
A Guide to

Transparency in Election Administration

This Guide has been developed to provide information on implementing transparency principles in the electoral process. It is intended to serve as a basis for the development of these principles to contribute to the desired goals of free and fair elections.

**Association of Central and Eastern European Election Officials
International Foundation for Election Systems
Central Election Commission of the Russian Federation**

What is Transparency?

Transparency is the term for a clear and open process, which is understandable and accountable to the electorate.

Transparent procedures encourage participation in and support of the electoral system.

Transparency is essential to the electoral process because it eliminates the appearance of impropriety and limits the possibility of electoral fraud.

Transparent procedures promote public confidence and trust in the electoral system.

In order for elections to be considered “free and fair”, transparent procedures should ensure:

- Participatory government where persons have the right to elect their representatives.
- Persons are allowed to vote by secret ballot.
- Persons have the opportunity to become a candidate.
- Persons are provided with impartial election information.
- Every citizen of voting age has:
 - The right to vote on a non-discriminatory basis.
 - Access to effective and impartial procedures for voter registration.
 - Equal access to a polling station in order to vote.
 - The right to exercise his or her vote equally with others and to have his or her vote accorded equivalent weight to all others.
- The right of people to join with others to establish a political party or

organization to compete in an election.

- People can express political opinions without interference or intimidation,
- Candidates can move freely within the country in order to campaign.
- The ability of political parties and candidates to campaign on an equal basis with other parties and candidates - including the incumbent(s).
- Access to the media for all candidates to put forth their political views.

Transparent procedures contribute to a “free and fair” electoral process, a goal of governments, the electorate, political parties, and non-governmental organizations.

What is Election Administration?

Election administration is a full-time profession in many countries. It consists of several components, broadly divided into four categories:

- office management and conduct
- election preparations
- election day operations
- post-election activities.

Office Management

A professional office, with a knowledgeable and trained staff is an asset in providing transparent procedures. A professional office staff must know the electoral laws, the election timelines, as well as financial responsibilities of conducting elections.

The office staff should be hired in an impartial, fair manner, with employment rules which include a training program. Election offices staffed with patronage employees (employees who are hired as political favors) are quite common. It is imperative, therefore, that office staff be well trained and understand that the conduct of the office must be fair and impartial.

Where an Election Commission administers the election process, the selection of the commissioners is quite important. Commission members should be independent, impartial, and neutral. Or, in the alternative, members should be selected in an equally balanced manner between major political parties. Election commission members should be experienced and/or trained and should interpret and enforce laws fairly.

The conduct of the election commission is a reflection on the entire election process. Transparent rules of administration should ideally include the holding of open meetings with published agendas and meeting minutes. Allowing for public comment and open discussions on matters before the commission also fosters transparency, although most countries consult political stakeholders only prior to the final

decision, not during the deliberative stages.

Procedures which are not clearly defined in the electoral laws should be addressed in the administrative rules. Procedures which are not mandated can become controversial if there are no guidelines to follow. While unexpected issues invariably arise in elections, as much as possible of the procedural process for administering the elections should be included in administrative' rules. Ad hoc decisions by electoral staff or a Commission should be avoided. By developing guidelines and rules in a transparent manner, the election officials can promote trust in the electoral system.

A transparent election process does not simply depend on voter registration, free campaigning, monitors, transparent procedures, and secret ballots; it must also be able to deal promptly and effectively with the different types of complaints that will inevitable arise - everything from the denial of voter registration to an individual who attempts to suppress voter turnout.

Election Preparations

Election preparations, for the most part, are regulated by the election laws and regulations. In a transparent process, open communications are established with interested political parties, organizations, and NGOs. Election preparations should be conducted in a timely manner in order to meet election deadlines. A calendar of election events should be drawn up and distributed to all political stakeholders.

Election preparations include:

- voter registration
- candidate eligibility and ballot access
- election districts and boundaries
- ballot design and layout
- election worker training
- voter and civic education
- NGO and domestic observer participation

Voter Registration

Transparency is essential in the establishment of voter registration guidelines. The process should be fair and equal and should be readily available to the public. Eligibility criteria should be clear and consistently applied by trained registration officials. There should not be any unreasonable restrictions such as property ownership, poll tax, literacy, race, gender, or ethnicity.

Reasonable registration requirements are universally accepted and include a residency requirement, a citizenship requirement, and an age requirement. These requirements should be openly publicized. In addition, if there are

certain persons who may not vote (generally persons who are confined in prisons or mentally incompetent), this information should be known.

The election office should also be responsible for maintaining registration lists properly and correcting errors in the registration record. Procedures for correcting errors should be publicized in order to maintain an impartial and accurate list of registered voters.

Candidate Eligibility and Ballot Access

Candidate eligibility and ballot access should be clearly explained in the electoral law and regulations. It should not be arbitrary or discriminatory or left to the discretion of local authorities. A transparent process allows each eligible person the opportunity to become a candidate. Election officials should provide ballot access information including requirements to run for an office, how to have a name placed on the ballot, and how to have a name removed or challenged. Most countries have some sort of eligibility requirements for ballot access. The general principle behind these requirements is to ensure that only candidates that have a measure of public support have their names placed on the ballot and to keep frivolous candidates from the ballot. As a general rule, ballot access requirements should be just restrictive enough to prevent frivolous candidates from gaining access to the ballot, but not so restrictive as to keep a serious candidate with minimal public support from the ballot.

Election Districts and Boundaries

Of all issues in the administration of an election process, the drawing of election (or constituency) district boundaries is the most controversial. Election districts and boundaries are an area where manipulation of district lines can result in unfair advantages in the electoral process. Therefore, boundary lines should be drawn in a transparent method, with criteria which is fair to all groups. Often times, however, boundary lines are drawn by incumbent election officials, whose goal is to stay in office.

Transparency in this process can help eliminate “gerrymandering”. When a district is “gerrymandered”, voting boundary lines are drawn in such a way that the district has an unusual shape (such as a salamander, a U-shape, or an “L” shape) in order to give an unfair advantage to a political party. The lines are altered so that areas of strong support for certain political parties are concentrated in one voting district.

Ballot Design and Layout

Election laws should clearly explain ballot format and layout, in order to avoid inconsistent and unfair name placement. The format should be simple, with parties and candidates encouraged to use common symbols and signs in an uncomplicated design. Explanatory language on the ballot should be specified in the election law or in the regulations, even to the size of the letters, the spacing, and whether or not titles, nicknames or slogans are permissible.

Election Worker Training

Trained election officials who understand and apply the rules governing the conduct of the election are essential to a transparent election process. More than one election has gone awry due to poorly trained election officials who did not follow proper procedures.

Training should be clear, understandable and “hand on”, using the same type of materials that will be used on Election Day. Election day workers should have the opportunity to see the materials they will be working with and to understand how to carry out the election procedures.

Where possible, the training should include the candidate agents and/or representatives of political stakeholders, including NGOs.

Voter and Civic Education

Voter and civic education is an on-going process which should be encouraged at all levels of government. A passive policy that leaves voter and civic education to schools, NGOs, churches and political parties is often not sufficient to establish the basic conditions to ensure that the voting public understands and has confidence in the election process. A transparent national program should be established so that interested organizations and groups can participate.

Information should include objective, non-partisan statements relating to the importance of voting, instructions on how to cast a ballot, when and where to vote, and information on special voting provisions for those persons unable to vote on election day.

NGOs and political parties should be included in the programs and encouraged to supplement the national program with their own efforts. Everyone in the country should have access to the information. Where possible, media outlets should be utilized to promote non-partisan public service messages.

NGOs and Domestic Observer Participation

There are several ways to foster transparency in election administration, including participation in the process by NGOs and domestic observers. By inviting participation of these groups, the electoral process is open and available to interested parties, theoretically outside of the process. NGOs should be treated fairly and should be included in various programs. Inclusion in the election process can show that the conduct of the election official is open, visible, and clearly transparent.

Clear guidelines should be written that both encourage the participation of domestic observation groups and spell out what they may and may not do. For example, in some countries, NGOs participate as “monitors” of the election process. Their representatives are allowed to intervene when they see procedures not being properly followed. Most other countries only permit “observers” who may not intervene, but may report what they have observed.

Security Provisions

Security provisions are crucial to a transparent election process. The safeguarding of the voting equipment

and materials will eliminate the possibility of illegal actions by unscrupulous persons. Election officials must make every effort to alert authorized persons of the manner in which to obtain and secure official election materials. Persons who treat these responsibilities lightly, can be subject to severe criticism, not to mention the potential of vote fraud where election materials are not properly secured.

Electoral authorities should not feel reluctant to allow political stakeholders to be a part of the security provisions. An open process fosters confidence in the political stakeholders that no manipulation is taking place. Allowing candidate agents and observers to watch the printing of the ballots or the packing and movement of election supplies demonstrates the openness of the authorities’ procedures with out compromising the security of the process.

Election Day Operations

On election day, the entire election process is open to the closest scrutiny. Polling stations should be open on time, workers should know what they are doing, domestic observers should be allowed into polling stations, and all polling activities should be carefully monitored. A complaint mechanism should also be in place for the electorate to address their concerns.

To encourage transparent procedures, open communications should be established regarding the election day activities. The public should be advised of special procedures if problems arise on election day.

Election laws should include special voting provisions for persons who are unable to vote in person, generally due to absence or a physical disability. These absentee voting procedures should be well publicized.

Election officials should support NGOs and domestic observers and their importance in monitoring election day activities. Election officials should acknowledge problems when they occur, and respond to them promptly.

Media relations can be a help or a hindrance for election officials. The media can communicate transparent methods and solicit support for election activities. Provide information on the electoral process in advance and respond in a prompt and honest manner to inquiries. Provide the media with access to certain procedures and work impartially with the media. Encourage

the media to treat all parties and organizations fairly.

Post-Election Activities

Election administration also includes the important post-election activities of certifying the results of the election in a timely manner, evaluating the election activities, and responding to complaints.

A delay in announcing election results can diminish all the transparent methods in place, because it gives the appearance of impropriety. It is essential that tabulation methods and voting results be open for observation to all interested parties, including the media.

Responding to election related complaints in an open and timely manner should also be encouraged. Problems should be acknowledged, with proper corrective action taken. An evaluation of the election activities should be conducted in a realistic manner, with election officials maintaining impartiality regarding the results of the election.

Summary

The goals of a transparent election process is to contribute to “free and fair” elections, elections where the people have the right to be a candidate, to vote for a candidate of their choice on a secret ballot, and to see the results of their vote in a timely manner.

There are essentially two ways to incorporate transparent methods in the election process.

- Election laws can be written to include transparent methods in various election provisions; or
- Administrative rules can be adopted for election officials to follow.

Wherever there is a process that is optional, or permissive, and not mandated, there is a risk of unfair treatment and controversy over the implementation or interpretation of the election law. To avoid this controversy:

- Establish open procedures within the electoral guidelines.
- Work with interested groups, political parties and organizations
- Establish impartial and non-discriminatory programs
- Allow for public comment and input into decisions

Transparent procedures incorporated into the election process encourage “free and fair” elections because the process is open, accessible and accountable to the electorate.