The creation of the IMMHE was welcomed by Haiti's Provisional Electoral Council (CEP), as well as by the UN and the OAS – the key international organizations supporting the Haitian electoral process.

- Also funded by CIDA, the IMMHE was structurally and procedurally similar to the IMIE model, with the addition of larger numbers of long-term monitors as well as short-term observers.

- It monitored Haiti's Presidential and Legislative elections, held in February and April 2006.

- For the December 3, 2006, Municipal and Local elections, Elections Canada deployed the **Canadian Mission for Accompanying Haitian Elections (CMAHE)**. This mission was a continuation of the IMMHE model, but without the international Steering Committee.

Key features of IMIE and IMMHE

- The two missions followed a similar model and shared a number of key features – most notably their governance structure.
- Both missions were led by a Steering Committee composed of independent electoral management bodies from around the world. The IMIE comprised 12 EMBs, as well as the ACEEEO. The League of Arab States participated as an observer. The IMMHE included 8 EMBs from across the Americas.
- A key feature of both missions was their independence, which was derived from the independence that each one of their members enjoys

in their own countries. This was vital to ensuring their credibility and legitimacy.

- Another key feature of each mission was the focus on accompaniment – through expert evaluation and peer-review over an extended period of time.
- The fact that the Steering Committees were composed of executive members of EMBs – people with long-term, first-hand experience running elections in their own countries – added tremendously to the value of their advice, and to their credibility.
- I should add that each Steering Committee included a mix of older and newer democracies. Their members represented a range of EMB models and experiences. Many of them had come through democratic transitions themselves, and understood well the kinds of challenges faced by their Iraqi and Haitian colleagues.

- Both missions relied on in-depth expert assessments of key elements of the electoral process, which were evaluated according to internationally recognized standards and practices.
- Both missions produced a number of reports throughout the electoral cycle – which are published on the mission websites (www.imie.ca and www.mieeh-immhe.ca). Those reports include recommendations for improving the electoral process and for strengthening the structure and functioning of the electoral management bodies in each country.

Key Lessons from Our Experience

- The experience gained from these two missions further reinforces the lessons derived from the literature – namely that electoral management bodies should be independent and permanent. Likewise, to maintain credibility, EMBs must perform their duties in a transparent, non-partisan and professional manner. They must also have a clear legal status and appropriate structures and means to fulfill their role adequately.

- From our experience in these international two monitoring missions, we can draw **5 preliminary lessons** to keep in mind for future electoral support missions.

1) We found that there is tremendous value in deploying electoral experts who have real, practical experience administering and managing elections in their own countries. Their experience is greatly appreciated by our partners and provides for effective learning.

2) The model of accompaniment helped to establish a climate of trust between the missions and the electoral commissions in each country. This encouraged and facilitated the implementation of advice and recommendations. In the case of both missions, we observed improvements over the course of the 3 electoral events monitored.

3) That said, there is a real necessity to focus on long-term building of effective electoral commissions. Election monitoring is important but must be followed up. The international community is, rightly, taking more seriously the long-term commitment that is necessary to build sustainable electoral capacities.

4) Collaboration with both national and international partners is a key to the success of broad-based missions and to effective support to democratization processes. This collaboration allows for sharing information, leveraging resources, and greater credibility.

5) Continuity of presence between electoral events is important, both for encouraging and supporting the electoral authorities and to maintain the credibility of one's conclusions and recommendations.

3. Where to from here?

- The first of two final points I would like to make is that assistance to EMBs is a key aspect of supporting democratization processes.
- In assessing electoral events, it is important to recognize links between electoral structures and processes and wider goals of democratic governance. Besides being central to electoral management, EMB efficiency and capacity is a key aspect of democratic development. Among other things, it is important for

building citizen trust in governance structures, and encourages a culture of civic engagement.

- The second key point is that existing EMBs are also a tremendous resource for democratic assistance and more could be done to leverage their expertise.
- EMBs are full partners in democratic governance, along with strong legislatures, independent judiciaries, effective political parties and a healthy civil society.
- In old and new democracies alike, EMBs are continually faced with new challenges. Examples include regulating political financing and incorporating new technologies into our procedures. We are also called upon to provide advice to legislators – on matters such as electoral system reform. As a result, EMBs are tremendous repositories of knowledge and experience. It only makes sense that we should seek to share that knowledge and experience with our colleagues – and to learn from them in turn.
- Thank you.