



# Handbook for **EUROPEAN UNION ELECTION OBSERVATION**

fourth edition



Handbook for  
**EUROPEAN UNION  
ELECTION OBSERVATION**

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# INTRODUCTION

This fourth edition of the *Handbook for European Union Election Observation* reflects the EU's dynamic approach to election observation. While the EU's methodology for election observation has been continuously developed since it was established in 2000, the core principles upon which EU election observation is built – a long-term approach, encompassing all aspects of an electoral process, grounded in international human rights law – have remained largely unchanged.

Recent political and social trends continue to bring challenges to election observation. While democracy remains strong in many countries, in others there is a fast-growing trend towards authoritarianism. Security concerns in parts of the world have affected the conduct of election processes and occasionally hindered the deployment of observers. The rapid development of information and communication technologies (ICTs) and social media has also had a significant impact on the conduct of elections, offering new promises and challenges for election administrators, voters, candidates and observers alike. Such technologies are reshaping not only the conduct of crucial aspects of the election processes such as voter registration, the campaign and balloting procedures, but also the whole democratic environment, allowing new opportunities for exchanges of opinions and information between peo-

ple but also posing new threats to inclusivity, equal representation and the right of voters to make an informed choice.

Building upon the solid framework provided in previous editions, this handbook addresses new and emerging trends, both regarding the areas of assessment of an Election Observation Mission (EOM) and the practical aspects of EU observation.

The EU's Election Observation and Democracy Support (EODS) project, following the NEEDS project that started in 2001, has contributed to the ongoing development of the EU observation methodology, coupled with trainings to ensure the continuous skills and capacity building of EU observers and core team members. The EODS project has also focused on the development of methodology for monitoring social media and improving the visibility of EU election observation.

### *Purpose of the Handbook*

The fourth edition of the *Handbook for European Union Election Observation* provides a comprehensive overview of the approach to international election observation by the EU, including the rationale for its methodology, the basis for its assessment of an election process, and a description of how EU EOMs are planned, deployed and implemented. As election observers always encourage the transparency of electoral processes, they must be equally transparent about their own methods. This handbook seeks to contribute to this openness.

This handbook is designed primarily for use by EU observers, both new and experienced. While the handbook is a general reference for all EU EOM members, including the Chief Observer, the core team, long-term observers (LTOs) and short-term observers (STOs), certain sections deserve particular attention depending on one's role in the EOM. Core team members may be most interested in the comprehensive guidance provided on various aspects of the election process in Section Four. Long-term observers should find useful the detailed explanation of their role in Section Six. Short-term observers may wish to focus in particular on the election-day guidance provided in Section Seven.

In addition to providing guidance to EU observers, it is hoped that this handbook can contribute to the existing body of knowledge about election observation and its role in the field of human rights and democratisation. In this regard, this handbook may also be useful for representatives of host governments, civil society activists, especially citizen observers, election administrators, political party representatives and other international bodies involved in election observation.

## *Structure of the Handbook*

This handbook is divided into nine sections:

*Section One* is an introduction to the rationale for the **EU's observation of elections** in partner countries as part of its commitment to democracy, the rule of law and human rights. It outlines the role of different EU institutions in relation to election observation, the provision of technical assistance on elections and the EU's relations with other international election observer organisations. The section also explains the Code of Conduct for EU Election Observers and its Ethical Guidelines.

*Section Two* provides an overview of the framework for **international standards** for elections that stem from fundamental freedoms and political rights contained in universal and regional instruments. It describes how an EU EOM uses these standards, which have been agreed to by the country being observed, as the basis for its assessment of an electoral process. It also offers a brief overview of the UN human rights system.

*Section Three* details the comprehensive and long-term EU EOM **methodology** consistently applied when observing an election process. It also illustrates how EU election observation methodology ensures that an EU EOM provides an independent and impartial assessment, and works in a transparent and cooperative manner with election stakeholders and the State authorities of the host country.

*Section Four* comprehensively covers the **areas of assessment** of an electoral process and provides guidance on how the EU EOM should approach each area. The areas of assessment include: political context, legal framework, election administration, registration of voters, registration of candidates and political parties, election campaign, media, social media, complaints and appeals, human rights issues, including those relating to discrimination and inclusivity, role of civil society, voting and counting, tabulation and publication of results, election technologies and the post-election environment. For each area of assessment, the handbook identifies key principles for a genuine and democratic electoral process, including the relevant international standards and good practice.

*Section Five* explains the steps the European External Action Service (EEAS) and the European Commission Service for Foreign Policy Instruments (FPI) take to establish an EU EOM. It outlines the benchmarks used to decide whether to observe an election process, including the deployment of an exploratory mission and minimum conditions for effective and credible election observation. The section gives an overview of the planning, preparation

and deployment of an EU EOM. It also covers the EU's approach to security of EU EOMs and the safety of EU observers.

*Section Six* outlines the roles and responsibilities of EU election observers, including the specific tasks of core team members, long-term observers and short-term observers.

*Section Seven* provides guidance for the election day observation of voting and counting, including guidelines on reporting forms as well as specific points of observation when visiting polling stations. It also provides guidelines for observing the tabulation and publication of results and the post-election environment.

*Section Eight* provides guidelines for EU EOM reporting, including the preliminary statement (released shortly after election day) and the final report (released after the conclusion of the electoral process), as well as regular internal reporting.

*Section Nine* outlines the EU's approach to follow-up to EOM recommendations, including the sequencing of EU activities to support election reform during the election cycle.





## SECTION ONE

# THE EUROPEAN UNION AND ELECTION OBSERVATION

### 1.1 The EU, democracy and human rights



The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

**Art. 2, Treaty on European Union**

The Union's action on the international scene shall be guided by the principles which have inspired its own creation [...] democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, [...]

**Art. 21, Treaty on European Union**

The commitment of the EU to supporting, developing and consolidating democracy, the rule of law and human rights is at the core of the EU's identity, and is well-grounded in the various legal instruments that govern EU functioning, structures and activities. These include the Treaty on the European Union (1992),<sup>1</sup> which states that the EU 'is founded on the values of respect

<sup>1</sup> As amended by the Lisbon Treaty, December 2007.

for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.’

Externally, support to democracy is at the centre of the EU’s Common Foreign and Security Policy (CFSP) and of the EU’s development cooperation. Relations between the EU and its partners are established recognising that the consolidation of democratic institutions and human rights is a joint value and a common interest. In line with this policy, the EU provides extensive support to initiatives and programmes that seek to develop and consolidate human rights, democratic institutions and the rule of law in partner countries.

Since the early 1990s, a human rights clause has been included in all EU agreements with partner countries. The EU institutions have also developed a policy framework to emphasise human rights, good governance and democracy in external actions. In 2019, the Council of the European Union adopted Conclusions on Democracy recognising the growing challenges facing democracy across the world and pledging a common and practical response from EU institutions and Member States.<sup>2</sup> The EU Action Plan on Human Rights and Democracy 2020 – 2024, extended until 2027, details this response. It promotes inclusive and representative decision-making and a deliberative and participative model of governance with a strong focus on women and youth participation, working hand in hand with civil society organisations, independent media and academia with a renewed bottom-up perspective.

Election observation remains a key tool for the EU to promote democracy and respect for human rights worldwide. EU EOMs provide a valuable source of recommendations to partner countries to strengthen democratic institutions and the electoral process. The Action Plan focuses on supporting citizen observation, ensuring the systematic follow-up to EU recommendations, enhancing the role of election observation in reinforcing other EU foreign policy objectives and developing a methodology for assessing the use of social media and other digital technologies during elections.<sup>3</sup>

## 1.2 The rationale for EU election observation

Election observation is a tool used in the context of the EU’s wider policy of support for democracy, the rule of law and human rights. The International Covenant on Civil and Political Rights (ICCPR) stipulates that citizens have the right to participate in the government and public affairs of their country by voting or being elected at genuine periodic elections. The right to participate

<sup>2</sup> Council Conclusions on Democracy, 12836/19, Brussels, adopted 14 October 2019.

<sup>3</sup> EU Action Plan on Human Rights and Democracy 2020 – 2024, 12848/20, Brussels, adopted 18 November 2020 and extended on 27 May 2024 until 2027.

cannot, however, be exercised in isolation; genuine and democratic elections can only take place when all citizens, without discrimination, are able to enjoy their fundamental freedoms and political rights. These include the freedoms of expression, association, assembly and movement. In addition, human rights, the right to participation and other associated fundamental freedoms can be enjoyed only through the protection afforded by the rule of law.

Elections provide the means for the people's will to be freely expressed when choosing their government. Governing institutions have democratic legitimacy when they have been granted the authority by the people to govern in the name of the people, and be accountable to the people for the exercise of that authority, through genuine and periodic elections.

A genuine and democratic electoral process can contribute to ensuring sustainable peace and stability. Elections provide citizens and groups with an opportunity to express their political voice in competition with others without resorting to violence, and contribute to the peaceful transfer of political power. In this regard, election observation by the EU can complement and enhance other EU crisis management and peace-building initiatives in partner countries.

The EU also recognises that international election observation provides a comprehensive, independent and impartial assessment of an electoral process. As election observation enhances transparency and accountability, it can promote public confidence in the electoral process and may serve to promote electoral participation. Together with other international observation groups, an EU EOM seeks to make a positive contribution to the emergence, promotion and improvement of democratic processes without interfering in the conduct of an election, nor validating its result. It is only the people of the host country who can ultimately determine the credibility and legitimacy of an election process.

### 1.3 The mandate for EU election observation

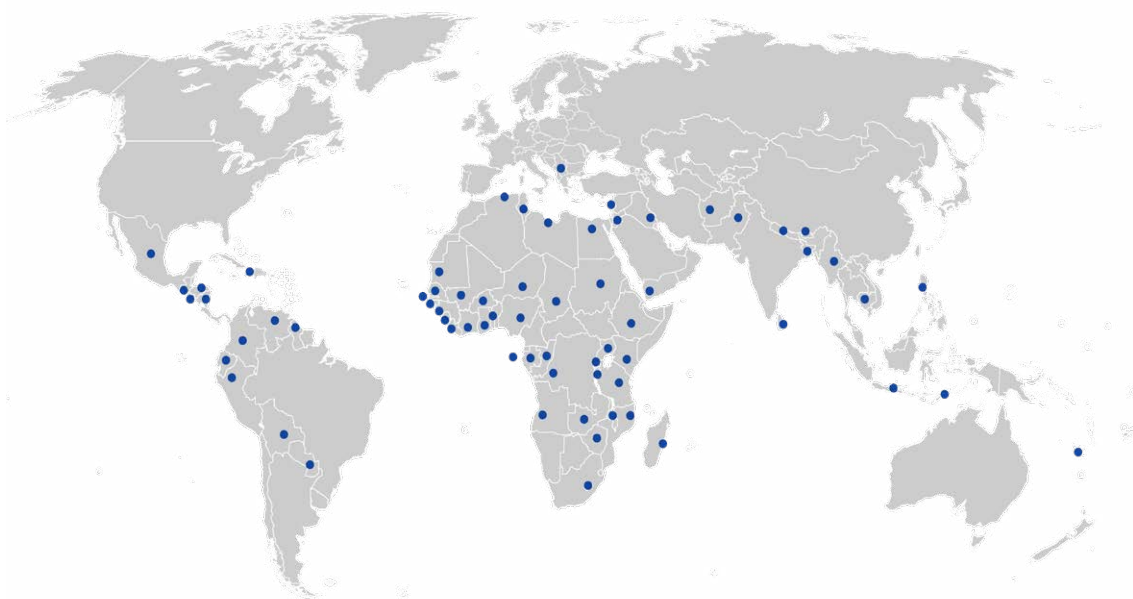
The first EU EOM was deployed to the Russian Federation in 1993, which was followed by several other missions throughout the 1990s, always organised in an *ad hoc* manner. In 2000, in recognition of its growing role and increasing support for election observation activities, the European Commission adopted the Communication on EU Election Assistance and Observation,<sup>4</sup> which established a systemic and consistent approach. The Communication identified the main objectives of EU election observation:

- strengthen respect for fundamental freedoms and political rights;

<sup>4</sup> Communication from the Commission on EU Election Assistance and Observation, COM(2000)191.

- undertake a comprehensive assessment of an electoral process in accordance with international standards;
- enhance public confidence in the electoral and democratic processes, including providing a deterrence to fraud;
- contribute, where relevant, towards the prevention or resolution of conflict.

The Communication, which was subsequently endorsed by the Council of Ministers and the European Parliament, establishes a standard and consistent methodology for EU observation that is based on an impartial, independent and long-term assessment of an electoral process, in accordance with international standards for democratic elections. The Communication also provides a strategic and consistent approach to EU election observation activities. This includes a policy on deploying missions where observation is complementary to the EU's efforts in supporting democracy and human rights, or where the EU is engaged in post-conflict stabilisation. Deployment should take place only if EU observers have the potential to bring added value and make a constructive contribution to the electoral process. At the same time, the decision whether to send a mission should not be seen as a pre-emptive judgment as to whether an election will be in line with international standards. EU EOMs are only deployed to countries where an invitation to observe has been received from the State and/or electoral authorities.



## 1.4 The scope of EU election observation

Between 2000 and 2025, the EU deployed EOMs in over 65 countries around the globe.

Each EU Member State is also a participating State of the OSCE. Election observation within OSCE participating States is undertaken by the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR). The EU and the OSCE/ODIHR use a comparable methodology. For these reasons, the EU does not usually observe elections in the OSCE region.

Afghanistan	Guinea Bissau	Nicaragua
Algeria	Guyana	Niger
Angola	Haiti	Nigeria
Bangladesh	Honduras	Pakistan
Bhutan	Indonesia	Paraguay
Bolivia	Iraq	Peru
Burkina Faso	Ivory Coast	Philippines (The)
Burundi	Jordan	Rwanda
Cambodia	Kenya	Sao Tome e Principe
Chad	Kosovo*	Senegal
Colombia	Lebanon	Sierra Leone
Congo (Brazzaville)	Lesotho	Sri Lanka
Democratic Republic of Congo	Liberia	Sudan
Ecuador	Libya	Tanzania
Egypt	Madagascar	Timor Leste
El Salvador	Malawi	Togo
Ethiopia	Maldives	Tunisia
Fiji	Mali	Uganda
Gabon	Mauritania	Venezuela
Gambia (The)	Mexico	West Bank and Gaza
Ghana	Mozambique	Yemen
Guatemala	Myanmar	Zambia
Guinea	Nepal	Zimbabwe

\* This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.



## 1.5 The role of EU institutions

An EU Election Observation Mission is a truly inter-institutional tool. The 2000 Communication advocates coherence in the respective roles of the relevant EU institutions and services involved. These roles have adapted to the institutional changes introduced by the Treaty of Lisbon. EU election missions are funded by the Global Europe thematic programme for Human Rights and Democracy,<sup>5</sup> and this funding is managed by the European Commission Service for Foreign Policy Instruments.

The High Representative for Foreign Affairs and Security Policy and Vice President of the Commission (HR/VP) has the overall political responsibility for setting the annual EU election priorities. He/she decides on the deployment and oversees the overall functioning of EU EOMs. He/she is assisted by the European External Action Service for all political and electoral issues and by the European Commission Service for Foreign Policy Instruments (FPI) for all operational, security and financial aspects of these missions.

EU EOMs are usually led by a Member of the European Parliament, who acts as Chief Observer and is appointed by the HR/ VP.

### *European External Action Service*

The EEAS steers the overall election observation process. Within the EEAS, the Democracy and Electoral Observation Division leads programming of election observation activities and related policy aspects of implementation and follow-up. The Division's staff lead exploratory missions deployed to priority countries a few months ahead of elections, follow closely the political and electoral aspects of EOMs and coordinate follow-up to observation missions' recommendations in cooperation with EU Delegations, Member States and the European Commission. The EEAS also participates in the selection of the core team members together with FPI. The Democracy and Electoral Observation Division coordinates with the Directorate-General for International Partnerships (INTPA) in the European Commission to ensure better coherence between electoral observation, electoral assistance and wider democracy support.

The EEAS is responsible for the overall democracy support policy formulation, to ensure the implementation of the 2019 Council Conclusions on Democracy, as well as of the EU Action Plan on Human Rights and Democracy, and works towards ensuring internal-external policy coherence for democracy policies.

<sup>5</sup> The thematic programme for Human Rights and Democracy 2021-2027 falls under the Global Europe instrument's second pillar. It is a continuation of the former EIDHR.

## *European Commission Service for Foreign Policy Instruments*

FPI is implementing the yearly Commission Decision on the financing of electoral missions<sup>6</sup> based on the Multi-annual indicative programme 2021-2027.<sup>7</sup> FPI leads the operational implementation of election observation activities and covers the practical deployment of observation missions – specifically the operational, security and financial aspects of these missions.

FPI has the duty of care over mission members, ensuring their security and safety. Finally, FPI presides over the selection panels for core team members, observers and implementing partners (IPs).

## *European Parliament*

Beyond its legislative, budgetary and political control powers conferred by the EU treaties, the European Parliament (EP) plays a prominent role in election observation<sup>8</sup>: it is consulted by the HR/VP on EU election observation priorities twice a year, follow-up to EOMs and on the appointment of EU Chief Observers (who are Members of the European Parliament). The European Parliament also deploys election delegations to EU EOMs, usually composed of 7 Members coming from different political groups and fully integrated in the framework of the EU EOMs. Regular dialogue on EOMs and related issues takes place between EEAS, FPI and the European Parliament in the context of the EP Democracy Support and Election Coordination Group – DEG. The role of the European Parliament is also important in providing political support to the EU EOM assessment of an electoral process and to the follow-up of EU EOM recommendations. The European Parliament participates in International Election Observation Missions of the OSCE/ODIHR, outside the EU area, by deploying an EP election observation delegation.

## *European Union Member States*

The role of the EU Member States is extremely important to the nomination of election observers and the political follow-up of an EU EOM. In view of the political and diplomatic nature of election observation and to ensure EU policy coherence, the HR/VP through the EEAS consults EU Member States in the Political and Security Committee of the EU Council on the election priorities. The EEAS regularly informs Member States on the im-

6 Commission Implementing Decision on the Financing of the multiannual action plan of the EU electoral missions and complementary activities.

7 The Commission multiannual indicative programme for the thematic programme on human rights and democracy for the period 2021-2027.

8 Declaration by the High Representative on political accountability of 20 July 2010.

plementation of EOMs in the relevant Council Working Groups. Member States also propose short- and long-term observers.

## 1.6 Code of Conduct and Ethical Guidelines for EU election observers

All members of EU election missions are bound by the Code of Conduct and the Ethical Guidelines.<sup>9</sup> Both documents are in harmony with the code of conduct accompanying the Declaration of Principles for International Election Observation (see Annex 1), to which EU observers should also adhere. EU election mission members include the Chief Observer (CO), the Deputy Chief Observer (DCO), the members of the Core Team, the members of the implementing partner, long- and short-term observers, locally-recruited short-term observers and national staff, as well as experts/analysts participating in Exploratory, Follow-up or Election Expert Missions.

### *Ethical Guidelines for the Code of Conduct of EU Election Observers*

The EU Ethical Guidelines provide the framework for a zero-tolerance policy against breaches of the Code of Conduct and the procedures to address those. They are based on individual commitment, a spirit of cooperation and team work.

The EU Ethical Guidelines identify malpractices that are considered a violation of the Code of Conduct. These are breaches regarding impartiality, confidentiality and information-sharing, personal discretion and integrity, cultural awareness, dress code and treatment of national staff. Special attention is placed on identifying breaches related to interpersonal conflicts, discrimination, corruption, and fraud, as well as psychological and sexual harassment.

The Ethical Guidelines also state that observers shall refrain from posting on their personal social media accounts and other web-based media any content that may compromise the security and credibility of the EU EOM, its impartiality, professionalism and relations with the host country.

EU mission members have an obligation to report to the assigned contact point any misconduct/malpractice or any serious failure to comply with the professional obligations of other mission members. In particular, EU EOMs have four contact points (two international members and two national members), in addition to the DCO and FPI acting as contact points in specific cases.

<sup>9</sup> The Code of Conduct for EU Election Observers was established by the Council Decision 9262/98 and is included as Annex III of the 2000 EC Communication on Election Assistance and Observation, COM(2000)191. The Ethical Guidelines for the Code of Conduct of EU Election Observers were developed in 2021.

## CODE OF CONDUCT FOR EU ELECTION OBSERVERS

1. Observers will respect the laws of the land. They enjoy no special immunities as international observers, unless the host country so provides.
2. Observers will participate in all pre-election briefings with their supervising officers.
3. Observers will be subject to the direction and management of the observer team leadership, carrying out their written terms of reference and covering the geographical schedules specified by team leaders.
4. Observers should be aware of the presence of other electoral observation groups, and liaise with them under the direction of the EU EOM leadership.
5. Observers will carry with them prescribed identification issued by the host government or election management body, and will identify themselves to any interested authority upon request.
6. Observers will maintain strict impartiality in the conduct of their duties, and shall at no time express any bias or preference in relation to national authorities, parties, candidates, or with reference to any issues in contention in the election process.
7. Observers will not display or wear any partisan symbols, colours or banners.
8. Observers will undertake their duties in an unobtrusive manner, and will not disrupt or interfere with the election process, polling day procedures, or the vote count.
9. Observers may bring irregularities to the attention of the election officials, but will not give instructions or countermand decisions of the election officials.
10. Observers will base all conclusions on well-documented, factual, and verifiable evidence, and will keep a record of the polling stations and other relevant places that they visit.
11. Observers will refrain from making any personal or premature comments about their observations to the media or any other interested persons, but should provide, through a designated liaison officer or spokesperson, general information about the nature of their activities as observers.
12. Observers will participate in post-election debriefings with their supervising officers and will contribute fully towards EU reports on the elections being observed.
13. Observers must comply with all national laws and regulations. Where these limit freedom of assembly or movement about the country, they must note where such rules prevent them from carrying out their duties.
14. At all times during the mission, including during private time away from work, each election observer should behave blamelessly, exercise sound judgement, and observe the highest level of personal discretion.

The EU Ethical Guidelines indicate the mechanisms to handle complaints, and encourage all mission members to bring disagreements to the attention of the contact points for resolution before they reach a critical phase. Depending on the case, the person concerned or informed may proceed to try to find a solution through either an informal mechanism (dialogue, advice and mediation) or through formal complaint mechanisms.

Members of the European Parliament participating in an election observation delegation integrated into the framework of a long-term observation mission (EU EOMs, OSCE/ODHIR and others) must subscribe to and

abide by the Code of Conduct for Members of the European Parliament, which sets out general principles within Parliament on how to conduct election observation missions. This Code of Conduct is complementary to the Code of Conduct of International Election Observers endorsed by the European Parliament on 16 May 2007. In case of non-compliance with the Code of Conduct, the Member concerned may be excluded from taking part in election observation delegations for the duration of the parliamentary term.

### *Code of Conduct violations*

In case of a possible Code of Conduct violation, a fair inquiry is conducted into the matter under the responsibility of the Deputy Chief Observer who informs the Chief Observer. In case of disagreement, mission members have access to an appeals procedure. Sanctions for those found to have violated the Code of Conduct and Ethical Guidelines include repatriation from the EU EOM, exclusion from EU observation for a period of 5 years and an evaluation of ‘not recommended’ for future observations.

## **1.7 EU electoral assistance**

The EU is a leading global actor in the field of electoral assistance and provides technical and material support to electoral processes in many partner countries. The methodological approach to election assistance was outlined in the 2000 Communication. In recent years, there has been a significant increase in the funding and coverage of electoral assistance, which is tailored towards implementing long-term support strategies within the framework of democratic development and support to good governance.

Recommendations of EU election missions normally form the basis for future EU electoral assistance. The EEAS and the European Commission work closely with partner countries to follow-up on the recommendations of EU EOMs, especially in relation to strengthening the institutional capacity of election management bodies and the long-term needs of civil society. However, an EU EOM is politically independent from any EU-funded technical assistance projects that may be taking place in the country being observed.

A comprehensive overview of the role of the European Commission in election assistance is provided by the *EC Methodological Guide on Election Assistance*.<sup>10</sup>

<sup>10</sup> EC Methodological Guide on Election Assistance, EuropeAid, Brussels, 2006.



## 1.8 Relations with other election observer organisations

### 1.8.1 *International observer groups*

The EEAS, the European Commission and the European Parliament have all endorsed the *Declaration of Principles for International Election Observation*, which establishes a universal code of practice for international election observation, intending to safeguard the integrity and purpose of this field of work.

Under the *Declaration of Principles*, all endorsing organisations pledge to co-operate with each other in conducting international election observation missions. Therefore, EU EOMs routinely cooperate with delegations of observers from other bodies that have endorsed the *Declaration of Principles*. The EU has strongly supported the development of a common approach to election observation methodology, and is committed to increasing cooperation and links with other international bodies involved in election observation.

### 1.8.2 *Citizen election observers*

The EU has supported the development of non-partisan citizen election observation in many countries. Such support recognises that citizen observation can greatly enhance transparency as well as public confidence in the integrity of an electoral process. For example, on election day, citizen observers provide an independent scrutiny of voting and counting. Activities such as ‘parallel vote tabulations’ or ‘quick counts’ (where observers verify the accuracy of election results based on a statistical sample of polling stations), if performed according to a strict methodology, can be significant deterrents against fraud in the tabulation. Citizen election observers also have an important role to play in the analysis of the legal framework, voter registration, as well as during the election campaign through the monitoring of campaign events, the media, campaign finance, impartiality of the public administration and in the post-election phase. In addition, citizen observers can play a key advocacy role in promoting election reforms, including on the basis of EU EOM recommendations.<sup>11</sup>

The *Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations*, adopted in 2012 and endorsed by more than 250 organisations, provides an important set of standards for self-awareness and accountability among non-partisan election monitoring

11 See EU Guide for Citizen Observers on Election Reform, European Commission/Supporting Democracy Project, 2018.

organisations.<sup>12</sup> The endorsing organisations together form the Global Network of Domestic Election Monitors (GNDEM), which seeks to promote the credibility and accountability of citizen observation through sharing of knowledge and interactive communication among members. GNDEM also includes nine regional network members in Africa, Asia, Europe and Eurasia, Latin America and the Caribbean.

The European Commission provides considerable support to the development of the capacity and credibility of citizen observer groups with a particular focus on their use of long-term and comprehensive methodology and the use of international standards in assessment and reporting. EU EOMs liaise closely with credible citizen election observer groups and welcome information from them on the conduct of the electoral process, but draw their own independent assessments and conclusions based on direct observation by EU observers.

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<sup>12</sup> See <https://gndem.org> for more information.



## SECTION TWO

# 2 INTERNATIONAL STANDARDS FOR ELECTIONS

### 2.1 Key definitions

#### *International standards*

The term ‘international standards’ used throughout this handbook refers indiscriminately to the general principles defined in international and regional treaties and other instruments, including political declarations, and to the criteria that have been developed over time to specify the scope of application of these principles.

International human rights treaties and other instruments define minimum standards as obligations that can be fulfilled by different means left, largely, to the discretion of States. This being said, during the last decades, international human rights law has evolved considerably over the question of the best ways to achieve the goal of democratic elections, and a set of criteria based on both international law and the practice of States and inter-governmental organisations has gradually emerged. These criteria aim to clarify the principles in ways that take account of concrete situations.

In that sense, the term ‘international standards’ also includes comments and clarifications provided by human rights monitoring bodies and regional courts. The authority of their interpretation of treaty provisions is such that it is to be considered an integral part of international standards.

## *Good practice and other resources*

When assessing an electoral process, EU observers may rely on other sources than ‘international standards’ in the narrow sense. Reference can be made, for instance, to ‘good practice’, meaning State practices that help illustrate how countries can fulfil their obligations under international law, while accommodating their specific needs.

Furthermore, the international observation of elections in many countries in democratic transition has also contributed to developing specific assessment criteria, reflected various types of text such as codes of good practice, guidelines, expert analyses, observation handbooks, or policy statements.

EU observers must, however, use these sources with caution. They may benefit from a broad consensus within the election expert community, but may not be universally accepted. Texts and documents promoting assessment criteria that go beyond what can be inferred from legally-binding or politically-binding instruments may be useful as guidance, but they should not be referred to as binding norms.

## *National legal framework*

In addition, an EU election mission also assesses the extent to which an electoral process has been conducted in accordance with the national legal framework and the degree to which national laws support or inhibit compliance with international standards for elections.

## **2.2 Overview of the UN human rights system**

Before the Second World War, there was no generally accepted and comprehensive set of human rights at the international level. The origin of the UN human rights system lies in the 1945 UN Charter, which sets as one of the purposes of the United Nations “to achieve international cooperation [...] in promoting and encouraging respect for human rights...”<sup>13</sup> The Charter refers to ‘human rights’ but does not define their meaning and substantive content.

In the mid-1970s, the Commission on Human Rights became more active in investigating and reporting on human rights violations and since 1979, special procedures have been put in place with a thematic or country-specific focus. In 2006 a United Nations General Assembly (UNGA) resolution turned the Commission into the new UN Human Rights Council (UN HRC)

<sup>13</sup> UN Charter, Article 1.

and created the process of the Universal Periodic Review (UPR), through which all States declare the steps they are taking to foster human rights in their country.<sup>14</sup>

As of July 2025, there are 46 thematic and 14 country-specific UN HRC mandates. Of particular interest for electoral matters are the reports of the country-specific mandates, as well as the reports of several thematic mandates, most notably of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, and the Special Rapporteur on extrajudicial, summary or arbitrary executions.<sup>15</sup>

### *The Universal Declaration of Human Rights*

The Universal Declaration of Human Rights (UDHR) was adopted in 1948. Formally, it is a non-binding UN General Assembly Resolution; yet it has been regarded as the “authoritative interpretation of the term ‘human rights’ in the UN Charter, and thus can be considered indirectly constituting international treaty law. All human rights activities and mechanisms of the Human Rights Council and other bodies of the United Nations, which are directly based on the Charter, refer to the Universal Declaration as universally recognised standards accepted by all States.”<sup>16</sup> The UDHR was significant in the development of political participation as a universally accepted human right.

### *The International Covenant on Civil and Political Rights*

The international human rights associated with political participation were further developed and codified by the International Covenant on Civil and Political Rights (ICCPR), which is binding under international law on all States that are party to it.<sup>17</sup> The ICCPR builds on the right to political participation, detailing the requirements associated with elections that are a key part of this right. Other important treaties in the electoral context are mentioned below in Section 2.4.

<sup>14</sup> See, UNGA Resolution 60/251, Human Right Council, A/RES/60/251.

<sup>15</sup> For more information, please visit the ‘human rights bodies’ page at <https://www.ohchr.org/en/hr-bodies/hrc/special-procedures>.

<sup>16</sup> Manfred Nowak, *Introduction to the International Human Rights Regime*, MNP, Leiden, 2003, p.76.

<sup>17</sup> As of July 2025, 174 States are a party to the ICCPR. A total of 18 countries has neither signed nor ratified the ICCPR. These are Bhutan, Brunei Darussalam, Cook Islands, Holy See, Kiribati, Malaysia, Micronesia, Myanmar, Niue, Oman, Saint Kitts and Nevis, Saudi Arabia, Singapore, Solomon Islands, Tonga, Tuvalu and the United Arab Emirates. Six countries (China, Comoros, Cuba, Nauru, Palau and Saint Lucia) had signed but not ratified it. Source: UN Treaty Body Database. ([https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx)).



## *Signing and ratification of human rights treaties*

Once a State has signed and ratified a human rights document, it becomes bound by it and is required to implement it in its national law.<sup>18</sup> If a State has signed but not ratified it, the State is not legally bound by it, but it is obliged not to carry out acts that would defeat the object and purpose of the treaty. The purpose of having a time period between signature and ratification is for States to seek domestic approval of the treaty, and to enact the necessary implementing legislation. Some States may enter reservations to certain articles of a treaty when they ratify; this limits their obligations under the treaty. Information on which States have signed and ratified human rights treaties can be found in the Compendium of International Standards for Elections,<sup>19</sup> and on the UN treaty database.<sup>20</sup>

## *Enforcement of human rights treaties*

One of the key issues in international law is how human rights are enforced and what actions can be taken against a State Party that is not complying with the terms of a human rights treaty. Each treaty has a committee or monitoring body which checks compliance: in the case of the ICCPR it is the UN Human Rights Committee.<sup>21</sup> There are two principal enforcement mechanisms:

- these treaty monitoring bodies require periodic reports from each country on how the treaty is being implemented and enforced, and engage in a dialogue with each country over problematic areas;
- States Parties can choose to recognise the competence of the treaty monitoring committees to receive communications from individuals alleging a violation of their rights.<sup>22</sup> The committee then publishes its views on these cases.

The committees also publish their interpretations of the treaties as General Comments/recommendations. The reports and comments are publicly available on the committees' websites.

There are limits to the effectiveness of these enforcement measures, and if a country is prepared to face national and international criticism, it can continue to violate human rights. Political and diplomatic pressure, both national and international, is often a more effective means to press for the

<sup>18</sup> Accession and ratification have equivalent effects.

<sup>19</sup> Compendium of International Standards for Elections, EODS, 2023 (online).

<sup>20</sup> <http://treaties.un.org>.

<sup>21</sup> <http://www.ohchr.org/>

<sup>22</sup> The usual means for a State Party to accept the Committee's jurisdiction over individual complaints is to sign an optional protocol to that effect.

enforcement of human rights treaties and to hold States accountable for failing to meet international standards.

## 2.3 Human rights protection at regional level

In addition to the UN system, regional bodies have their own mechanisms to enforce regional human rights treaties (see Section 2.6 below). These include the Inter-American Commission and Court on Human Rights, the European Court of Human Rights and the African Commission and Court on Human and Peoples' Rights.<sup>23</sup> Cases are reported from these bodies, and although not binding on States who are not parties to the regional instruments in question, they are part of the case-law of the international human rights system, and may help to explain and interpret these rights.<sup>24</sup>

## 2.4 Universal legal instruments for elections

The essential elements of the right to political participation are enshrined in the UDHR and the ICCPR.

### 2.4.1 *The right to participate in government and public affairs*

#### **UDHR Article 21**

*(1) Everyone has the right to take part in the government of his/her country, directly or through freely chosen representatives. [...]*

*(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret ballot or by equivalent free voting procedures.*

#### **ICCPR Article 25**

*Every citizen shall have the right and the opportunity, without any distinction [...] and without unreasonable restrictions:*

*(a) to take part in the conduct of public affairs, directly or through freely chosen representatives;*

*(b) to vote and to be elected at genuine periodic elections, which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;*

*(c) to have access, on general terms of equality, to public service in his country.*

<sup>23</sup> These bodies operate within the framework of regional organisations: Organization of American States, the Council of Europe and the African Union.

<sup>24</sup> For further details see Chapter 2 of the *Compendium of International Standards for Elections*, which cites case-law with reference to several aspects of the rights associated with political participation.

### 2.4.2 Other fundamental freedoms

Political participation, both as a voter and as a candidate, is linked to a number of other substantive human rights without which it cannot be meaningfully exercised. The UDHR and ICCPR establish fundamental freedoms which relate to elections and the wider electoral environment. These include the freedoms of assembly, expression, association and movement. For example, there is no meaningful right to participate as a political representative if one's party cannot be registered, one's supporters cannot attend a rally, and one's opinions are not allowed to be published.

	UDHR	ICCPR
- <i>freedoms of opinion and expression</i>	Art. 19	Art. 19
- <i>freedom of peaceful assembly</i>	Art. 20	Art. 21
- <i>freedom of association</i>	Art. 20	Art. 22
- <i>freedom of movement</i>	Art. 13	Art. 12
- <i>freedom from discrimination</i>	Art. 2	Arts. 2 and 3
- <i>the right to an effective legal remedy</i>	Art. 8	Art. 2

### 2.4.3 Interpretation of the ICCPR

The United Nations Human Rights Committee issues General Comments which provide authoritative interpretations on ICCPR provisions. Particularly relevant to elections are General Comment No. 25 (1996) on Article 25 (*The right to participate in public affairs and voting rights*), as well as General Comment No. 31 (2004) on State Parties' obligations, General Comment No. 34 (2011) on Freedoms of opinion and expression, and General Comment No. 37 (2020) on the right of peaceful assembly (article 21).

These comments provide a useful basis for interpreting the provisions and scope of the Covenant, for example by clarifying and defining the reasonableness of any restrictions upon those rights.

## 2.5 Other universal legal instruments for elections

Other universal human rights treaties provide additional standards for electoral processes and the wider environment in which they take place. They include:

- the International Covenant on the Elimination of Racial Discrimination (ICERD) (1966);<sup>25</sup>
- the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979);<sup>26</sup>
- the Convention on the Rights of Persons with Disabilities (CRPD) (2006).

In addition, several provisions of the UN Convention against Corruption (2003) are relevant for the election process, in particular as regards transparency and political finance.

## 2.6 Principal regional instruments for elections

There are a number of instruments providing standards relating to elections which are agreed to by States within a geographic region or as members of an international organisation. These instruments can have the status of treaties, which are legally binding upon signatories, or can be declarations of political commitments, which have a persuasive impact on a country and can be considered as ‘politically binding’. Both treaties and political commitments provide important regional sources for election standards in many countries where the EU observes and, where relevant, are referred to in EU election mission reporting and recommendations.

Regional body	Treaties	Political declarations, commitments, and other initiatives
<i>African Union (AU)</i>	African Charter on Human and Peoples' Rights (1981)  African Charter on Democracy, Elections and Governance (2007)	African Union Declaration on Principles Governing Democratic Elections (2007)
<i>Economic Community of West African States (ECOWAS)</i>	ECOWAS Protocol on Democracy and Good Governance (2001)	Declaration of Political Principles of ECOWAS (1991)

<sup>25</sup> See also: General Recommendation No. 20 of the ICERD Committee on Article 5 and General Recommendation No. 25 of the ICERD Committee on gender-related dimensions of racial discrimination.

<sup>26</sup> See also: General Recommendation No. 23 of the CEDAW Committee on Political and Public Life (1997).

Regional body	Treaties	Political declarations, commitments, and other initiatives
<i>Southern African Development Community (SADC)</i>		SADC Principles and Guidelines on Democratic Elections (2004 and revised in 2015)
<i>Organization of American States (OAS)</i>	American Convention on Human Rights (1969)	American Declaration of the Rights and Duties of Man (1948)
<i>League of Arab States (LAS)</i>	Arab Charter on Human Rights (2004)	
<i>Association of Southeast Asian Nations (ASEAN)</i>		ASEAN Human Rights Declaration (2012)
<i>The Commonwealth</i>		Harare Commonwealth Declaration (1991) The Commonwealth Charter (2012)
<i>Organization for Security and Co-operation in Europe (OSCE)</i>		Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (1990)
<i>Council of Europe (CoE)</i>	European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)	European Commission for Democracy through Law (Venice Commission) Code of Good Practice on Electoral Matters (2002)

## 2.7 Applying international standards

Section Four of this handbook details the structured methodology by which an EU election mission applies international standards for elections and good practice for democratic elections to its assessment of all aspects of an electoral process. In its reports, the EU EOM identifies areas where international standards have been met and where they have not.

In most countries, the primary source of reference on the relevant international standards for an election is the ICCPR, although an EU election mis-

sion also routinely takes account the standards for elections established in other universal and regional instruments. In countries that have not signed and/or ratified the ICCPR, an EU election mission refers to the provisions of the UDHR, as well as other treaties or commitments, as the source of international standards for elections.

The conduct of an election can be influenced by a range of contextual factors. In circumstances where international standards have not been met, or where national law has not been followed, an EU election mission considers whether there are mitigating or aggravating factors, thus placing those circumstances into context (see table below for examples).

Both mitigating and aggravating factors are considered carefully when an EU election mission assesses any particular failure to meet international standards. For example, an EU election mission may be less critical when problems are not deliberate and are addressed openly, while it will be highly critical of any election where there is manipulation or undue political or executive interference.

Considering contextual factors when assessing any particular problem	
Towards a more positive assessment ←	Towards a more negative assessment →
<b>Mitigating factors</b> <ul style="list-style-type: none"> <li>- post-conflict or first multi-party election</li> <li>- poor infrastructure and/or poverty preventing sufficient financial investment in elections</li> <li>- <i>force majeure</i></li> <li>- no previous history of electoral problems</li> <li>- the problem is isolated or limited in nature</li> <li>- the problem is non-discriminatory</li> <li>- willingness to admit and address the problem</li> <li>- there is no undue interference with the process</li> <li>- the problem is addressed with openness, transparency and inclusiveness</li> <li>- the problem is addressed through appropriate and/or lawful channels</li> <li>- the problem is caused by inadvertent error</li> <li>- the problem is not deliberate or a result of dishonesty</li> <li>- public confidence in the system is maintained despite problems</li> <li>- peaceful atmosphere</li> </ul>	<b>Aggravating factors</b> <ul style="list-style-type: none"> <li>- country has an 'established' electoral history</li> <li>- no external cause</li> <li>- unrealistic electoral budget</li> <li>- the problem was foreseeable</li> <li>- persistence of the problem from previous elections</li> <li>- the problem is of regional or national scale</li> <li>- the problem affects a specific group</li> <li>- refusal to acknowledge the problem despite evidence of its occurrence</li> <li>- undue government or partisan interference in the process</li> <li>- opaque problem-solving procedure</li> <li>- exclusion or repression of stakeholders</li> <li>- the problem remains unaddressed or is addressed using inappropriate or unlawful means</li> <li>- the problem is caused by deliberate political action</li> <li>- public confidence in the system is diminished</li> <li>- coercion and violence</li> <li>- dishonesty</li> </ul>





# 3

## SECTION THREE

# EU OBSERVATION METHODOLOGY

### 3.1 Consistency

To ensure a consistent approach to election observation, the EU applies the same methodology to assess an electoral process in all countries where it observes elections. This methodology was established by the 2000 *Communication on Election Assistance and Observation* and is in line with the *Declaration of Principles for International Election Observation* commemorated at the United Nations in 2005. The EU deploys experienced observers who come from a variety of backgrounds and provides training in the different aspects of election observation. All observers are obliged to adhere to the Code of Conduct for EU Election Observers and its Ethical Guidelines (see Section 1.6).

The EU observation methodology ensures that information on the conduct of an election and other indicators of the wider democratic environment are gathered systematically by observers. The use of international standards for elections, as established in universal instruments, ensures that the information gathered is assessed through a standard approach that is relevant to all countries. Assessment of an election does not involve comparison between individual countries. Safeguards are provided against subjective or partisan assessments of the election process.

### 3.2 Comprehensive and long-term observation

EU observation methodology focuses comprehensively on all aspects and stages of an election process (see Section Four). In their reports, all EU election missions cover the following areas of assessment, relevant to all elections:

- |  |  |
|--|--|
| 1. Political context                                 | 9. Women's participation                       |
| 2. Legal framework (including electoral system)      | 10. Participation of persons with disabilities |
| 3. Election administration                           | 11. Participation of minorities                |
| 4. Voter registration                                | 12. Citizen and international observation      |
| 5. Party and candidate registration                  | 13. Electoral disputes                         |
| 6. Campaign environment (including campaign finance) | 14. Voting, counting and tabulation            |
| 7. Media   | 15. Results and post-election environment      |
| 8. Social media and digital rights                   |  |

The assessment work of an EU election mission is undertaken through the direct observation of electoral events by EU observers and analysis of information obtained from relevant documents and meetings with a broad range of national and regional election stakeholders (see Section Seven). In EU EOMs, long-term observers (LTOs) are deployed in the capital city and in regional locations across the host country to ensure that there is a balance of different regions and of urban and rural areas.

An election is not a one-day event, but a cycle that encompasses various stages, including: designing of a legal framework; establishment of election management bodies; registration of voters; registration of parties and/or candidates; the election campaign; voting, counting and tabulation; and the handling of complaints and appeals.

The electoral process is also connected to broader issues of democracy, rule of law and human rights. A comprehensive assessment of an electoral process therefore requires the EU election mission to have a long-term presence in the host country. Ideally, EU observers are present from the opening of the campaign to the announcement of final results and the adjudication of any election-related complaints. Where processes such as the registration of voters and candidates takes place before EU observers are deployed, an as-

assessment can still be made of relevant legal and procedural issues and, from the information the EU EOM receives from interlocutors, as well as from its own assessment of available data, the extent to which the law and procedures were properly implemented.

If an EU EOM is able to observe the electoral process only partially (for example because of a shortened deployment period, or if there are restrictions in accessing a specific region of a country), this is explained in its statements and reports.

### 3.3 Increased coverage on election day

On election day, an EU EOM increases its coverage to observe voting and counting at polling stations. EU observers are deployed in mobile teams of two throughout the host country, and within its designated region, each team visits a number of different polling stations selected to reflect the distribution of the population in the country. This should for instance include a proportional ratio of urban to rural population, and take into account the presence of minority groups. To ensure the consistency of election day observation, EU observer teams use standard reporting forms and spend a minimum of 30 minutes in each polling station.

### 3.4 Impartial and independent assessment

EU election observers are obliged to be strictly impartial and not to show bias towards any side in an electoral process. They will only base their findings on accurate and credible information. The EU election mission will not accept offers of assistance or support that may compromise its independence or be perceived as partisanship.

An EU election mission is politically independent in its findings and conclusions, which are reached on the basis of the standard methodology here described. Although there will be close cooperation with the EU institutions, an EU election mission operates under a separate and distinct mandate from that of EEAS, the European Commission and the EU Delegation present in the country. An EU election mission collaborates with other international election observer organisations that have endorsed the 2005 *Declaration of Principles for International Election Observation*, but bases its findings and conclusions on its own observations only, thus retaining its independence.

### 3.5 Non-interference in the electoral process

EU observers do not interfere in the electoral process. Where problems are observed, the EU election mission may bring them to the attention of electoral authorities but does not intervene to correct or otherwise directly influence the proceedings. EU observers seek to have a courteous and constructive relationship with the electoral authorities and all electoral stakeholders. An EU election mission reports only on the honesty, accuracy, transparency and timely delivery of election results, not on the political outcome of the results. In its final report, an EU election mission offers recommendations for improving the integrity and effectiveness of future electoral processes and the wider process of democratisation (see Section Nine: Recommendations, return visit and follow-up).

### 3.6 Cooperation with the host country


EU observers respect and adhere to the laws of the host country. An EU EOM is deployed only after receipt of an invitation from the State and/ or the electoral authorities of the host country. Administrative Arrangements (AAs) between the EU and the host country (usually one with the Election Management Body (EMB) and one with the government) outline the rights and responsibilities of both parties. They include reference to the EU EOM's mandate to act impartially and not to interfere in the electoral process.

In return, they provide guarantees that the EU EOM is able to enjoy the necessary conditions for effective and credible observation. These normally include:

- unimpeded access to all aspects of the electoral process and to all persons concerned with the election;
- the freedom to operate without interference, including the freedom to issue public statements and reports;
- the freedom of movement around the country and conditions that ensure the safety and security of EU observers;
- the issuing of appropriate accreditation by the electoral authorities, which should be provided on a non-discriminatory basis.

### 3.7 Openness in findings and visibility in work

An EU EOM issues a public preliminary statement shortly after voting has been completed (usually within 48 hours) at a press conference, where the Chief Observer responds to questions. A comprehensive final report is issued within two months of the completion of the election process. In addition, the EU EOM undertakes public outreach activities during the course of its deployment to raise public awareness and understanding of its presence, mandate and role.



# 4

## SECTION FOUR

# AREAS OF ASSESSMENT

This section outlines the areas of an electoral process that will be assessed by an EU Election Observation Mission as part of its long-term and comprehensive observation. For each individual area of assessment, the following information is provided:

- a background description of the area being assessed, including key indicators of what is necessary for there to be a genuine and democratic electoral process;
- a chart identifying:
  - the international standards that are relevant to the area being assessed;
  - examples of good practice that facilitate the achievement of genuine democratic elections in the area being assessed;
- an indicative checklist of issues the EU election mission considers when assessing the extent to which an electoral process is conducted in accordance with international standards;
- guidance for effective election observation of the particular area.

These areas of assessment provide direction in particular for EU EOM core team members and LTOs on what specific aspects of an electoral process they should analyse. The areas of assessment detailed here are reflected in all



EU election mission reporting, including interim reports, preliminary statements and final reports.

#### 4.1 Political context

All citizens have the right to participate in government and to take part in the conduct of public affairs through elections that shall reflect the free expression of the will of the electorate. The democratic legitimacy of a government stems from the authority granted to it by the electorate, and the government is accountable to the electorate for its exercise of that authority, through genuine and periodic elections.

However, the conduct of an election should be assessed within the broader democratic framework of the host country. In its analysis of the political context of the electoral process, the EU election mission considers the background to the elections. This includes *inter alia*:

- the shape of the political system, its cleavages, and any specific features relevant for the analysis of the environment in which elections take place;
- the composition of the current parliament and the main issues of political discourse;
- the conditions for political parties and pluralism;
- opportunities for citizens to participate in government and public affairs;
- previous electoral events in the country;
- issues related to respect for human rights and the rule of law;
- separation of powers and independence and functionality of institutions.

The political context also explains any special circumstances surrounding the electoral process – for instance if it is a post-conflict election following a peace agreement, an early election called after the collapse of a coalition, if some political forces are boycotting the election, etc. It can also extend to looking at the shape of the State institutions as defined in the constitution of the country, the separation of powers and whether elected bodies exercise their authority.

International standards	Examples of good practice
<b>Free Expression of the Will of the Electorate</b>	
<p>"Where citizens participate in the conduct of public affairs through freely chosen representatives, those representatives are able to exercise governmental power and are accountable through the electoral process for the exercise of that power".</p> <p><b>General Comment 25, para 7</b></p>	<ul style="list-style-type: none"> <li>- Elected representatives win and hold their seats as individuals and cannot be removed during their mandate by political parties.</li> </ul>
<b>Periodic Elections</b>	
<p>"Genuine, periodic elections are essential to ensure the accountability of representatives for the exercise of the powers vested in them. Such elections must be held at intervals which are not unduly long and which ensure that the authority of government continues to be based on the free expression of the will of electors".</p> <p><b>General Comment 25, para 9</b></p>	<ul style="list-style-type: none"> <li>- Elections for a legislature take place every 2-5 years and for an executive president every 4-6 years.</li> <li>- There is provision for early elections to be called in specific circumstances, such as a parliamentary vote of no confidence in the government, and by-elections to replace vacancies amongst representatives.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Is the authority to govern exercised by an elected body that holds democratic legitimacy?</li> <li>- Are elections to the body held with sufficient regularity?</li> <li>- Have the elections been called according to schedule and by due procedures? Where early elections are held, have they been called according to procedures? Where elections have been delayed but are now taking place, what were the reasons for the delay?</li> <li>- Are there other political factors relevant to the conduct of the electoral process?</li> <li>- Are there any conditions created by the broader environment that make it difficult for candidates/political parties to operate?</li> <li>- Is a broad range of opinions represented by existing candidates/political parties to ensure the voters have a genuine choice?</li> <li>- Have elected officials been duly installed in office following previous elections?</li> </ul>

## 4.2 Legal framework

### 4.2.1 Election-related legislation

An electoral process takes place within a framework of legislative and regulatory provisions. The legal framework is expected to provide a basis for the conduct of an electoral process in accordance with international standards for democratic elections, and should include guarantees for the exercise of fundamental freedoms and political rights associated with elections.

In addition to specific electoral legislation, the relevant national legal framework includes provisions of the constitution, and laws regulating voter regis-

tration, political parties, civil society organisations, the media, social media and campaign finance, criminal and administrative laws, as well as privacy and data protection laws. The legal framework also includes administrative decrees and secondary legislation regulating aspects of the election process. An EU election mission also considers any recent reform of the legal framework, including any changes to the constitution and electoral law that may affect the exercise of political rights.

Whatever the source, election legislation and regulations should be consistent with other laws and provide adequate detail on all aspects of the electoral process, limiting opportunities for inconsistent or arbitrary implementation.

The EU election mission systematically assesses what the conditions provided in the law are for the exercise of the right to political participation, and whether the restrictions to the exercise of electoral rights are reasonable. For example, the right to vote is typically limited to citizens having reached a certain age, campaign activities are conducted within a framework of rules, etc.

An EU election mission looks at whether these conditions are in line with the following principles:

- Any restrictions which apply to the exercise of the rights protected by article 25 should be based on objective and reasonable criteria;
- The exercise of these rights by citizens may not be suspended or excluded except on grounds which are established by law and which are objective and reasonable;
- The conditions to which the right to vote is subject do not curtail the right to such an extent as to impair its very essence and deprive it of its effectiveness;
- The restrictions should pursue a legitimate aim;
- The means employed should not be disproportionate.<sup>27</sup>

An EU election mission also looks at the way the electoral legislation was adopted. The process for adopting election-related laws is expected to have been undertaken in a manner that ensures broad support for the legal framework for elections. Experience has shown that confidence in the election legislation is enhanced when it is drafted in an open and inclusive manner, and there is consensus or broad agreement on important issues, such as the electoral system and the composition of the election administration. Late changes in legislation or delays in adopting regulations on key issues can undermine an electoral process.

<sup>27</sup> For detailed guidance on this matter, see: United Nations, Economic and Social Council, Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights, UN Doc E/ CN.4/1985/4, Annex (1985).

### Assessing the legal framework

The legal analyst reviews the legal framework for elections to assess the degree to which it meets international standards. S/he first needs to identify the relevant universal and regional instruments applicable to the host country.

The legal analyst undertakes a systematic analysis of the essential elements of the legal framework, including:

- a general outline of the State institutions,
- the definition of suffrage rights,
- the electoral system,
- the campaign rules, including any campaign finance legislation,
- complaints and appeals.

Together with the election analyst:

- the election administration structure, functions and powers as provided by the law,
- election day and post-election procedures, as provided by the law.

The legal analyst assesses if the primary legislation is in line with international standards and if the legislation is specific and detailed enough to prevent arbitrary implementation.

An assessment of the legal framework also includes how the relevant laws are implemented, so that all rights are protected, respected and fulfilled. All bodies with specific responsibilities to enforce the law (e.g., the election management body, public prosecutors, judiciary, security agencies, media regulators, and government officials) should do so in a consistent and impartial manner, in line with the legal framework and international standards for democratic elections.

International standards	Examples of good practice
<b>Right and opportunity to participate in public affairs</b>	
<p>"(...) each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant". )</p> <p>"Any conditions which apply to the exercise of electoral rights should be based on objective and reasonable criteria. (...) The exercise of these rights may not be suspended or excluded except on grounds which are established by law and which are objective and reasonable."</p> <p><b>General Comment 25, para 4</b></p>	<ul style="list-style-type: none"> <li>- The primary legal source on elections has been adopted by parliament, not issued by executive decree.</li> <li>- The essential components of the electoral framework (suffrage rights, electoral system, election administration competencies and means, election calendar, campaign rules and calendar, voting, counting and tabulation procedures, and complaints and appeals) are unambiguously defined in primary legislation.</li> <li>- The election law enjoys broad support of opposition parties as well as the support of parties backing the government.</li> <li>- The legislative framework for elections is prepared and adopted in an inclusive and transparent process.</li> <li>- Election-related laws and regulations are easily accessible for public inspection.</li> <li>- The legal framework for elections is established well ahead of the start of the electoral process (preferably no less than one year before). If late amendments are needed, there should be broad agreement amongst electoral stakeholders, and any changes should be well publicised.</li> </ul>

International standards	Examples of good practice
<b>Freedoms of expression, assembly and association</b>	
<p>“Freedom of expression, assembly and association are essential conditions for democratic elections and must be fully protected.”</p> <p><b>General Comment 25, para 12</b></p>	<ul style="list-style-type: none"> <li>- The legal framework ensures that all political parties and candidates are able to compete in elections on the basis of equal treatment before the law.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Does the legal framework provide a sound basis for the conduct of elections in accordance with international standards, including guarantees of fundamental freedoms and political rights?</li> <li>- Are all aspects of the electoral process established in law and in adequate detail before the start of the election process?</li> <li>- Does the legal framework allow delaying the holding of elections on vague or subjective grounds?</li> <li>- Are there any legal provisions that directly or indirectly discriminate against particular individuals or groups?</li> <li>- What is the status of international law within the legal system? Where international law is not directly applicable in national courts, have steps been taken to incorporate it into law?</li> <li>- Does the legal framework for elections enjoy broad confidence among electoral stakeholders?</li> <li>- Is the legal framework implemented and complied with in a consistent and impartial manner?</li> <li>- Is the law enforced in a consistent and impartial manner by the relevant authorities?</li> <li>- Were there any late changes to the laws or regulations? If so, was there adequate publicity to ensure that stakeholders were aware of the changes? Was there a valid reason and general consensus behind the late changes?</li> <li>- Does the legal framework include comprehensive privacy and data protection legislation? Does it establish an independent data protection authority?</li> </ul>

## USEFUL READINGS:

*Compendium of International Standards for Elections*, 5<sup>th</sup> Edition, online, European Union/EODS project, 2023

*Elections in Digital Times: A Guide for Electoral Practitioners, chapter 2: International Human Rights Law Framework*, UNESCO, 2022

*Technology, Data and Elections: A Checklist on the Election Cycle*, Privacy International, 2023

*Guidelines on the Effective Implementation on the Right to Participate in Public Affairs*, United Nations Office of the High Commissioner for Human Rights (OHCHR), 2018

*Election Obligations and Standards*, The Carter Center, 2014

*International Obligations for Elections, Guidelines for Legal Frameworks*, International IDEA, 2014

*Guidelines for Reviewing a Legal Framework for Elections (Second Edition)*, OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), 2013

*Lawful Restrictions on Civil and Political Rights*, Democracy Reporting International (DRI), 2012

4.2.2 Electoral systems

The choice of the electoral system plays a crucial role in determining the relationship between the electorate and the elected institutions. Each electoral system has its own distinct characteristics which impact on how votes cast will be translated into electoral results, and how the electoral support enjoyed by political forces is translated into actual representation. The choice of the electoral system is therefore a matter of considerable political impact. Typically, when the adoption or a modification of the electoral system is at stake, political forces favour the electoral system that maximises their electoral advantage.

There is no particular model of electoral system that can be considered an ‘international standard’, and the choice of the electoral system is generally viewed as a sovereign matter that has to do with the specific political history, culture and context of a country. The fundamental elements of an electoral system must nevertheless be compatible with electoral rights, in particular equal and universal suffrage, and must guarantee and give effect to the free expression of the will of the electors.

There is no predefined classification of electoral systems, but they are generally divided in three broad groups: majoritarian, proportional and mixed. Within these categories, there is a wide variety of systems, depending on the types of electoral districts, the seat allocation formula, the number of rounds, etc.

Overview of the main electoral systems
<p><b>1. Plurality-Majority Systems:</b> The candidate (or the list) who obtained the majority of votes at the decisive round of voting is declared elected. Among plurality-majority systems, the most common are where voters choose one candidate for a single seat in an electoral district. The winning candidate must either win the largest number (i.e., the plurality) or the absolute majority of the votes cast.</p>
<p>- <i>First Past the Post (FPTP)</i></p> <p>Used in single-member districts. The winning candidate is the one who gains more votes than any other candidate but not necessarily an absolute majority of the votes.</p>
<p>- <i>Two-Round System (TRS)</i></p> <p>Used in single-member districts. Voters vote for one candidate. A candidate receiving over 50 per cent of votes cast wins; otherwise, a second round election is held between the two candidates who received the most votes in the first round or between candidates that reached a certain share of the votes. The second round is a run-off in which the winner receives an absolute majority of votes (or a plurality of the vote when more than two candidates are admitted to the second round).</p>
<p>- <i>Alternative Vote (AV)</i></p> <p>Used in single-member districts. Voters indicate their choices on the ballot paper in order of preference. A candidate receiving over 50 per cent of first preferences wins; otherwise, second-preference votes (and then third-preference votes, etc.) of those candidates with the lowest numbers of first preference votes are reallocated until one candidate has an absolute majority of votes cast.</p>



## Overview of the main electoral systems

### - *Block Vote (BV)*

Used in multi-member districts in which voters have as many votes as there are candidates to be elected. Counting is identical to the FPTP system: candidates with the highest totals win the seats. Where votes are cast for parties, not individual candidates, it is referred to as Party Block Vote.

### - *Limited Vote (LV)*

Used in multi-member districts. Voters have more than one vote but fewer votes than there are candidates to be elected. Counting is identical to the FPTP system: candidates with the highest number of votes win.

### - *Single Non-Transferable Vote (SNTV)*

Used in multi-member districts, but (unlike Block Vote) voters can only vote for one candidate. Seats are allocated to as many of the 'highest-polling' individual candidates as there are seats allocated to the district.

**2. Proportional Systems:** Proportional systems allocate seats on a proportional basis, using formulae that distribute seats on the basis of the proportion of the votes won by candidates or parties.

### - *List Proportional Representation (List PR)*

Used in multi-member districts. Voters vote for one list of candidates, typically submitted by a political party, and candidate lists receive seats in proportion to their overall share of the vote. Seats are distributed using a specific method (Quota methods, such as Hare or Imperiali, or Divisor methods, such as D'Hondt or Sainte-Laguë).

List PR may have 'closed' or 'open' party lists.

- **Closed List:** voters are restricted to voting for the list as it is and cannot express a preference for any candidate within the list.
- **Open List:** voters can express a preference for one or several candidates within the list, as well as voting for the entire list as it is presented.

### - *Single Transferable Vote (STV)*

A preferential PR system used in multi-member districts. Candidates must gain a specified quota of first-preference votes to win a seat. When a successful candidate is elected or an unsuccessful candidate excluded, the voters' preferences are reallocated to their next choice of candidates.

**3. Mixed Systems:** Mixed systems use a combination of plurality-majority and proportional systems. Mixed systems are divided between those referred to as "dependent" and those referred to as "independent".

### - *Dependent mixed systems or 'Mixed Member Proportional' (MMP)*

One group of seats is elected using a plurality-majority system, usually from single member districts. Another group of seats is chosen through a proportional system. The proportionally-elected seats are allocated using formulae that 'compensate' for any disproportionality produced by the plurality-majority seat results.

### - *Independent mixed systems or 'Parallel System'*

A proportional system is used in parallel with a plurality-majority system, but unlike MMP the seats won in the proportional election do not compensate for any disproportionality that may arise from the plurality-majority system.

Electoral systems may include a component that seeks to address previous imbalances in political representation through the use of quotas or reserved seats to promote the representation of, for example, women and minorities. If such a mechanism is in place, the EU election mission should consider the degree to which it achieves the stated goal. Bearing in mind that the choice of an electoral system is a sovereign matter, an EU election mission can nevertheless refer to “reviewing the electoral system with consideration to differential impact on women’s participation”, with reference to the UN General Assembly Resolution 66/130 on Women and Political Participation, adopted in December 2011.<sup>28</sup>

### *Boundary delineation*

As part of its assessment of an electoral system, the EU election mission reviews the procedures for the delineation of electoral boundaries, as these may have a considerable impact on the election process, in particular its adherence to the principle of equality. The guiding principle for boundary delineation is indeed equal suffrage, and more specifically equal voting strength. Boundary delineation should be regularly reviewed, in order to make sure that equal suffrage and equal voting strength are maintained despite the demographic evolution in the country. The drawing of boundaries should be undertaken using a transparent and consistent procedure established by law, and may include the use of criteria such as population size and geographical or administrative boundaries.

#### **Considering the electoral system**

Although the EU election mission does not assess the choice of electoral system *per se*, it considers whether there is public confidence in the chosen system, the positions of election contestants regarding the electoral system, and the main features and potential effects of the system.

In countries with proportional systems, the legal and election analysts pay particular attention to how the system translates votes cast in favour of a candidate or political party into seats. The legal and election analysts consider factors such as the electoral formula used to allocate seats and any minimum thresholds that parties or candidates must reach in order to win a seat. A high threshold or a low district magnitude in a proportional system can also lead to large numbers of ‘wasted votes’, where the choices of many voters are not represented.

28 In this resolution, the UN General Assembly “... urges all States to take, inter alia, the following actions to ensure women’s equal participation, (a) To review the differential impact of their electoral systems on the political participation of women and their representation in elected bodies and to adjust or reform those systems where appropriate”.

International standards	Examples of good practice
<b>Free Expression of the Will of the Electorate</b>	
<p>"Although the Covenant does not impose any particular electoral system, any system operating in a State Party must be compatible with electoral rights and must guarantee and give effect to the free expression of the will of the electors."</p> <p><b>General Comment 25, para 21</b></p>	<ul style="list-style-type: none"> <li>- The electoral system has been chosen through wide consultation. There is broad support among political parties and other election stakeholders on the choice of electoral system.</li> <li>- The electoral system is not frequently changed and has not been changed to give advantage to a particular political party or grouping.</li> </ul>
<b>Equal suffrage</b>	
<p>"The principle of one person, one vote, must apply, and within the framework of each State's electoral system, the vote of one elector should be equal to the vote of another."</p> <p><b>General Comment 25, para 21</b></p>	<ul style="list-style-type: none"> <li>- The delineation of electoral boundaries and the distribution of seats among electoral districts is based on justifiable and established criteria and reflects the size of the population of each district so that each elected official represents approximately the same number of electors.</li> <li>- Electoral boundaries are drawn by an impartial, non-political body and are reviewed periodically, for example, after a census and/or major demographic change.</li> <li>- Voters in the same election cast the same number of votes using similar voting procedures.</li> </ul>
<b>Non-discrimination</b>	
<p>"The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely."</p> <p><b>General Comment 25, para 21</b></p>	<ul style="list-style-type: none"> <li>- Temporary measures are implemented to provide a more equitable representation of women or minority groups in elected office.</li> <li>- Legislation requires that a certain percentage of candidates of each gender appear in designated places on party candidate lists; this can ensure the election of both women and men without discriminating against either group.</li> </ul>

## Issues to be considered by the EU election mission

- Is the electoral system, as well as all formulae and procedures for translating votes into results, clearly provided for in law?
- Does the electoral system guarantee equality of suffrage?
- Does the choice of electoral system have the broad support of the key electoral stakeholders?
- Is the functioning of electoral system widely understood by the public? Is there public confidence that the electoral system provides for the free expression of the will of the electorate?
- Has the electoral system, or elements of it, been changed for political purposes?
- Are there requirements to review boundary delineation on a regular basis? Are the procedures for the delineation of electoral boundaries based on transparent and justifiable criteria? Have electoral boundaries been drawn in a discriminatory or distorted manner?
- Does the electoral system include reserved seats or quotas that aim to promote the representation of women or other historically disadvantaged groups? What is the effect of these mechanisms in practice?

## USEFUL READINGS:

*Compilation of Venice Commission Opinions and Reports Concerning Electoral Systems*, European Commission for Democracy through Law (Venice Commission), 2019

*Electoral System Design Database Codebook*, International IDEA, 2018

Nils-Christian Bormann and Matt Golder, *Democratic Electoral Systems around the World: 1946-2011*, *Electoral Studies* 32(2), 2013

*UN support to electoral system design and reform*, United Nations, Focal Point for Electoral Assistance, Ref. FP/02/20t3, September 2013

*Electoral System Design*, International IDEA, 2005

*Report on electoral systems*, European Commission for Democracy through Law (Venice Commission), CDL-AD (2004)003.

## 4.3 Election administration

### 4.3.1 The work of the Election Management Body

#### *Role and responsibilities of the EMB*

The effectiveness and professionalism of the bodies responsible for administering an election are crucial to achieving a genuine electoral process. The manner in which the election administration, generically referred to as the Election Management Body (EMB), conducts the election should provide a framework that ensures citizens are able to enjoy their fundamental freedoms and political rights.

The administration(s) in charge of conducting elections should work transparently, efficiently and professionally, and are expected to supervise and administer the electoral process so that it is conducted fairly, impartially and in accordance with national laws and international standards for elections.

Assessing the election administration starts with identifying and mapping with precision the institutional set up, the competencies and the resources of the EMB.

### *Types of EMBs*

There are many models for administering elections. They are usually categorised in three main groups:

- independent EMBs, where elections are organised by a body that is administratively autonomous and independent from governmental institutions;
- governmental EMBs, where elections are organised by agencies of national and/or local government, e.g. the Ministry of Interior; and
- mixed EMBs, where the electoral process is implemented by agencies of national and/or local government and supervised/directed by bodies that are independent from the executive branch.

EMB may incorporate a mixture of these various models, in addition to which various branches of central and local government may be involved in the electoral process (e.g. for voter registration). EMBs may also be recipients of international technical assistance.

In the *independent EMB* model, the highest responsible level may be composed of members from different backgrounds, and appointed according to different methods (e.g. nomination by parliament or open recruitment).

- A non-partisan independent EMB consists of members who are appointed on the basis of their professional experience, without political affiliation.
- A partisan independent EMB consists of members nominated by political parties. Their presence promotes involvement and responsibility as well as extended opportunities for scrutiny. The credibility of partisan EMBs is greatly enhanced where its membership is representative of the political spectrum, especially participants in the election, and when those members act in a collegial, consensual and constructive manner rather than along party lines. Partisan EMBs may, however, be more vulnerable to political blockages.

- A mixed independent EMB may include both partisan and non-partisan members.

### *Structure of the EMB*

Within an election administration structure, it is usually possible to distinguish a policy-making level and an implementation level.

In the independent EMB model, the policy-making level is usually an election commission responsible for decision-making and supervision of the entire process. In this case, the implementation level usually comprises a secretariat and lower-level election commissions that may reflect the different levels of local government (e.g. region, district, municipality), or the electoral districts. All these bodies may operate on a permanent basis, or be temporary bodies established for the electoral period only.

In the governmental model, the policy-making level might be shared between different agencies of central or local government, depending on their respective competencies in the election process. The implementation is most often left to local authorities.

### *EMB functioning*

Regardless of the model chosen, an EMB should act independently and impartially. To ensure that its decisions are seen to be free from partisan interests, the EMB should act in a transparent and accountable manner. Good practice has shown that public confidence in an EMB is enhanced if all stakeholders are made fully aware of its work.

Transparency can be enhanced through the prompt publication of all decisions, consultation with election stakeholders, regular briefings of the media, and, as may be the case, possibilities for accredited party or candidate representatives and observers to attend EMB sessions.

For EMBs that are independent from government structures, functional independence, understood as the capacity for the EMB to fulfil its mandate free from outside interference, is facilitated by control of a realistic budget and resources (human and material) rather than reliance on *ad hoc* government funding and support. The personal independence of election commission members, understood as their capacity to direct the process free from fear or favour, may be undermined if the law permits their arbitrary removal or replacement.

EMB decisions can be subject to review on appeal. This is relevant on decisions regarding party and candidate eligibility, campaign regulations



and election results. In some countries, reviews are made by the judiciary, through existing or *ad hoc* courts; in some others, upper levels of the EMB review decisions of the lower levels. Final instance lies at either the highest level of the EMB or at the highest judicial instance. (see 4.11. *Complaints and appeals*).

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### Assessing the election administration

An EU election mission observes and assesses the work of the election administration at all levels, both in terms of policy-making and implementation.

The election analyst assesses the work of the highest level of the EMB and LTOs assess the work of the regional or local bodies.

The election analyst and LTOs should seek to meet the election administration regularly to understand the working methods and dynamics within the body.

The election analyst and LTOs should follow each stage of election preparations to determine whether they are conducted according to procedures and in a timely and effective manner. They should also seek to observe the training of officials to check its quality and comprehensiveness.

International standards	Examples of good practice
<b>Genuine Elections</b>  "An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant." <b>General Comment 25, para 20</b>  "There should be independent scrutiny of the voting and counting process and access to judicial review or other equivalent process so that electors have confidence in the security of the ballot and the counting of the votes." <b>General Comment 25, para 20</b>	<ul style="list-style-type: none"><li>- The EMB acts in a transparent, impartial, independent and inclusive manner, taking decisions by consensus, to the largest extent possible.</li><li>- The EMB is fully accountable for its activities.</li></ul>

International standards	Examples of good practice
Transparency and Prevention of Corruption	
<p>“(…) States parties should proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information. States parties should also enact the necessary procedures, whereby one may gain access to information, such as by means of freedom of information legislation.”</p> <p><b>General Comment 34, para 19</b></p> <p>“Each State party shall take such measures as may be necessary to enhance transparency in public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia: (a) Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public.”</p> <p><b>United Nations Convention Against Corruption, article 10</b></p> <p>“Each State Party shall take appropriate measures, [...] to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as:</p> <p>(a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes; (b) Ensuring that the public has effective access to information.”</p> <p><b>United Nations Convention Against Corruption, article 13</b></p>	<ul style="list-style-type: none"> <li>- Political representatives, observers (both domestic and international), media and other relevant stakeholders have full access to information.</li> <li>- Transparency measures include: publication of all decisions and minutes on a website and in a computer readable format, allowing political representatives and observer groups to attend sessions, holding press conferences and regular consultative meetings with stakeholders.</li> <li>- Election officials are provided with training on their role and responsibilities.</li> <li>- The EMB uses established rules of procedure.</li> <li>- The highest level of the EMB has the authority to issue regulations and orders to lower-level bodies to ensure consistent procedures throughout the country.</li> <li>- The EMB has an adequate budget, over which it has control.</li> </ul>

## Issues to be considered by the EU election mission

The following areas of assessment are relevant for all levels of the work of an EMB, including the highest level body, regional bodies and polling station committees.

- Is the EMB adhering to the law, including compliance with legal deadlines?
- Does the EMB function in accordance with rules of procedure?
- Is there public confidence in the work of the EMB?
- Are the powers of the EMB – at all levels – established in law, including obligations to administer and supervise an electoral process fairly, impartially and in accordance with the law?
- Is the EMB acting independently (functioning in a fair and impartial manner)?
- Is the EMB able to work freely, without interference or pressure?
- Does the EMB act in a transparent and inclusive manner? Is it providing access for its work to be scrutinised by accredited representatives, observers and media?
- Does the EMB take decisions by consensus?
- Is the EMB communicating effectively with election stakeholders and the wider public?
- Is the EMB consulting appropriately with political parties, candidates, civil society organisations and other election stakeholders?

### **Issues specific to higher-level bodies (i.e., those above polling station level):**

- Is there effective coordination and clear distinction of roles among the different branches of the EMB?
- Is the EMB planning effectively for all foreseeable needs within an adequate timeframe, including the appointment of all necessary personnel?
- Does the EMB issue clear and timely instructions/decisions?
- Are sensitive electoral materials produced in a manner that guarantees their integrity?
- Is the EMB providing adequate training for its personnel?
- Does the EMB have adequate financial and other resources?
- Does the EMB have control of its own budget and staffing?
- Does the EMB have a data protection policy and is it implemented?

#### ***In the case of an Executive EMB:***

- Are there sufficient safeguards to ensure the EMB acts independently of partisan or political interests?

#### ***In the case of a Non-Partisan Independent EMB:***

- Does the EMB membership reflect a non-partisan balance of interests?
- Is there public confidence in the ability of the EMB to act in a non-partisan and independent manner?

#### ***In the case of a Partisan Independent EMB:***

- Does the EMB membership provide a representative balance of the political spectrum and participants in the election?
- Are all members able to assume their position in the EMB? Do all members have equal access to information?
- Does the EMB work in a collegial, consensual and constructive manner?

## USEFUL READINGS, AMONG OTHERS:

*Handbook for the Observation of Election Administration*, OSCE/ODIHR, 2023

*Introduction to Operational Planning: A Guide for Election Management Bodies*, IFES, 2022

*Independence in Electoral Management, International IDEA Electoral Processes Primer 1*, International IDEA, 2021

*Risk Management in Elections: A Guide for Electoral Management Bodies*, International IDEA, 2021

*Electoral Management Design, Revised Edition*, International IDEA, 2014

*Principles for Election Management, Monitoring, and Observation in the SADC Region (revised)*, Electoral Institute for Sustainable Democracy in Africa (EISA), the Electoral Commissions Forum, 2023

*Code of Good Practice in Electoral Matters*, European Commission for Democracy through Law (Venice Commission), CDL-AD(2002)23

*Electoral Management Bodies as Institutions of Governance*, UNDP, 2000

### 4.3.2 Voter education and information

Voter information and education activities are necessary to ensure that all eligible citizens are aware of their rights and understand how to exercise them. They range from broad issues on governance and political party programmes (civic education) to informing citizens where, when and how they can actually vote (voter information). A lack of proper information (for example: where to vote, with which ID documents, how to mark a ballot validly, etc.) can result in voters being unable to exercise their rights.

Responsibility for impartial voter education rests with the EMBs, as State bodies, frequently in conjunction with civil society and the media. Voter education initiatives are of particular importance in countries with a limited democratic tradition and/or low levels of literacy. They are also important to raise awareness among young, first-time voters of their political rights as citizens and the best manner to exercise them. Ahead of election day, all voters need to be provided with essential information, such as the polling date, times, their assigned polling station, and how to cast their vote. Similar information should also be provided ahead of voter registration initiatives.

Voters should also be aware of the significance of the election, the type of election taking place, the identities of candidates and political parties and the way in which their choice should be indicated on the ballot. The EMB has a responsibility to ensure this information is provided without discrimination (including in all main languages spoken in the country) ahead of election day and to make adequate information available in polling stations on election day.

### Assessing voter education/information

The EU election mission observes voter education from both the 'supply' and 'demand' sides.

On the supply side, the election analyst and LTOs should ask the EMB at all levels about their voter education initiatives, particularly those aimed at groups of voters who might be less likely to participate (e.g. first-time and young voters, women, minorities and disabled persons).

The election analyst and LTOs should also meet with civil society organisations that are carrying out voter education initiatives and should observe any voter education events taking place in their areas of responsibility. STOs can observe whether the required voter information is available in polling stations and in what languages.

On the demand side, the election analyst and LTOs should try to determine how effective voter education has been and whether it reaches its target audiences. This is a difficult issue to definitively assess without use of an extensive survey, but one way is to interview civil society organisations that represent specific target groups and ask their impressions. On election day, STOs can observe whether voters appear to understand the process or not.

International standards	Examples of good practice
<b>Right of Participation</b>	
<p>"Voter education campaigns are necessary to ensure the effective exercise by an informed community of their electoral rights."</p> <p><b>General Comment 25, para 11</b></p> <p>"Positive measures should be taken to overcome specific difficulties, such as illiteracy, language barriers, poverty, or impediments to freedom of movement which prevent persons entitled to vote from exercising their rights effectively. Information and materials about voting should be available in minority languages. Specific methods, such as photographs and symbols, should be adopted to ensure that illiterate voters have adequate information on which to base their choice."</p> <p><b>General Comment 25, para 12</b></p>	<ul style="list-style-type: none"> <li>- Widespread voter education campaigns are undertaken by the authorities, including the EMB, and supported by civil society.</li> <li>- All voter education is impartial.</li> <li>- The EMB cooperates with civil society and the electronic and print media on voter education.</li> <li>- Voter education targets groups that might be least likely to vote, including persons who have just reached voting age, women and minority populations.</li> <li>- Voter education is conducted in minority languages.</li> </ul>

### Issues to be considered by the EU election mission

- Is voter education being conducted to inform citizens of their electoral rights and opportunity to participate in the electoral process? Is this effective, especially in providing voter education to groups or individuals who might be less likely to participate, e.g., women, first-time and young voters and minority groups?
- Does voter education include voter registration and encourage citizens to ensure they are registered to vote?
- Are voters aware of the election and familiar with candidates, parties, and issues as well as registration and voting requirements?

### Issues to be considered by the EU election mission

- In newly established democracies, is there civic education to inform voters about the principles of democracy, and of their rights and responsibilities within it?
- Is voter education provided in an impartial manner? If civic education is provided, is it conducted in an impartial manner?
- How is civil society involved in voter education? Are civil society efforts facilitated by the EMB?
- Is voter education conducted in minority languages? What methods are used to reach illiterate voters?
- In newly established democracies, is there civic education to inform voters about the principles of democracy, and of their rights and responsibilities within it?
- Is voter education provided in an impartial manner? If civic education is provided, is it conducted in an impartial manner?
- How is civil society involved in voter education? Are civil society efforts facilitated by the EMB?
- Is voter education conducted in minority languages? What methods are used to reach illiterate voters?

## 4.4 Election technologies

In general, election technologies (also called ‘election ICTs’) refer to any digital process that substitutes manual electoral processes. The use of technology in the elections is becoming increasingly common around the world. The introduction of these technologies brings both benefits and risks. Election technologies may enhance voter participation, produce a more accurate voter register, as well as provide faster counting that is less prone to human error. Conversely, it may impact negatively on public confidence in the process, as many of the transparency safeguards that come with paper ballots and manual counting of the votes are absent, processes are less understandable to the average voter, and accountability of election officials is more difficult to ensure and assess.

Election technologies are subject to the same key principles that underpin democratic elections. Thus, election technologies should adhere to the principles that apply to democratic elections, namely the secrecy, integrity, universality and equality of the vote, transparency, accountability and public confidence in elections.<sup>29</sup>

The international standards for assessing elections using traditional ballot papers apply equally to election technologies. Thus, all eligible voters should have the right to vote, the secrecy of the ballot should be guaranteed, and

<sup>29</sup> See Declaration of Principles for International Election Observation, *General Principles and guidelines related to ICT and elections*, endorsed by the DoP implementation Meeting, 8 December 2022.



results tallied by electronic equipment should accurately reflect voter intention. At the same time, there is acknowledgement within the international community that identification of further good practices should be agreed to meet the specific challenges presented by these technologies.

There are four key areas in elections where the use of technology should be evaluated: biometric voter registration and polling identification systems, electronic voting, results management systems (RMS), and cybersecurity.

- **Biometric voter identification** is a process that relies on technology to confirm the identity and eligibility of voters by capturing a biometric trait of the voter, usually a facial image, a fingerprint, or a signature, and comparing it with the biometric information of a set of people included in an electronic poll book or a printed voter list (see 4.5.3 *Technology and voter registration*).
- **Electronic voting** encompasses a variety of systems that make use of technology to replace part or all of the manual process of receiving a ballot, selecting options, and casting the ballot in a ballot box. Votes can be cast in controlled environments, such as at polling places, or in uncontrolled environments, outside such polling locations. Voting devices can include *ad hoc* hardware and software, mobile devices or in the case of voting in uncontrolled environments, personal computers. The most common electronic voting machines are Direct Recording Electronic (DRE) voting machines, which allow a voter to indicate his/her choice, for example on a touch-screen, record the choice electronically, and tally the results automatically. Increasingly, the provision of a Voter-Verified Paper Audit Trail (VVPAT) is something that is considered an international good practice to be able to authenticate and verify individual choice.<sup>30</sup>

The circumstances in which votes are cast are varied and so are the challenges faced in observing this technology, as any of the principles for democratic elections may be called into question, given the difficulties for many stakeholders to audit, observe and understand the technology and security measures in place. As such, e-voting is generally considered more applicable in countries with high levels of public confidence in the integrity of electoral processes. In countries where public confidence in the electoral process is low, e-voting may serve to undermine trust. Public confidence in the use of e-voting is enhanced where there has been an inclusive, step-by-step, decision-making process to adopt the technol-

30 Voter-verifiable paper audit trails or records are the paper trails contemporaneously printed by DRE (Direct Recording Electronic) voting machines that display to the voter a hard copy record of the voter's selections.

ogy, and transparency by the authorities in the specification, selection, procurement, certification and testing of the equipment used.

E-voting equipment should be easy to use, and voters should be able to confirm their choice before it is recorded. Both software and hardware should include the best possible safeguards against any form of manipulation or hacking. Verifiability mechanisms should also be established; in particular paper audit trails for DREs that allow for recounting of votes and random manual audits.<sup>31</sup> Election officials and voters must be trained on how to properly use the new technologies.

The use of election technologies, including software operating under confidentiality agreements, can reduce the transparency of electoral processes by limiting opportunities for independent observation by party/candidate representatives and citizen and international observers. Observation of e-voting can be particularly challenging as it requires specialist expertise and is generally less readily accessible to scrutiny. At the same time, there are a number of aspects of election technologies that can be effectively observed, such as the decision-making process, the specification and procurement process that is undertaken, the legal norms surrounding this technology and how they are put in place, and stakeholders experience of how this technology impacts the election process.

- **Election results management systems (RMS)** are processes by which an election authority counts, tabulates, aggregates, and announces the results of an election, which starts immediately after the closing of polling and ends with the publication of final results. Technology can be used in all or some of these stages. It could avoid errors in the counting of votes and provide a quicker delivery of the results protocols to the tabulation centres, speeding up the process of aggregating the votes or making the results public shortly after the voting closes and breaking them down in detail. The technology used should allow the possibility for stakeholders to verify results at each level of the tabulation process.

Any flaws in the RMS technology can undermine public confidence in the system and call into question the credibility of the elections.

- **Cybersecurity.** Increasingly, cybersecurity in elections has come to the fore of attention as a result of foreign interference and malign actors attacking election systems over the last decade. Such attacks, defined broadly as ‘hybrid threats’, have targeted elections with an intent to undermine public trust and confidence, including through information

31 This may include Risk Limiting Audits (RLA), which have been shown to have efficacy.

manipulation and cyberattacks.<sup>32</sup> This vulnerability to hybrid threats has also increased with the use of election technologies, raising important security concerns that must be addressed to prevent the possibility of internal or external manipulation. Any system linked to the Internet or other computer networks are susceptible to potential interference, hacking, or outside manipulation.

The most common attacks have involved distributed denial of service (DDoS) attacks that render all or part of the election technology unavailable, causing potential delays or postponement; attacks on electronic voter registration systems to disenfranchise citizens or compromise sensitive data; attacks on electronic results management systems (RMS) to try to alter results; or man-in-the-middle attacks that undermine the secrecy of the vote.

Cybersecurity of these systems involves four key areas of protection that are necessary for information that is being processed electronically: protection from disruption, disablement, destruction or malicious control. Proper controls should ensure the confidentiality, integrity and availability of systems throughout their utilisation.<sup>33</sup>

To mitigate such risks, EMBs should have a holistic cybersecurity approach that is integrated into a country's overall cybersecurity risk management while at the same time ensuring EMBs' independence over the electoral elements of the process. This should also apply to any relationships that EMBs may have with vendors, as ultimately, EMBs cannot abrogate their responsibility for system integrity and functionality.

A holistic cybersecurity approach should include proper assessment and risk mitigation of all hardware/software and system processes. Risk mitigation is a systematic approach for prioritising, evaluating and implementing controls and countermeasures deriving from a risk assessment methodology and management framework. Such an approach should also include the 'human element' in terms of proper cyber risk awareness and cyber hygiene training. This refers to practices/procedures that all EMB staff should follow to ensure the resilience of their data, devices, networks and systems. This involves elements like password management, account monitoring, software updates, data back-ups, role-based access control, firewalls, malware checks, etc. Often, it is the human interaction with systems that introduces the greatest vulnerabilities and risks to integrity.

<sup>32</sup> See the EU's updated Compendium on Elections Cybersecurity (2024).

<sup>33</sup> These are foundational concepts across cybersecurity frameworks.

## Assessing election technologies

While an EU election mission is generally not in a position to undertake a full review of the technical aspects of the technologies in place (e.g., hardware programming, software applications, security systems), there are still many aspects of the process that can and should be observed.

EU election missions should assess whether:

- The decision to introduce a technology solution and its subsequent implementation has taken into account all electoral stakeholders' views in an inclusive and open manner, so that there is a general consensus on the need for such a technological solution.
- The legality and transparency of the subsequent tendering and procurement process, if the technology is outsourced,
- The impact of the technology on the integrity of the electoral process and credibility with stakeholders, as well as the sustainability, cost-effectiveness and security of any technological solution.
- The level of cybersecurity awareness within the EMB and related agencies and whether proper and holistic risk detection and mitigation measures, as well as appropriate training, have been put into place.

In some cases, a designated election technology analyst may be deployed as part of the core team, but otherwise the election analyst typically acts as the focal point for ensuring that election technologies are properly assessed.

The legal analyst also has an important role in assessing the legal framework, as election technologies require adjustments to the existing election legislation that must follow the constitution and take international obligations into account. The political analyst can examine the level of confidence of key stakeholders in the election technology and its implementation.

LTOs and STOs assess the practical implementation of the e-voting, the biometric identification of voters at the polling stations and the election results management system (RMS). They need clear training and guidance on what issues to investigate and how.

Election technologies may vary considerably depending on the design, level of access, and political context, so each mission must establish the parameters and priorities of its observation for itself. In line with the Declaration of Principles for International Election Observation, an EU election mission should make clear in its statements and reports the extent to which it was or was not able to assess these important aspects of the electoral process.

International standards	Examples of good practice
<b>Genuine elections</b>	
The same standards apply for elections conducted using election technologies	<ul style="list-style-type: none"> <li>- The election technology solution is introduced with the broad consensus of electoral stakeholders.</li> <li>- There is public confidence in the use of the technological solution.</li> </ul>

International standards	Examples of good practice
<b>Genuine elections</b>	
	<ul style="list-style-type: none"> <li>- E-voting equipment is simple to use and accessible for all voters.</li> <li>- Electronic voting machines provide an auditable paper trail (VPAT) to allow for results verification.</li> <li>- Secrecy is ensured and it is not possible to trace a ballot to the voter.</li> <li>- The means of e-voting allows for observation of the process by party/candidate representatives and citizen and international observers.</li> <li>- Random manual audits of the results are conducted by election officials using the auditable paper trail.</li> <li>- Equipment is certified and tested prior to its use by an independent body.</li> <li>- Cybersecurity measures are in place to ensure that any risks can be detected and effectively mitigated.</li> <li>- An independent audit of the election technology is foreseen in the law.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Was the technology adopted in an inclusive manner, with a wide support of key electoral stakeholders?</li> <li>- Is there broad confidence of the public and electoral stakeholders in the technological solution?</li> <li>- Does the technology facilitate an election that is in accordance with international obligations and standards, including emerging good practices?</li> <li>- Does the legal framework provide a sufficient basis for the implementation of the election technology, and does it include transparency and audit mechanisms?</li> <li>- Has the technology been certified and tested by an independent body? What are the legal requirements?</li> <li>- Does the technology used provide a voter-verified paper audit trail (VPAT) to verify results?</li> <li>- Are there suitable safeguards against manipulation or interference in the process?</li> <li>- Have proper cybersecurity measures been foreseen to ensure the integrity of entire e-process?</li> <li>- Does the technology used allow for meaningful and observation to take place?</li> <li>- Is there suitable EMB cyber-hygiene training and voter education on the technology?</li> </ul>

## USEFUL READINGS:

*Compendium on Elections Cybersecurity and Resilience*, NIS Cooperation Group (EU Member States, European Commission, and European Union Agency for Cybersecurity 'ENISA'), 2024

*Handbook for the Observation of Information and Communication Technologies (ICT) in Elections*, OSCE/ODIHR, 2024

Declaration of Principle for International Election Observation, "General Principles and guidelines related to ICT and elections", endorsed by the DoP implementation Meeting, 8 December 2022

Duenas-Cid, David, *A theoretical framework for understanding trust and distrust in internet voting*, University of Tartu Press, 2022

*Understanding Cybersecurity Throughout the Electoral Process: A Reference Document An Overview of Cyber Threats and Vulnerabilities in Elections*, IFES, 2021

*Primer: Cybersecurity and Elections*, IFES, 2022

*Implementing and Overseeing Electronic Voting and Counting Technologies*, IFES/NDI, 2014

*Handbook on observing electronic voting*, 2nd ed., The Carter Center, 2012

## 4.5 Voter registration

### 4.5.1 The right to vote

The right to vote should be established by law, provided without discrimination and with only reasonable restrictions. The most common restrictions relate to citizenship, age and residence.

**Non-discrimination:** As with any other right protected by ICCPR, the principle of non-discrimination applies to voting rights. "Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."<sup>34</sup>

**Citizenship** is generally a condition for voting, and art. 25 of the ICCPR, contrary to other provisions of the Covenant, spells out rights for 'citizens' to participate in the government of 'their country'. This principle applies to all citizens. In General Comment 25, the UN Human Right Committee states that distinctions between those entitled to citizenship by birth and those who acquire it by naturalisation may raise questions of compatibility with article 25. The same principle should apply to dual citizens, in countries allowing dual citizenship.

<sup>34</sup> ICCPR, article 2.



**Minimum age:** The legal age of voting does not necessarily have to coincide with the age of the civil majority, but the “attainment of the age of majority, entailing not only rights but also obligations of a civil nature, must at least confer the right to vote.”<sup>35</sup> For an EU election mission, it is important to consider if a lowering of the minimum age for voting may have been politically motivated. Attention should be paid to whether those who come of voting age between the close of registration and polling day are effectively enfranchised.

**Residency requirements (duration):** The exercise of the right to vote is normally submitted to the requirement for voters to have their residence where the election takes place. There are very specific cases when a requirement of minimum residency duration may be introduced, in particular in cases of elections and referendums affecting a national minority or the future of a specific territory.<sup>36</sup>

**Prisoners’ right to vote:** In many countries, persons serving a prison sentence are deprived of their right to vote. This exclusion can be *de jure*, based in the domestic legislation, but can also be *de facto*, resulting from the absence of a specific procedure permitting people in detention to vote. Several international human rights bodies have ruled that a blanket deprivation of the right to vote to anyone sentenced to a prison term, irrespective of the nature or gravity of the offence, is a violation of voting rights.<sup>37</sup>

**Military personnel:** Several countries, in particular in Latin America and in the Arab world, exclude the military from exercising the right to vote. Human rights academics have expressed different views on this issue and there is no clear-cut case-law<sup>38</sup>. There is nevertheless a global trend to broadening the franchise.

**Out-of-country voting:** International instruments do not provide explicit obligations for States to organise out-of-country voting (OCV) for citizens living abroad.<sup>39</sup> While countries which have adopted OCV procedures approach it with great diversity in terms of eligibility and techniques, the out-of-country process must guarantee the same level of transparency, secrecy

35 European Commission for Democracy through Law (Venice Commission), Code of Good Practice in Electoral Matters, CDL-AD(2002)23, para 6.

36 See: UN Human Rights Committee, *Gillot v. France*, 2000 (referendum on self-determination in New Caledonia); EComHR, *Polacco & Garofalo v. Italy*, 1997 (Regional elections in Trentino – Alto Adige).

37 See *inter alia*, UN Human Rights Committee, *Yevdokimov v. Russia*, Comm. 1410/2005, 9 May 2011; ECHR, *Hirst v. UK*, Application no. 74025/01, 6 October 2005.

38 Compare: Manfred Nowak, U.N. Covenant on Civil and Political Rights: CCPR Commentary, N.P. Engels, 2nd Edition, 2005, p.578, and Guy Goodwin-Gill, *Free and Fair Elections*, 2nd Edition, Inter-parliamentary Union, 2006, p.128.

39 See *inter alia*, Democracy Reporting International, *Out-of-Country Voting: Principles and Practices*, Briefing Paper No.23, December 2011; European Commission for Democracy Through Law (Venice Commission), Report on Out-of-Country Voting, CDL-AD(2011)022, 24 June 2011.

and integrity as the in-country process. OCV often leads to considerable additional costs and logistical challenges for the country, and usual guarantees of transparency and integrity might be more difficult to put in place.

Deciding to have OCV affects the size and shape of the electorate, and consequently may have a significant impact on election results. It is a politically sensitive matter in most cases, which should be decided in a broadly inclusive manner in the country, involving all national political forces, civil society and the administrations concerned. The decision may be a factor of a post-conflict process, when a sizeable part of the population resides abroad as a result.

EU election missions seldom observe out-of-country voting. Nevertheless, an EU election mission may assess the legal framework and procedures for organising OCV, and the adequacy of the guarantees of integrity in place, but should refrain from expressing an opinion on whether or not there should be OCV.

International standards	Examples of good practice
<p><b>The right to vote</b></p> <p>“The right to vote at elections and referenda must be established by law and may be subject only to reasonable restrictions, such as setting a minimum age limit for the right to vote. It is unreasonable to restrict the right to vote on the ground of physical disability or to impose literacy, educational or property requirements. Party membership should not be a condition of eligibility to vote, nor a ground of disqualification.”</p> <p><b>General Comment 25, para 10</b></p> <p>If conviction for an offence is a basis for suspending the right to vote, the period of such suspension should be proportionate to the offence and the sentence. Persons who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote.”</p> <p><b>General Comment 25, para 14</b></p>	<ul style="list-style-type: none"> <li>- There are consistent legal provisions governing eligibility with respect to citizenship, age, residence and temporary absence.</li> <li>- The established age of civil majority (usually 18) is also the minimum age for voting.</li> <li>- Suspension of the right to vote for persons convicted of an offence should occur on exceptional grounds only and in proportion to the nature or gravity of the offence</li> </ul>
<p><b>Non-discrimination</b></p> <p>Civil and political rights are to be respected without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p><b>ICERD article 5 and CRPD, article 29</b></p>	<ul style="list-style-type: none"> <li>- EMBS take reasonable accommodation measures to facilitate voting of all citizens regardless their disabilities</li> </ul>

### Issues to be considered by the EU election mission

- Is universal and non-discriminatory suffrage provided for by law?
- Are there any non-legal obstacles to the exercise of the right to vote?
- Are all legal exclusions and/or restrictions on the right to suffrage reasonable?
- Are there consistent legal provisions governing eligibility to vote?
- Does the information in the voter register violate data protection laws?
- Does the EMB share the voter register with stakeholders in a manner that guarantees protection of privacy rights?

#### 4.5.2 Voter registration

The registration of voters should enable eligible citizens to exercise their right to vote on election day. Developing and maintaining an accurate voter register and producing reliable voter lists for each polling station can be extremely complex. The accuracy and completeness of the voter register is of critical importance, as non-registration prevents citizens from enjoying their right to vote and therefore inhibits universality of suffrage.

An accurate voter register also serves as a safeguard against irregularities such as multiple voting or voter impersonation, which undermine equality of suffrage. Conversely, a deficient voter register may not only deprive numerous eligible voters of their rights, but may also permit irregularities and manipulations.

#### *Voter registration methods*

The procedures for registering voters differ among countries. The voter register may be compiled by the EMB or by other State authorities.

**Active registration** (also called voter-initiated registration) requires individual registrants to apply for inclusion in the voter register.

**Passive registration** (also called State-initiated, or automatic registration) requires State authorities to compile the voter register without the need for individuals to apply. This is often done using records of civil status (e.g. the civil register) or citizenship (e.g. database of national identification cards). In some countries, it is compulsory to be registered to vote.

A voter register may be kept centrally, by using regional sources of information that are then merged to produce a single national register. Citizens are typically required to prove their identity before registration with specified documentation. Often registered voters are provided with voter cards as proof of their registration. There may be legal provisions that allow non-registered eligible voters to be included on special supplementary voter lists on election day, or there may be no voter register at all. In all cases, the proce-

dures in place should ensure that all eligible citizens, and only eligible citizens are able to vote, and that measures are taken to prevent multiple registration.

### *Procedures for voter registration*

Voter registration procedures should be clearly stipulated in law. Where citizens are registered to vote in their place of current residence, definitions of residence (such as a distinction between permanent and temporary residence) need to be clear. The voter register does not need to include personal data other than that which is required to identify a voter and establish eligibility. Any requirement for additional information, such as ethnicity or religion, creates scope for discrimination. Issues of data protection related to the voter register should also be analysed by the EU mission.

### *Updating the voter register*

A voter register has to be regularly updated to remain accurate. This can take place on an ongoing basis, at fixed regular periods, or only when an election is called. Whichever method is chosen, it should ensure that all citizens eligible to vote on the date of the election are included in the voter register. Procedures should be in place to ensure the removal of the names of deceased persons and the inclusion of newly eligible voters. In cases of active registration, the responsible bodies should conduct voter education to ensure the fullest participation in the registration process. In cases of passive registration, eligible voters should be provided with the opportunity to inspect the voter register to confirm their inclusion and report any inaccuracies.

### *Challenges to the voter register*

There should be effective administrative or judicial procedures that provide stakeholders with the opportunity to challenge irregularities in the voter register, including the exclusion of eligible voters, to correct errors in the register or to seek the removal of any ineligible persons. All complaints and appeals relating to voter registration should be resolved within a reasonable time-frame and no later than election day.

### *Public confidence in the voter registration process*

It is important that the public has confidence in the accuracy of the voter register. The authorities should ensure that the preliminary and final voter registers are published, and that copies are available for public inspection to allow checks for inaccuracies and omissions. When opening the voter register for public inspection, authorities must take into consideration data protection issues and be mindful that only the minimum personal information necessary for a meaningful inspection is provided. In specific situations, an

audit might be commissioned by the authorities to an external professional body. Political parties should have an opportunity to access the voter register, although such access should be prescribed by law for specific purposes. Civil society organisations may also carry out surveys of the voter register to check its accuracy. Where there are strong allegations or evidence of exclusion, inconsistencies and inaccuracies in the voter register, the authorities should take constructive and transparent steps to improve its quality.

### Assessing voter registration

Although the registration of voters is often completed before an EU election mission is deployed, EU observers still assess the legal and procedural framework, and evaluate how effectively registration was conducted.

The election analyst and the LTOs in the regions should meet the authorities responsible for voter registration. The EU election mission should speak with political parties, civil society organisations and others to assess whether there are any concerns about how the voter registration process took place and if there is public confidence in the accuracy and inclusivity of the voter register.

Where voter registration is taking place during the period of deployment, EU observers should also observe the implementation of procedures for registering voters. This is particularly important where there is limited public confidence in the quality of the voter register. Where the EU EOM receives allegations of systematic disenfranchisement of voters, it should encourage complainants to lodge their claims through the official mechanisms.

In some cases, EU observers will have access to a digital version of the voter register or extracts from it. While an EU election mission does not have the time or resources to undertake a full check of the voter register, the most recent census or other population statistics, assuming they are accurate, can also be used to compare broadly the size of the registered electorate with the number of citizens who are above voting age and are eligible to vote. Additionally, historical datasets (previous census, voter registration or similar) may be used to build up an analysis of voter registration numbers over a longer period. The EU EOM may also observe any digital cross-checking of voter registration data undertaken by the administration.

In using any population data, EU election missions should bear in mind that data collection methods and criteria are different from voter registration, and few firm conclusions can be drawn from such a comparison. Census data in particular is a snapshot of the current demographic situation and includes non-residents and others who might not fulfil requirements to be voters.

EU election missions take into account that it is difficult for even the best-intentioned government agencies to produce flawless voter lists. An EU election mission assessment of a voter list attempts to determine if errors are isolated instances or part of a systemic pattern. If the latter is the case, the EU election mission explores with interlocutors the likely reasons for this. The ultimate test of a voter register is on election day. Observers may note if large numbers of people are not included on the lists, or are unable to find their polling station.

If technology solutions have been adopted for voter registration, the EU election mission should pay careful attention to how and why the decision was taken and attempt to determine the possible impact, both intended and unintended on the quality of the voter register and on the electoral process as a whole.

### USEFUL READINGS:

*Handbook for the Observation of Voter Registration, OSCE/ODIHR, 2013*

### 4.5.3 *Technology and voter registration*

#### *Digital voter registers*

Increasingly technology solutions are implemented to make the creation and upkeep of voter registers a more efficient process. It is common that voter registration data is kept in a central, electronic database that can easily allow for the sharing of information on voters between localities, and also allow for the checking of multiple entries and other anomalies in the database. Such electronic registers can increase transparency as extracts may be more easily be shared with relevant stakeholders, such as political parties and civil society. Centralised electronic registers may also allow voters to check their data, either on the Internet or by SMS on a mobile phone. At the same time, increased technology brings challenges such as training for election officials and the need to ensure the technology chosen is appropriate, cost-effective and sustainable, and that personal data is secure.

Voter lists for polling stations may be printed out from a centralised electronic register prior to election day. In other cases, each polling station may be equipped with a computer terminal or another digital device that contains the voter list and, or in some cases, which allows access to the full (or partial) voter register.

In cases where polling stations are equipped with computers, it is critical that proper testing and piloting is done well before election day to ensure that the computers will work as envisaged around the country and not cause delays in the processing of voters. Having digital voter lists in the polling stations increases the logistical challenges as there must be a constant source of electricity and a stable network connection. In addition, a large number of staff will need training, and technicians must be readily available in case of any difficulties. In any event, copies of paper voter lists need to be available as a contingency in the event of equipment malfunction or failure.

#### *Biometric Voter Registration (BVR)*

With biometric voter registers, one or more physical characteristics of the voter, such as photo, fingerprint or retina scan, among others, are recorded at the time of registration. This information may be used for identification of the voter at the polling station.

BVR can serve to prevent multiple registrations and can therefore enhance the quality of the voter register. It also can act as an effective safeguard against voter impersonation and multiple voting and can increase public confidence in the process. The biometric component cannot, however, assist

in removing deceased registrants from the register, a key task that can only be achieved by local authorities' regular reporting of deaths to the authority that maintain the voter register. In addition, BVR brings specific challenges, and countries must be careful to select technology that is both appropriate and sustainable. In particular:

- BVR can bring additional accuracy, but it cannot act as a substitute for a functional ID document system or regular maintenance of civil registers.
- As biometric systems are expensive, a decision to purchase and use this technology may mean taking resources away from other parts of the process.
- If implemented in developing countries with limited resources, it can perpetuate donor dependency or vendor lock-in (a situation in which a customer using a product or service cannot easily transition to a competitor's product or service).
- Adopting a biometric system generally involves a call for tender between several prospective suppliers, for vast amounts of money; the transparency of this procurement process is essential in order to establish and maintain stakeholder confidence in the solutions being implemented; transparency is also a requirement under the UN Convention against Corruption.
- The sustainability of the system rests on proper maintenance between election cycles, and the cost of this maintenance should be considered in view of the resources available.
- Such systems must also be carefully designed so that their complexity does not reduce transparency for stakeholders, while still maintaining the necessary system security.
- The complexity of some BVR systems may mean that the election authorities are entirely dependent on vendors and external expertise to operate them, raising issues of control and accountability.
- Implementing biometric voter registration may also reduce accessibility, as the voter registration process may need to be staggered or phased due to the high costs/availability of the equipment, thus meaning fewer locations for voter registration and/or a shorter timeframe for voters to register.
- The implementation of biometric voter registration should respect data protection laws and standards and voters' right to privacy.

The use of electronic equipment (such as card readers and fingerprint readers) to verify voters' identity on election day can be a source of delay and controversy if technical shortcomings mar the identification process.



International standards	Examples of good practice
<p><b>Universal suffrage</b></p> <p>“States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed. If residence requirements apply to registration, they must be reasonable, and should not be imposed in such a way as to exclude the homeless from the right to vote.”</p> <p><b>General Comment 25, para 11</b></p>	<ul style="list-style-type: none"> <li>- There are consistent legal provisions for the method of registration, timetable, documentation to prove eligibility, registration forms and the format of the register.</li> <li>- The voter register is sufficiently updated to ensure newly eligible voters are included and recently deceased persons are removed.</li> <li>- Where there is active registration, there is an effective voter education campaign and the method of registration is simple and accessible.</li> <li>- There should be no fees, taxes or other costs related to citizens being registered to vote.</li> <li>- Voter registration is facilitated for groups less likely to be registered (e.g., first-time voters, women, minorities, etc.).</li> <li>- Where applicable, there are effective procedures to facilitate voter registration for Internally Displaced Persons (IDPs) and refugees.</li> <li>- A preliminary voter register is made available for public inspection so that voters can confirm their inclusion and identify any errors.</li> </ul>
<p><b>Equal suffrage</b></p> <p>Persons must not be registered more than once. The principle of one person, one vote, must apply.</p> <p><b>General Comment 25, para 21</b></p>	<ul style="list-style-type: none"> <li>- The voter register is digitalised and centralised to avoid duplicate entries.</li> <li>- Where voter registration cards/ documents are provided, they are unique, secure and reliable. Non-distributed cards are traceable and accounted for.</li> </ul>

International standards	Examples of good practice
<b>Transparency and prevention of corruption</b>	
<p>“Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include:</p> <p>(a) Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public.”</p> <p><b>UNCAC, article 10.</b></p>	<ul style="list-style-type: none"> <li>- Political parties are able to access copies of the voter register.</li> <li>- The number of registered voters is published in advance of the election and that number is broken down to the polling station level.</li> <li>- There is a right to challenge any inaccuracies or omissions in the voter register.</li> <li>- Adequate time and logistical arrangements must be in place for any distribution of voter or ID cards.</li> <li>- The voter register excludes unnecessary and potentially discriminatory personal data, such as ethnicity.</li> <li>- Any technology adopted for voter registration is both appropriate and sustainable for the country that implements it.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Are the voter registration procedures detailed in law?</li> <li>- Are restrictions on registration (such as on residence) reasonable?</li> <li>- Does the procedural framework provide the opportunity for all eligible citizens to be registered?</li> <li>- Are there suitable measures to include newly-eligible voters, prevent multiple entries, and remove the names of ineligible or deceased persons?</li> <li>- Do the extracts of the voter lists correctly link voters to their polling stations?</li> <li>- Is there verifiable evidence that eligible voters are not registered, or that ineligible voters are registered? If so, are these isolated instances or do they constitute a pattern?</li> <li>- Is the preliminary voter register available and accessible for public inspection?</li> <li>- Are effective opportunities and remedies available for identified inaccuracies and omissions to be corrected?</li> <li>- Is data on the number of registered voters published? Is data broken down regionally, and if so, to what level?</li> <li>- Are relevant extracts of voter lists posted at polling stations or another accessible location ahead of election day?</li> <li>- Is there public confidence in the accuracy and reliability of the voter register ahead of election day?</li> <li>- Are problems with the voter register observed on election day?</li> <li>- Are women and men registered in numbers proportional to the population? If not, why not?</li> <li>- Are minorities registered in numbers proportional to the population? If not, why not?</li> <li>- Where applicable, are effective measures in place to ensure registration of IDPs?</li> </ul>

### Issues to be considered by the EU election mission

- Where applicable, are effective out-of-country procedures in place to ensure registration of expatriate citizens, including refugees?
- Are there specific measures addressing the situation of gender reassignment?
- Do the authorities in charge of voter registration ensure that personal data collected for voter registration purposes are secured from potential leaks?
- Do voter registration laws or regulations include specific provisions on data protection?

#### **If technologies are used:**

- Is there adequate training of election officials and has sufficient voter education on the new technologies been undertaken?
- Has there been adequate testing of the new system prior to election day?
- How transparent was the procurement process?
- Any controversy regarding the operator/vendor?
- Is the EMB in a position to exercise proper control over the functioning of the ICT / BVR system, and is there sufficient accountability?
- What arrangements are in place to ensure the maintenance of the ICT / BVR system between elections?

#### **In the case of active registration (i.e., where voters initiate registration):**

- Are there suitable opportunities for the registration of all voters?
- Is there adequate voter education on the procedures for registering as a voter?
- Are the procedures simple, and are registration offices accessible, including for those with limited mobility?

#### **In the case of passive registration (i.e., where State authorities initiate registration):**

- Is the primary data source (e.g. population register) accurate and reliable?
- Are there measures for eligible voters to be registered to vote if they are not in the data source?
- Are there measures for refugees (in case of out-of-country voting) and IDPs who may be missing identity documents?
- Are there effective procedures to ensure that people who change their name after marriage have their data updated?
- Are there effective measures to ensure that changes of residence are accurately reflected in the register?

## 4.6 Candidate and political party registration

### 4.6.1 *Freedom of association*

Freedom of association is a prerequisite for the full enjoyment of the right to take part in government, including by forming or joining political parties. Democratic elections can only take place within a pluralistic environment, which has a range of political views and interests.

Most countries have a specific legal framework for the registration and regulation of political parties or other political movements that establishes pro-

cedural requirements. The registration and regulation of political parties may be administered by an executive body (such as the Ministry of Justice), the judiciary or the EMB. Restrictions on the right to form or join a political party should be based in law, objective and reasonable. The law should also provide the right to challenge a decision on political party registration.

International standards	Examples of good practice
<p><b>Freedom of association</b></p> <p>“The full enjoyment of electoral rights requires (...) freedom to engage in political activity individually or through political parties and other organizations “.</p> <p><b>General Comment 25, para 25</b></p> <p>“The right to freedom of association, including the right to form and join organizations and associations concerned with political and public affairs, is essential for the enjoyment of electoral rights. Political parties and membership in parties play a significant role in the conduct of public affairs and the election process.”</p> <p><b>General Comment 25, para 26</b></p> <p>No restrictions may be placed on the exercise of the right to freedom of association other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others. This shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.</p> <p><b>ICCPR, article 22</b></p>	<ul style="list-style-type: none"> <li>- Procedures for the registration and regulation of political parties follow clearly established and transparent criteria.</li> <li>- There is no government or executive official interference in the operation of political parties.</li> <li>- Political parties are based on formal statutes that provide for internal democracy and transparent operation.</li> <li>- Political parties are required to have unique names, logos, etc.</li> <li>- Decisions to refuse or withdraw the registration of a political party occur only under the most serious circumstances and can be challenged.</li> <li>- There is cooperation and consultation between the EMB and registered political parties.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Is the right to form or join a political party guaranteed in law?</li> <li>- Are restrictions or requirements for the registration and regulation of political parties reasonable?</li> <li>- Are all political groups equally able to form political parties, and are all citizens equally able to join the political party of their choice?</li> <li>- Is any political movement refused registration as a political party? Does the refusal of registration prevent the party or its candidates from taking part in the election? Is the refusal reasonable? If a party is denied registration on technical grounds (e.g., an error in its paperwork), is it given the opportunity to correct the error before the denial becomes final?</li> <li>- Is there any unreasonable official interference in the operation of political parties?</li> <li>- Do political parties practice internal democracy and act in a transparent manner?</li> <li>- Do requirements for the geographical distribution of members or branches inhibit political representation, in particular of regionally concentrated minority groups?</li> </ul>

### 4.6.2 *The right to stand for election*

A genuine election requires an open and inclusive registration process for political parties and candidates from across the political spectrum, contributing to the presentation of a real choice to the electorate. Party list and candidate registration are two of the most important indicators of an election's integrity and should be carefully considered by an EU election mission. If certain candidates or political parties are excluded for political reasons, the election may be significantly flawed, even before the campaign begins. Most international human rights instruments monitoring bodies consider that individuals should be able to stand as candidates as well without having to belong to a political party.<sup>40</sup>

Responsibility for the registration of candidates usually lies with the EMB, either centrally or at a local level. Procedures should be clearly established and applied consistently in a manner that does not have the intention or effect of restricting the choice of political options for voters. Although some types of restrictions or qualifications on candidacies may be permissible, these should be reasonable and should not involve potentially discriminatory measures.<sup>41</sup>

Most election laws foresee some form of registration requirements aimed at discouraging frivolous candidacies. Such requirements should not include an excessive number of supporting signatures or unreasonably large financial deposits.

The disqualification of a candidate should be made only on the most serious grounds. Candidates should have an opportunity to rectify technical errors in their nominations and to challenge their disqualification. All complaints relating to candidate registration should be resolved within a reasonable timeframe before election day so that successful candidates have sufficient opportunity to campaign. Following their registration, candidates should not be subject to interference, including any pressure, coercion or intimidation, or attempts to force their withdrawal.

40 See: UN Human Rights Committee General Comment 25 para. 17 provides that “the right of persons to stand for election should not be limited unreasonably by requiring candidates to be members of parties or of specific parties” and the African Court of Human and Peoples’ Rights in the case *Tanganyika Law Society et al. v. The United Republic of Tanzania* (14 June 2013) ruled that “the requirement for any candidate [...] to be affiliated with a political party was violating the applicant’s political rights,” the Inter-American Court of Human Rights in *Castañeda Gutman v. Mexico* (6 August 2008) ruled that “restricting candidate registration to only those applying through political parties is found lawful under Article 23(1)(b) of the American Convention”, but in that case the law did not require party membership, only party nomination.

41 See for example, Venice Commission, *Code of Good Practice*, CDL 2002 (23), pp.6 and 16.

### Assessing party list and candidate registration

Party registration usually takes place between elections when an EU election mission is not present, and candidate registration may also take place before an EU election mission is deployed. EU observers still assess the legal and procedural framework, and evaluate how effectively candidate registration has been conducted, including following-up on any complaints submitted in this regard. In countries with majority-plurality systems or local elections, LTOs may play a key role in tracking the registration of candidates in electoral districts and any complaints related to this process. When needed, the political analyst may create a spreadsheet to consolidate the information and track whether candidates have been registered, have withdrawn and have made complaints.

International standards	Examples of good practice
<b>Right to stand</b>	
<p>"Any restrictions on the right to stand for election, such as minimum age, must be justifiable on objective and reasonable criteria."</p> <p><b>General Comment 25, para 15</b></p> <p>"Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation."</p> <p><b>General Comment 25, para 15</b></p> <p>"No person should suffer discrimination or disadvantage of any kind because of that person's candidacy."</p> <p><b>General Comment 25, para 15</b></p> <p>"If there are reasonable grounds for regarding certain elective offices as incompatible with tenure of specific positions (e.g. the judiciary, high-ranking military office, public service), measures to avoid any conflicts of interest should not unduly limit the rights protected by paragraph (b) [of article 25 of ICCPR]."</p> <p><b>General Comment 25, para 16</b></p> <p>"Conditions relating to nomination dates, fees or deposits should be reasonable and not discriminatory."</p> <p><b>General Comment 25, para 16</b></p>	<ul style="list-style-type: none"> <li>- The procedural framework and timetable for candidate registration is provided for in law and is set in advance of the opening of nominations.</li> <li>- Requirements, such as a minimum period of residence, are determined using transparent and objective measures that do not seek to restrict opportunities to stand.</li> <li>- Reasons are provided for a decision to refuse the nomination of a candidate.</li> <li>- Challenges to a decision to refuse a candidacy are heard within an expedited timeframe ahead of election day to ensure that, if successful in the challenge, the candidate may still campaign and run for election.</li> <li>- There is sufficient time and opportunity between the opening and closing of the nomination period for nominations to be submitted.</li> </ul>

International standards	Examples of good practice
<p><b>Right to stand</b></p> <p>“The right to stand for election should not be limited unreasonably by requiring candidates to be members of parties or of specific parties”.</p> <p><b>General Comment 25, para 17</b></p> <p>“If a candidate is required to have a minimum number of supporters for nomination this requirement should be reasonable and not act as a barrier to candidacy.”</p> <p><b>General Comment 25, para 17</b></p> <p>Everyone has the right, without distinction as to race, colour or national or ethnic origin, to equality before the law and in particular the right to stand for election.</p> <p><b>ICERD article 5 and CRPD, article 29</b></p>	<ul style="list-style-type: none"> <li>- Fees/deposits should be of an amount that prevents frivolous candidates but not be overly-restrictive. Fees/deposits should be refunded if a candidate gains a set proportion of the valid votes cast.</li> <li>- Procedures for the verification of supporting signatures should be reasonable and provide for opportunities to rectify technical errors.</li> <li>- Lists of all registered candidates and political parties should be published at the conclusion of the registration process and available in polling stations on election day.</li> <li>- Efforts are undertaken to encourage candidacies from underrepresented groups.</li> <li>- Special support is offered to candidates facing de facto discrimination, e.g., extra funding or skills training.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Does the legal and procedural framework for candidate registration provide for the right to stand for election on equal grounds?</li> <li>- Are all candidates, political parties and political groups able to exercise their right to stand?</li> <li>- Are restrictions or qualifications on the right to stand reasonable? Are restrictions applied equally and objectively?</li> <li>- Are candidates able to challenge a refusal to register their nomination? If there are any technical errors or deficiencies in a candidate's nomination, is the candidate given the opportunity to correct these before a final decision is taken?</li> <li>- Are fees/deposits set at a reasonable level and are they consistently collected?</li> <li>- Is there a consistent and reasonable process for checking nominations (e.g., confirming signatures)?</li> <li>- Are registered candidates free from interference or pressure to withdraw?</li> <li>- Do any aspects of candidate registration directly or indirectly affect the ability of women candidates or candidates from minority groups to stand?</li> <li>- Were any candidates or parties refused the possibility to stand? If so, were the grounds for this reasonable?</li> <li>- Were any candidates disqualified after they were registered? If so, were the grounds for this reasonable and justifiable?</li> </ul>

## USEFUL READING:

*Guidelines on Political Party Regulation (2nd Edition)*, European Commission for Democracy Through Law (Venice Commission), OSCE/ODIHR, 2020



## 4.7 Election campaign

### 4.7.1 Campaign activities

Freedoms of expression, assembly, association and movement without discrimination are prerequisites for a genuine democratic election process. For an open and fairly contested campaign, it is crucial that there is opportunity for all candidates, political parties, and their supporters to promote policies, hold meetings and travel around the country. The electorate should be informed about their range of choice of parties and candidates. Thus, there should be equal opportunities for conduct of public rallies, production and use of electoral materials, and other campaign activities, so that candidates, political parties and their supporters are able to present freely their views and qualifications for office. Violence or the threat of violence, intimidation or harassment, or incitement of such acts through hate speech and aggressive political rhetoric are incompatible with democratic elections.

#### *Campaign rules*

The rules governing the campaign comprise the election legislation and regulations adopted by public authorities, including the EMB. Guarantees of the right to open and fair campaigning should be secured in primary legislation. In particular, it should specify equal access to State resources and prevent arbitrary administrative action. Special rules often regulate media coverage and the financing of campaign activities. In addition, restrictions may be placed on certain activities during the campaign period, such as a prohibition on campaigning immediately before election day (the so-called ‘campaign silence’ period) or a prohibition on the publication of opinion polls for a defined period prior to election day. However, campaign rules should not otherwise unreasonably restrict the freedoms of association, assembly, expression and movement.

Campaign regulations adopted by administrative bodies such as the EMB should provide equal opportunities for all candidates and political parties, and relevant authorities should implement and enforce them in a consistent and impartial manner to ensure a level playing field. Any restrictions on campaigning, such as a requirement for advance permission for holding a public rally, need to be applied equally to all contestants and should not be implemented in a way that limits legitimate opportunities to campaign. Where a ‘campaign silence’ is imposed in the period immediately before election day, it should be effectively and consistently enforced for all contestants. All contestants have a duty to campaign fairly and make efforts to prevent violations of the election rules. Self-regulation by candidates and political parties can provide a useful contribution to a fair campaign, for example, by means of a code of conduct.

### *Role of security forces*

Law enforcement agencies should behave in a neutral manner and should not inhibit political actors from campaign activities. They are obliged to protect citizens from election-related violence, intimidation and coercion, including attempts to bribe voters. In particular, candidates and their supporters should be protected against harassment and threats of job dismissals, especially for public employees. The arrest and/or detention of candidates and supporters from one political group, the disruption of rallies and meetings, or excessive police presence at a rally may indicate politically motivated activity. Attention may need to be focused on groups susceptible to pressure or coercion by persons in authority, such as students, members of the armed forces, prisoners, disabled persons, and, where applicable, members of clans or tribal groups.

### *Vote-buying*

Vote-buying refers to the provision of money or other benefits to voters to support a particular party or candidate, or to officials as an incentive to manipulate election results. The mere distribution of goods can be referred to as 'vote buying', irrespective of whether or not there is coercion or breach of secrecy.

Such practices, or even allegations of them, are very serious and can undermine the credibility of the entire election process. At the same time, vote-buying is notoriously difficult for observers to monitor, as it generally does not take place in plain view. Observers should track and follow up on any allegations of vote-buying, for instance by checking whether authorities have investigated such reports or complaints.

### *Attending campaign events*

EU observers attend campaign events, such as rallies and public meetings or debates, as part of their observation of the campaign period. EU observers should ensure political balance, observing events representing a broad range of parties, including both government parties and opposition. Attendance at such events allows an assessment of whether:

- contestants and their supporters are able to enjoy opportunities for the exercise of the freedoms of expression, assembly and movement;
- campaign regulations, such as requirements for permission to hold rallies, are being consistently implemented;
- the general atmosphere is peaceful;
- speakers use appropriate non-inflammatory language;
- security forces are present and behave appropriately.

When attending campaign events, EU observers should not act in a manner that could be interpreted as a display of partisanship. Attendance at campaign events is dependent on a security risk assessment by the observer team in consultation with the EU EOM security expert. Where the personal safety of the observers or their national staff becomes in danger, they should leave immediately.

*Election-related violence*

The EU EOM records information of any reports of election-related violence and intimidation during the campaign period (see below, Section 4.8).

### Assessing the campaign

The EU EOM assesses the campaign to determine the extent to which it facilitates pluralistic and fair competition and contestants and citizens can effectively exercise their fundamental freedoms.

The political analyst reviews the political dynamics of the campaign, including the type of activities taking place, the platforms presented and the issues being discussed and debated.

The legal analyst reviews provisions of the election legislation for compliance with international standards on freedoms of assembly, expression, association and movement.

LTOs play a crucial role by observing campaign rallies and events and reporting on them.

International standards	Examples of good practice
<b>Freedoms of expression, assembly and movement</b>	
<p>“The full enjoyment of rights protected by article 25 of the ICCPR requires freedom to debate public affairs, hold peaceful demonstrations and meetings, criticize and oppose, publish political material, campaign for election and advertise political ideas.”</p> <p>“The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.”</p> <p>ICCPR, article 21</p>	<ul style="list-style-type: none"> <li>- The campaign is regulated in law and by administrative regulations that ensure equal opportunity for all candidates and political parties to campaign freely without unreasonable restriction.</li> <li>- The duration of the campaign period is long enough to enable the contestants to organise effectively and to present their policies to the electorate.</li> </ul>

International standards	Examples of good practice
<b>Free expression of will of voters</b>	
<p>“Persons entitled to vote must be free to support or to oppose government, without undue influence or coercion of any kind which may distort or inhibit the free expression of the elector’s will. Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”</p> <p><b>General Comment 25, para 19</b></p>	<ul style="list-style-type: none"> <li>- All State institutions – particularly the law enforcement agencies – are required to act in a non-partisan manner.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Are the freedoms of expression, assembly, association and movement provided for by law without discrimination? Are any restrictions on these rights ‘necessary in a democratic society’?</li> <li>- Are all candidates and political parties able to enjoy the exercise of these rights equally?</li> <li>- Are campaign regulations implemented and enforced in a consistent, impartial and effective manner?</li> <li>- Are there verifiable instances of violence, intimidation or harassment, or the incitement of such acts? Are such incidents promptly, consistently and effectively addressed?</li> <li>- Are law-enforcement agencies acting in an impartial, restrained and professional manner?</li> <li>- Have contestants agreed to abide by a code of conduct and, if so, is the code adhered to?</li> <li>- Are there direct or indirect restrictions on the ability of women candidates to campaign?</li> <li>- Where relevant, are there direct or indirect restrictions on the ability of minority candidates to campaign?</li> </ul>

### USEFUL READING:

*Electoral risk and vote buying, introducing prospect theory to the experimental study of clientelism*, Electoral Studies (80), 2022

*Vote buying, International IDEA Electoral Processes Primer 2*, International IDEA, 2022

*Handbook for the Observation of Election Campaigns and Political Environments*, OSCE/ODIHR, 2021

#### 4.7.2 Campaign finance

Campaign finance refers to both the funding provided to political parties or candidates for the purpose of the election campaign (either through private donations or public funding) and the spending by the parties or candidates on campaign expenses. It is widely recognised that the influence of campaign finance on elections and their outcomes has increased in recent years, and that there is also the need to regulate campaign financing to ensure a level playing field. Transparency in income and expenditure of parties and candidates is viewed as a prerequisite for regulation, as it allows effective oversight and enforcement by relevant authorities.

Political finance refers to the general funding of political parties irrespective of the election process. While observers necessarily focus on campaign finance as it is specific to the election period, they should also consider the broader political finance context, as it directly affects the ability of parties and candidates to compete. It is also common for political parties and candidates to concentrate spending during the generally unregulated period before the election campaign.

#### *Regulatory framework*

Regulations governing financing of electoral campaigns and the funding of political parties should require transparency. A number of principles can provide guidance to an EU election mission assessment:

- Disclosure: It is common practice to oblige candidates and political parties to disclose funding sources and provide detailed reports and accounts of their campaign expenditure.
- State funding: Where State funds are provided for campaign purposes, these should be disbursed on a fair, equitable and timely basis.
- Fundraising ceilings: Restrictions on fundraising and campaign expenditure should apply equally to all candidates and political parties.
- Expense ceilings: Limits on campaign spending may be necessary to prevent a disproportionate or one-sided campaign, but should not be so strict as to prevent effective campaigning or discourage compliance with regulations.
- Supervisory body: The regulatory framework should specify which institution is responsible for implementation and enforcement of campaign finance regulations, as well as the sanctions.
- Foreign sources: Reasonable restrictions on campaign funding can include limits on funding from foreign or anonymous sources.

The fairness of a campaign will be undermined where State resources (also referred to as ‘administrative resources’) are used to favour the campaign of one candidate or political party.<sup>42</sup> State resources – such as the use of public buildings for campaign events – should be available on an equitable basis to all contestants. Incumbents should not seek to use the benefits of their elected office as part of an election campaign. Public officials and civil servants should participate in campaign activities only in their personal capacity outside of working hours, and should not wear a uniform of their place of employment or use official vehicles for this purpose.

Assessing the campaign finance

The EU election mission should assess the regulatory framework governing campaign finance, the overall compliance by political parties and candidates with the requirements, and the enforcement of existing regulations by relevant authorities.

The responsibility for assessing campaign finance is shared between the political analyst and legal analyst. LTOs play an important role in monitoring these issues at a local level, including any misuse of State resources for campaign purposes and allegations of vote-buying.

While the detailed monitoring and checking of donations and expenses of political parties or candidates is outside the capacity of a typical EU election mission, core team analysts and LTOs can note campaign spending patterns and detect any flagrant transgressions of the spending limits – for instance, if one party’s billboards outnumber all of the others by 10 to 1 or its political advertising dominates the airwaves. Civil society or specialised international organisations may also carry out campaign finance monitoring that can serve as an indication of any violations.

International standards	Examples of good practice
<b>Free expression of the will of the electors</b>	
<p>“Reasonable limitations on campaign expenditure may be justified to ensure that the free choice of voters is not undermined or the democratic process distorted by disproportionate campaigning on behalf of any candidate or party.”</p> <p>General Comment 25, para 19</p>	<ul style="list-style-type: none"><li>- Restrictions on campaign spending are reasonable and allow for adequate campaigning.</li><li>- Where available, public funds for campaigns are provided on an equitable basis using fair criteria and distributed in a timely manner.</li></ul>

42 See: European Commission for Democracy through law (Venice Commission), *Report on the Misuse of Administrative Resources during Electoral Processes*, CDL-AD(2013)033.

International standards	Examples of good practice
<b>Transparency</b>	
<p>“Each State Party shall also consider taking appropriate legislative and administrative measures (...), to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.” <b>UNCAC, article 7(3)</b></p>	<ul style="list-style-type: none"> <li>- Campaign finance regulation promotes transparency and requires disclosure of the sources of funding and items of expenditure.</li> <li>- Anonymous donations are prohibited.</li> <li>- Restrictions on campaign spending are reasonable and allow for adequate campaigning.</li> <li>- If use of State resources is permitted, access must be provided to contestants on an equitable basis.</li> <li>- An independent body has clearly delineated responsibility for the implementation and enforcement of campaign finance regulations.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Does the legal framework provide an adequate basis for the effective regulation of campaign finance, requiring transparent disclosure of both income and expenditure?</li> <li>- Does the law specify an official period of the campaign during which limits on donations and spending are in force? Do parties/candidates concentrate spending prior to the official campaign period?</li> <li>- Are the responsibilities of the body in charge of enforcement of campaign finance regulations clearly stated in the law and does this body have effective means of control and enforcement?</li> <li>- Is public financing available for the ongoing activities of political parties? Is special funding available for the campaign? Is public funding provided on an equitable basis?</li> <li>- What are the reporting requirements for political parties and candidates and are they respected? What are the sanctions for non-compliance? Are the reports open to public review?</li> <li>- Are there campaign spending limits and are they set at a reasonable level that allows contestants to conduct a lively, informative campaign while still complying with the regulatory framework?</li> <li>- Are regulations on campaign financing, including limits on spending, implemented and enforced in a consistent, impartial and effective manner?</li> <li>- Is the use of State resources permitted? Are State resources used to the advantage of one or more political contestants? Is there a clear regulation preventing public servants from participating in a campaign in their official capacity?</li> <li>- Are civil society organisations monitoring campaign or political finance?</li> </ul>



## USEFUL READING:

“EU EOM Practical core team guidelines for reporting on political finance” (updated), European Commission/EODS project, 2025

*Standards for Integrity in Political Finance: A Global Policy Position*, Transparency International, 2025

*Vote for Free: A Global Guide for Citizen Monitoring of Campaign Finance*, IFES, 2022

*Handbook for the observation of campaign finance*, OSCE/ODIHR, 2015

*Funding of Political Parties and Election Campaigns*, International IDEA, 2014

*Political Finance and Gender Equality*, International Foundation for Electoral Systems, IFES, 2014

*Report on the Misuse of Administrative Resources during Electoral Processes*, European Commission for Democracy through Law (Venice Commission), CDL-AD(2013)033

## 4.8 Electoral violence

Elections are intended as a mechanism to peacefully resolve political competition between contestants competing for power. Yet, in some contexts, aspects of an election process may act as triggers for deeply rooted and long-standing tensions; this is particularly true when elections are poorly organised or perceived to be manipulated.

EU EOMs and other EU election missions are in some cases deployed to countries affected by conflict and/or fragility. Where a risk of electoral violence exists, EU observers should consider how each step of an election process may have an impact on existing conflict dynamics, and in turn how any conflict dynamics may impact on the conduct of the election process.

Considering the risk and potential impact of electoral violence is a task for all mission members. For the core team, electoral violence may be sparked by a flaw in any aspect of the election process, and therefore must be a shared area of assessment. As the ‘eyes and ears’ of a mission, LTOs also play an important role in detecting early warning signs of rising political tensions and promptly reporting any incidents to the core team.

### *Understanding electoral violence*

To adopt a conflict-aware approach to observation, EU observers need to have a basic understanding of electoral violence, in particular, of the following key concepts:

## What is electoral violence?

Electoral violence is, most fundamentally, a form of political violence. It has been defined as:

[...] Acts or threats of coercion, intimidation, or physical harm perpetrated to affect an electoral process or that arise in the context of electoral competition. When perpetrated to affect an electoral process, violence may be employed to influence the process of elections—such as efforts to delay, disrupt, or derail a poll—and to influence the outcomes: the determining of winners in competitive races for political office or to secure approval or disapproval of referendum questions.<sup>43</sup>

Electoral violence can be spontaneous, or it may be instrumentalised by political actors seeking power. It can occur during the pre-election period, on election day or in the post-election period, for instance in reaction to the announcement of results. It can be widespread, or it may occur in isolated hot spots. While widespread electoral violence is most serious, sporadic violence also has an adverse effect on the election process.

Electoral violence may disproportionately affect vulnerable groups, such as women, disabled persons, minorities, the elderly, internally displaced persons (IDPs) and refugees. In some instances, an atmosphere of insecurity or intimidation may be enough to disenfranchise certain groups.

### Possible root causes of electoral violence

In order to understand electoral violence, it is important consider potential root causes, which may include:

- Deep societal divisions;
- A history of political violence;
- The high-stakes nature of the elections observed;
- Human rights concerns;
- Weak State structures;
- Poverty, economic inequality and corruption.

Human rights and conflict prevention organisations present in the country may be useful sources of information on possible root causes of conflict and the potential risk of violence during elections.

<sup>43</sup> UNDP, *Elections and Conflict Prevention: A Guide to Analysis, Planning and Programming*, New York, 2010, p. 4.

## Potential triggers of electoral violence

A flaw in any stage of the election process has the potential to lead to electoral violence. Aspects of the process that may be particularly vulnerable to electoral violence include:

- Non-inclusive candidate registration;
- Unfair campaign conditions and aggressive rhetoric;
- Non-transparent, poorly run results process;
- Absence of effective legal remedies;
- Biased election dispute resolution process;
- Unrest, manipulation or organisational issues on election day;
- Discriminatory or dysfunctional legal framework;
- Unfair or manipulated boundary delimitation;
- Non-inclusive or discriminatory voter registration.

### *Reporting on electoral violence*

The EU election mission records information of any reports of election-related violence and intimidation. In meetings with interlocutors where such reports are made, EU observers ensure that the information it receives is accurate and credible. Reports on intimidation against candidates, supporters or voters are often very difficult to substantiate, and EU observers should, if possible and appropriate, try to double check the information from other sources and give their opinion on the credibility of the claims.

## USEFUL READING:

*Electoral Risks: Guide on External Risk Factors* (third edition), International IDEA, 2025

Garber, Larry, "Violence Prevention through Election Observation", *Peaceworks*, no. 165, USIP, August 2020

*Elections and Conflict Prevention: A Guide to Analysis, Planning and Programming*, UNDP, 2017

*Preventing Violence Against Women in Elections: A Programming Guide*, UN Women and UNDP, 2017

Preventing and Mitigating Election-related Violence", Policy Directive, UNDP, FP/01/2016, 1 June 2016

*Monitoring and Mitigating Electoral Violence Through Nonpartisan Citizen Election Observation*, NDI, 2014

## 4.9 Media

### 4.9.1 Media and elections

For there to be a genuine democratic electoral process, it is essential that candidates and political parties have the right to communicate their messages so that voters receive a diverse range of information necessary to make an informed choice. The media play a central and influential role in providing candidates and parties with a stage to engage voters during an election period.

In this respect, the media will often be the main platform for debates among contestants, the central source of news and analysis on the manifestos of the contestants, and a vehicle for a whole range of information about the election process itself, including preparations, voting and the results, as well as voter education. The media therefore have a great deal of responsibility during election periods, and it is essential that they provide a sufficient level of coverage of the elections that is fair, balanced and professional, so that the public is informed of the whole spectrum of political opinions as well as of the key issues related to the electoral process.

Media regulation during the electoral process may take different forms, ranging from a pure self-regulatory model to co-regulation or statutory regulation. Whatever the approach adopted for media coverage rules, it is important that the normative framework does not unduly restrain freedom of the media, and that it allows for a prompt resolution of complaints.

#### *Media regulation during an election campaign*

Laws and regulations for media coverage of election campaigns should not limit freedom of expression unduly, but act in a supportive capacity. As with the campaign more generally, there are legitimate reasons for certain limits to be imposed on the media in the public interest. Regulatory tools, such as a ‘campaign silence’ period to allow voters a period of reflection before election day and limits placed on the publication of opinion polls immediately prior to elections, as well as rules prohibiting the publication of material likely to incite racial or religious hatred, all reflect an overriding public interest to protect the rights of the public and society.

There may also be positive statutory or regulatory measures encouraging the media to act in a specific way to ensure the public interest is best served. Any legal measures applied to the media sector should not, however, be overly restrictive or unnecessarily impede the activities of the media, and they should be proportional and ‘necessary in a democratic society’.

Any legislation or regulations on the media should reinforce the principle of equal or equitable access for candidates and political parties. For example, when there is a system of paid political advertising, all candidates should receive the same treatment and have access to advertising space under the same conditions as every other candidate. During an election campaign, media should not provide disproportionate coverage of the official duties of incumbents, and should separate reports of official duties from any campaign activities.

The State-owned and publicly funded media have a special responsibility to be balanced and impartial during an election campaign period. Because of their unique role in society, State-funded media should provide equitable access to candidates and parties as part of their responsibilities to the public. Although privately owned broadcasters tend to have fewer obligations placed on them, journalistic professionalism suggests that they should remain fair and balanced in their news coverage. In the case of print media, there is a common pattern for newspapers to support a political party in their editorial lines; however, there should be a clear separation between news stories and editorials that distinguishes between fact and opinion.

### *Media supervisory bodies*

A media supervisory authority may be responsible for overseeing the implementation of the regulations for media coverage during an election period. There are different models for such a supervisory body:

- a self-regulatory model;
- a regulatory authority that is responsible for overseeing the activities of the media on a permanent basis;
- a branch of the EMB.

Whatever the model chosen, the supervisory body should act in an impartial, independent, transparent, consistent and prompt manner to ensure compliance of the media with relevant regulations. It should also investigate complaints and alleged violations and impose effective remedies when violations have occurred.

- There should be an efficient complaints procedure that provides corrective measures of both a self-regulatory and statutory nature.
- Any sanctions imposed by the supervisory body should be proportional to the violation committed by the media outlet, and should include corrections and retractions of inaccurate stories as a first tier of regulation.

- Decisions of the media supervisory body should be subject to appeal.
- Although a range of other measures may be at the disposal of the supervisory body, these should not include penal sentences or any other measures that could have a chilling effect on the media, lead to self-censorship among journalists, or act to stifle media freedom.

### *Media environment*

In its assessment of the media environment, an EU election mission considers the broader obligations of State authorities, including the responsibility not to limit unjustifiably the activities of the media, or impede journalists in their reporting, as well as their responsibility to promote pluralism and freedom of the media. State authorities have a duty to protect journalists from attacks or intimidation and to enable them to work safely, without fear of reprisals for their reporting. Any form of violence against journalists (including harassment and intimidation), as well as any illegal actions interfering with media freedom, should be investigated and prosecuted.<sup>44</sup>

#### *4.9.2 Media monitoring*

An EU election mission assesses the role of the electronic (radio and television) and print media, as well as online news sources (online versions of traditional media and online news sites), during the election campaign using a quantitative and qualitative methodology. This assessment considers:

- whether political parties and candidates are given fair and equitable access to the media;
- whether political parties and candidates are covered in a balanced and unbiased manner;
- whether the media and the authorities adhere to the rules on coverage of an election campaign;
- whether the media give sufficient coverage of electoral issues to provide for the electorate making an informed choice on election day. If not, the reasons for this are considered;
- whether public (State-owned) media fulfil their specific obligations.

<sup>44</sup> The Joint Statement on the Media and Elections, signed by the UN Special Rapporteur on Freedom of Opinion and Expression, OSCE Representative on Freedom of the Media, the OAS Special Rapporteur on Freedom of Expression, and the ACHPR Special Rapporteur on Freedom of Expression stresses that “States should put in place effective systems for preventing threats and attacks against the media and others exercising their right to freedom of expression, and for investigating such attacks (...) This obligation takes on particular significance during election periods.”

The media monitoring methodology used by EU election missions produces an analysis of the distribution of media time and space given to each political contestant, and the tone of coverage in a sample of the main media outlets in the country. That sample includes electronic (radio and television) and print media, as well as online news sources (online versions of traditional media and online news sites). The results are analysed in the context of the specific media environment, including the regulatory framework and the overall coverage of the election.

The media analyst should be familiar with the media landscape of the country before deciding which media outlets are monitored. Those selected should include State/public and privately-owned media outlets, and ensure a varied balance taking into account, for example, political leanings and target audiences. Media aimed at minorities should be considered for monitoring, and the geographical balance of the regional media should also be taken into account.

For broadcast media, the media analyst normally monitors all programmes during primetime broadcasts and other election-related programming for the entire period of the defined campaign period. Television and radio programmes are recorded and stored by the EU election missions for this purpose.

### *Quantitative analysis*

The methodology involves the measurement of the coverage given to individual political actors: candidates and political parties, heads of State, heads of government, ministers, members of parliament as well as local authorities and representatives of political parties. The data collected for the quantitative analysis include: date of coverage, media outlet, time coverage starts, duration, programme type, gender of individual political actor being covered and issue covered. Coverage is measured in seconds of airtime or square centimetres of print-space devoted to each individual and political party. Access time/space – i.e., when political actors have direct access to media – is also measured.

The quantitative analysis also assesses the tone of the coverage, i.e., whether it is neutral, positive or negative. This is measured by taking into account a number of elements, including whether journalists express explicit opinions on a political actor and the context in which the political actor is covered.

### *Qualitative analysis*

The methodology also involves qualitative analysis of the election coverage provided by the media. EU election missions consider a number of areas of observation, including:



- use or reporting of instances of hate speech and inflammatory language;
- professional standards of journalism, including the level of accuracy in news reporting, and the prevalence of biased, defamatory or partisan reporting;
- whether media outlets omit reporting on certain important news items;
- whether any media outlets display support to specific parties/candidates;
- whether incumbents exploit their institutional position to gain unfair advantage during the campaign;
- whether media outlets respect the 'campaign silence' and any legal provisions on the reporting of opinion and exit polls;
- whether coverage of the EMB in the media contributes to increased public confidence in its work;
- level of coverage and quality of voter education in the media;
- formats used by the media in covering election issues (candidate debates, interviews, etc.);
- whether women receive coverage in proportion to their presence in the electoral contest and in the political sphere, and whether gender stereotypes are portrayed (e.g., women candidates in their role as wife/ mother/ homemaker);
- where relevant, the coverage the media give to issues relating to minorities, whether stereotypes are portrayed and whether they broadcast/publish in minority languages;
- the role of online news sources news in covering the election.

#### Issues to be considered by the EU election mission

##### In relation to the media environment

- Is there a pluralistic and independent media environment, which provides access to a broad range of political opinion?
- Does the legal framework guarantee the freedom of the media? If so, is this freedom respected in practice?
- Are the media able to work freely and operate without prior censorship (including self-censorship), intimidation, obstruction or interference? Do the media operate professionally?
- Has there been any violence against journalists? If so, does it appear election-related?
- Have any media outlets been closed as a result of government action? If so, what were the circumstances and do they appear politically motivated?
- Have any media outlets been harassed by government agencies (e.g., excessive tax audits)?
- Is libel a criminal offence? If so, have any journalists faced criminal sanctions for their reporting? Were any such cases election-related?

## Issues to be considered by the EU election mission

- Have broadcast licences been issued impartially, without regard to political affiliation?
- Where does the population get the majority of its election news?

### In relation to the legal framework for election coverage

- Is there a clear and consistent regulatory framework for the media's coverage of elections?
- Does the regulatory framework provide for the media to work freely and without prior censorship during an election campaign?
- Does the regulatory framework provide the right to equitable and non-discriminatory access for all candidates and political parties standing for election?
- Is there a media supervisory body? If so, does it act independently and function in an impartial, transparent and professional manner? Is it free to work without undue interference? Does it have the confidence of electoral stakeholders, in particular the media industry? Is it independently monitoring the media's coverage of the election? Is it effective in dealing with media-related complaints?

### In relation to the media coverage of elections

- Do the media provide sufficient information to enable voters to make an informed choice on the election through news reports, analysis and debates? Is this information provided in a fair, balanced and impartial manner?
- Do the media deliver objective information on the election administration and provide any voter education initiatives?
- If there is a provision for paid political advertising, are the costs and conditions reasonable, and offered on an equal basis? Are paid-for political advertisements clearly labelled as such?
- Is there discrimination in reporting based on racial, ethnic, gender or religious background? Are stereotypes of any group reinforced?
- Is there any coverage that may be regarded as hate speech? Are there instances of defamation of candidates or distortion of campaign messages?
- Where there are prohibitions on the publication of opinion polls or a pre-election 'silence period', are these rules complied with?

### In relation to State-owned or publicly funded media

- Do all candidates and political parties receive fair, balanced and impartial coverage on the State/public media? Is there any bias shown and, if so, in favour of whom?
- Do all candidates and political parties have equitable access to airtime or print space in the State/public media? Is such access provided free of charge?
- Do the State/public media comply with their responsibility to inform the public on relevant issues on the electoral process?
- Do the public media operate independently of the government?

### In relation to private media

- Do the private media provide the public with sufficient coverage of the election campaign and election related issues? Is the coverage fair and balanced? If private media outlets demonstrate bias in their coverage, whom do they favour?
- Are private media outlets owned by candidates or political parties? If so, does this affect the overall balance of media coverage of the election?
- Is ownership of private media outlets concentrated in a manner that could lead to biased or unbalanced coverage of the election?

International standards	Examples of good practice
<p><b>Freedom of expression</b></p> <p>“Everyone has the right to freedom of expression. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”</p> <p><b>ICCPR Article 19(2)</b></p> <p>“In order to ensure the full enjoyment of rights protected by article 25, the free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential. This implies a free press and other media able to comment on public issues without prior censorship or restraint that informs public opinion.”</p> <p><b>General Comment 25, para 25</b></p> <p>The exercise of the right to freedom of expression carries with it responsibilities. It may therefore be subject to certain restrictions but these shall only be such as are provided by law and are necessary (a) for respect of the rights or reputations of others (b) for the protection of national security or of public order or of public health or morals.</p> <p><b>General Comment 34, para 21</b></p>	<ul style="list-style-type: none"> <li>- All broadcast media provide balanced and fair coverage of the election, as well as non-discriminatory and equitable levels of access for contestants.</li> <li>- Regulatory bodies ensure the media's coverage of elections meets legal requirements.</li> <li>- State-owned or publicly funded media provide free airtime or print space to the candidates or parties in a non-discriminatory and equitable manner.</li> <li>- The conditions for contestants to purchase paid-for political advertising are non-discriminatory with standardised rates.</li> <li>- The media air debates among candidates following clear and mutually agreed rules.</li> <li>- The media cooperate with the EMB in voter education.</li> <li>- The media portray women, as well as men, as serious candidates and political leaders.</li> <li>- The State promotes universal access to the Internet and does not unduly block, filter, censor or restrict political content.</li> </ul>

## USEFUL READING:

*Media and Elections: A Guide for Electoral Practitioners*, UNDP, 2015

*Handbook on Media Monitoring for Election Observation Missions*, OSCE/ODIHR, 2012

### 4.10 Online election-related content

The Internet has opened new possibilities for political expression and participation, especially through online platforms. By enhancing citizens' access to information, platforms can facilitate voter awareness, engagement and mobilisation, and may reduce campaign costs for candidates and parties. They can allow under-represented or marginalised groups to make their voices heard and, in countries with a diaspora eligible to vote, provide opportunities to reach voters living abroad. Wherever media pluralism and/or media freedom are limited offline, the internet can often be a source of diverse information, enabling citizens to access a wider range of opinions and information as well as being a means of voter education.

However, online platforms can also represent a threat to the integrity of electoral processes, particularly through information manipulation practices and dissemination of disinformation. Negative aspects include, but are not limited to, a proliferation of malign coordinated information operations, disinformation, polarising narrative and harmful content, illegal or privacy invasive practices, circumvention of campaign finance rules, as well as on-line harassment and intimidation, especially against women politicians and minorities. Persecution of online activists and journalists, and online censorship<sup>45</sup> which blocks access to certain content are further threats to freedom of expression in an electoral context.

#### 4.10.1 *Legal and regulatory framework*

An EU EOM's assessment of the online campaign includes the relevant legal and regulatory framework and its implementation, based on international and regional human rights standards, obligations and good practice. These include, *inter alia*, the rights to freedom of expression, political participation, privacy and protection from discrimination. A core principle guiding this assessment is that the rights people enjoy offline must also be granted online, particularly freedom of expression.<sup>46</sup>

Legal frameworks governing online campaigning should aim to ensure a level playing field for contestants without imposing undue restrictions. Legitimate limitations to protect electoral integrity online have to pass the 'three-part test' i.e. they should be provided for in law, pursue a legitimate aim, and be necessary and proportionate.<sup>47</sup> They may also extend beyond electoral contestants to include other actors, such as media organisations, tech companies and advertising agencies. Those include:

- provisions aiming at limiting various forms of illegal, harmful content and preventing discrimination against specific communities and groups;
- limitations related to campaign finance rules, such as regulations for political advertising, spending/donation limits, disclosure requirements, and rules for third-party donations and campaigning.

45 Main types of online censorship: internet shutdowns, news websites censorship, content removal, throttling and digital attacks, algorithmic censorship, etc.

46 UN HRC Resolution 20/8 (2012) "The promotion, protection and enjoyment of human rights on the Internet."

47 UN General Assembly: Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 10 August 2011, A/66/290.

In the context of online election-related communication, EU election missions address State institutions that have regulatory and oversight powers over the ICT industry and cybersecurity as well as privacy and personal data protection. Usually, such State institutions are responsible for overseeing the respective sector on a permanent basis, while also having a specific role to play in the electoral context. EMBs may also have responsibility for certain aspects.

Such supervisory bodies should act in an impartial, independent and transparent manner and should consistently and promptly respond to possible violations of relevant campaign and data protection regulations. They should have sufficient powers, expertise, as well as necessary operational, financial and technical capacity. Further safeguards against an arbitrary or/and politically bias application of power by supervisory bodies include:

- an efficient dispute resolution mechanism that protects the right to effective remedy;
- a clear obligation for any decision that limits access to internet or certain online content to conform to the strict tests of necessity and proportionality;
- judicial review of restrictive decisions made by the supervisory body; and
- clearly defined sanctions for breaches of the law that are proportional to the violation committed.

The EU EOM considers broader obligations of State authorities which include: to grant freedom of expression online and offline, to ensure adequate protection of citizens' privacy and personal data and to refrain from arbitrary interference with online communications.

State authorities also have a duty to proactively place information of public interest online, to take necessary measures to protect the freedom from discrimination and are under a positive obligation to foster media and digital literacy and to reduce digital divide within the society.

GENERAL PRINCIPLE	MAIN INTERNATIONAL COMMITMENTS / STANDARDS / REFERENCES	AREA OF ASSESSMENT / OBSERVATION
<b>Freedom of expression</b>	ICCPR art. 19 CCPR General Comment 34 <sup>48</sup> Joint declaration on Freedom of Expression and the Internet <sup>49</sup> EU Human Rights Guidelines on Freedom of Expression On-line and Offline <sup>50</sup>	<ul style="list-style-type: none"> <li>- Content regulation, including hate speech, defamation, and disinformation</li> </ul>
<b>Right to political participation</b>	ICCPR art. 25 CCPR General Comment 25	<ul style="list-style-type: none"> <li>- Information manipulation, including inauthentic behaviour, disinformation</li> <li>- Political suppression, intimidation, threats, hateful content</li> <li>- Platforms' transparency on recommendation and moderation algorithms, access to data for scrutiny, transparency reports</li> </ul>
<b>Access to information</b>	ICCPR art. 19 CCPR General Comment 34	<ul style="list-style-type: none"> <li>- Access to the Internet, including filtering and blocking</li> <li>- Election information, including about campaign financing</li> <li>- Voter education</li> <li>- Media and digital literacy</li> </ul>
<b>Transparency</b>	United Nations Convention against Corruption	<ul style="list-style-type: none"> <li>- Election-related advertising</li> <li>- Sponsored content</li> <li>- Information manipulation, including microtargeting, bots and fake accounts</li> </ul>
<b>Equality and freedom from discrimination</b>	ICCPR art. 3 CCPR General Comment 18	<ul style="list-style-type: none"> <li>- Derogatory speech, hateful content</li> <li>- Incitement, suppression of certain groups of voters</li> <li>- Net neutrality</li> </ul>
<b>Right to an effective remedy</b>	ICCPR art. 2.3 CCPR General Comment 31	<ul style="list-style-type: none"> <li>- Election dispute resolution</li> <li>- Social media platforms' voluntary compliance measures</li> <li>- Social media platforms' reporting system and appeal mechanisms</li> </ul>

48 UN Human Rights Committee General Comment 34, article 19, 2011.

49 *Joint Declaration on Freedom of Expression and the Internet*, issued by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media, the OAS Special Rapporteur on Freedom of Expression and the African Commission on Human and People's Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information, 2011.

50 Council of the European Union, *EU Human Rights Guidelines on Freedom of Expression Online and Offline*, Foreign Affairs Council meeting, Brussels, 12 May 2014.

#### 4.10.2 *Observation and assessment methodology*

An EU EOM observes, analyses and assesses a range of issues related to digital election-related content, the online campaign and the online ecosystem as a whole. The assessment is based on the review of the legal framework as well as information collected during meetings with relevant interlocutors such as State authorities, political parties, tech companies and relevant civil society organisations. It is also based on data analysis drawn from quantitative and qualitative social media monitoring (SMM) guided by the EU EOM methodology.

EU EOMs carry out an assessment of various elements shaping the online electoral environment:

- the transparency policies of online platforms, the presence and accessibility of electoral information and the role of State institutions in placing election-related content online, as well as responsibilities of EMBs and other State institutions in protecting the integrity of the process from threats that might come from the online environment (via cybersecurity, debunking, fact checking);
- the presence and general impact of information manipulation, identifying who disseminates such content and whether it has the potential to suppress voter participation, orientate voting or incite violence;
- the misuse of administrative resources, and whether executive-level public officials or incumbents are exploiting their positions for electoral advantage through official websites or online platforms;
- the extent and effectiveness of measures implemented by tech companies to moderate illegal content, remove it when necessary and ensure transparency in political advertising;
- voter and civic education campaigns, whether they are interactive, targeted to specific groups and focused on essential aspects of the election.



## Key concepts

**Social Media Monitoring:** The systematic collection, analysis, and mapping of content, actors, and connections on social media platforms such as Facebook, X, YouTube, Instagram, and TikTok, is carried out based on principles of objectivity, consistency, and transparency. This process enables EOMs to identify manipulative narratives and campaigns, assess their reach, and understand the techniques used to amplify such messages that distort the online information space.

**Information Manipulation:** Coordinated or intentional efforts by State or non-State actors, domestic or foreign,<sup>51</sup> to distort the information space through deceptive or manipulative content and techniques. Aimed at influencing public opinion and disrupting democratic processes, it relies on tactics such as bots, fake accounts, micro-targeting, or trolling, and often uses misleading or fabricated content to undermine informed decision-making during elections.

**Hate Speech:** The visibility and reach of hateful and violent content, sometimes associated with information disorder, have increased. The UN Strategy and Plan of Action on Hate speech (2019) defines hate speech as *“Any kind of communication in speech, writing or behavior, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, descent, gender or other identity factor. This is often rooted in, and generates, intolerance and hatred, and in certain contexts can be demeaning and divisive.”*

The EU EOM’s social media monitoring focuses on a selected sample of public accounts, pages, profiles, and groups (from contestants and non-contestant actors) that are relevant and influential in shaping political discourse on the most impactful online platforms.<sup>52</sup>

The social media analyst identifies four main areas of assessment and provides specific guidance to the social media monitors on how to monitor content. These four main areas include:

1. Online campaign run by electoral contestants and other key actors
2. Political advertising placed on online platforms by electoral contestants and other actors (see 4.7.2 *Campaign Finance*)
3. Instances of information manipulation (such as coordinated inauthentic behaviour)
4. Instances of derogatory speech and hateful content spread during the election campaign

The monitoring sample referred to above is selected considering the *relevance* (metrics of interactions on Facebook, reach on X and relevance on YouTube), number of followers and the potential influence of the page/

51 FIMI stands for Foreign Information Manipulation and Interference. It refers to coordinated efforts by foreign actors (State or non-State) to manipulate the information environment in a deceptive or disruptive way, often to undermine democratic processes, polarise societies, or erode trust in institutions.

52 Messaging networks such as WhatsApp, Telegram, Viber or Messenger are not included in the scope of the EU EOM methodology due to data protection and privacy issues. However, EOMs may include relevant information coming from credible national and international organisations that specialise in monitoring online platforms and networks.

group on the political agenda and overall discourse. Both quantitative and qualitative analysis are carried out to assess the scale and impact of online discourse.

### Assessing online election-related content

Social media analysts use a number of techniques to gather information on online election-related content and the campaign. This helps contextualise the relatively short-term monitoring of the EU EOM and ensure a consistent, solid fact-based assessment:

- **Meetings and interviews with relevant stakeholders** to provide information on the digital ecosystem, campaign techniques and context;
- **Analysis of qualitative and quantitative data** by the Social Media Monitoring Unit (SMMU) led by the social media analyst;
- **Cross-checking mission's findings with domestic and international organisations**, CSOs specialised in online content analysis, EMBs and other relevant supervisory bodies and international technical electoral assistance programmes.

Collaboration among core team members, particularly coordination between the social media analyst, media analyst, political analyst, and legal analyst, is essential for ensuring a comprehensive and consistent assessment of the online campaign environment and its alignment with the overall electoral reporting.

LTOs are not asked to analyse data but they contribute in collecting information by meeting relevant interlocutors at local level and, under the social media analyst's direction, provide campaign and election-related online material to be analysed by the SMMU.

The human and technical resources allocated to the SMM Unit define the scale of its monitoring. These are determined based on recommendations made by the EU Exploratory Mission (ExM) (see 5.1.2 *The Exploratory Mission*). The EU ExM conducts a preliminary review and analysis of the online ecosystem and context establishing the following:

- The extent to which citizens have access to the Internet, including through mobile phones;
- Whether electoral contestants, the EMB or other State institutions and public officials are using social media and other digital platforms to communicate with voters and to disseminate information;
- Whether the EMB, other relevant State institutions, tech companies and civil society groups have put in place necessary measures to preserve the integrity of the electoral process vis-à-vis potential digital threats; and
- Necessary social listening tools to be used during the EU EOM.

International standards	Examples of good practice
<p><b>Freedom of expression</b></p> <p>“Paragraph 2 protects all forms of expression and the means of their dissemination (...) They include (...) electronic and internet-based modes of expression.”</p> <p><b>General Comment 34, para 12</b></p> <p>“States parties should take account of the extent to which developments in information and communication technologies (...) have substantially changed communication practices around the world (...). States parties should take all necessary steps to foster the independence of these new media and to ensure access of individuals thereto.”</p> <p><b>General Comment 34, para 15</b></p> <p>“Any restrictions on the operation of websites, blogs or any other internet-based, electronic or other such information dissemination systems, including systems to support such communication (...) are only permissible to the extent that they are compatible with the paragraph 3 (...) It is also inconsistent with the paragraph 3 to prohibit a site or information dissemination system from publishing material solely on the basis that it may be critical of the government or the political system espoused by the government.”</p> <p><b>General Comment 34, para 43</b></p>	<ul style="list-style-type: none"> <li>- The State promotes universal access to the Internet and does not unduly block, filter, censor or restrict political content.</li> <li>- Decisions to impose any restrictions on access to Internet or online content are taken by an independent regulatory authority and conform to the strict tests of necessity and proportionality. All such decisions are public and are subject to judicial review.</li> <li>- State authorities proactively publish information of public interest online, including election-related content, and ensure easy, prompt, effective and practical access to such information.</li> <li>- The State is taking measures to promote media and digital literacy, including by consistently engaging with civil society and other stakeholders.</li> </ul>
<p><b>Right to political participation</b></p> <p>“Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”</p> <p><b>General Comment 25, para 19</b></p>	<ul style="list-style-type: none"> <li>- The EMB and tech companies have established an effective form of cooperation to promote election-related content on online platforms and to counter digital threats such as disinformation, hate speech and voter suppression.</li> <li>- Campaign regulations are extended to online content and the legal framework foresees an effective oversight and clear provisions for enforcement, including in relation to campaign finance.</li> <li>- Civil society independently conducts initiatives to counter digital threats, including fact-checking and social media monitoring.</li> </ul>

International standards	Examples of good practice
<p><b>Privacy and data protection</b></p> <p>“No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”</p> <p><b>ICCPR, article 17</b></p> <p>“The gathering and holding of personal information on computers, data banks and other devices, whether by public authorities or private individuals or bodies, must be regulated by law. Effective measures have to be taken by States to ensure that information concerning a person's private life does not reach the hands of persons who are not authorized by law to receive, process and use it, and is never used for purposes incompatible with the Covenant.”</p> <p><b>General Comment 16, para 10</b></p>	<ul style="list-style-type: none"> <li>- Provisions in the law and practices employed by State bodies and private entities ensure that voters' privacy rights are protected, and voters' personal data is not misused for political gain, to exert pressure, to intimidate or to deter their participation in elections.</li> <li>- An independent, adequately resourced regulatory authority oversees the compliance of State institutions and private entities with the data protection legislation. Its decisions are public and subject to judicial review.</li> <li>- The State authorities, in a collaboration with other stakeholders, conduct awareness campaigns on issues related to data protection and privacy.</li> </ul>

### Issues to be considered by the EU election mission

#### In relation to pluralism, freedom of expression online and digital rights:

- Is there a clear and consistent legal framework protecting freedom of expression online? Are State authorities using defamation, disinformation or cybercrime laws to curtail freedom of expression online?
- Do regulations for blocking and filtering online content comply with strict tests of necessity and proportionality? Is the mandated regulator exercising its powers in an impartial and transparent manner? Are decisions taken by the regulator public and is there a clear procedure for administrative and judicial appeal? Is the regulator independent and is its management selected in an inclusive and transparent manner? Are there measures cutting off or slowing down access to the Internet or part of the Internet?
- Are there any initiatives against digital threats such as fact checking and social media monitoring? Is there cooperation between State authorities and civil society to foster digital literacy?
- Are social media used to promote policies and mobilise the electorate or do they disseminate deceptive, polarising narratives and other forms of harmful content?
- Are contestants using paid political advertising on social media or are third parties conducting such paid-for campaigns on their behalf?
- What campaign finance transparency measures have global tech companies introduced for the host country?

#### In relation to the role of the EMB and their cooperation with online platforms:

- Does the EMB have effective procedures in place to prevent or respond to information manipulation operations that risk harming the integrity or functionality of the process?
- Are the relevant members of the EMB adequately trained to understand the challenges posed in the online environment?

## Issues to be considered by the EU election mission

- Does the EMB conduct any social media monitoring activities?
- Is there a formal and/or informal agreement between EMBs, other agencies and online platforms during elections?
- What capacities do tech companies have in place for the host country to counter digital threats and to preserve electoral integrity?
- Are the responsibilities of the body in charge of enforcement of online campaign regulations clearly stated in law? and does this body have effective means of control and enforcement?
- Does the EMB use the Internet and social media platforms to conduct voter information and civic education campaigns? Do social media platforms support such efforts? If yes, how do platforms contribute to educating voters and disseminating election-related information online?
- To what extent do EMBs publish information of public interest (decisions, election calendar, results, etc.) online and use digital information tools to inform voters?
- Does the EMB use social media platforms to provide specific assistance to users via online Q&A or special hashtags for voters to ask questions to the EMB?

### In relation to privacy and data protection:

- Are there any other initiatives to protect privacy, such as awareness campaigns by State agencies, online platforms and nonpartisan advocacy groups?
- Do electoral contestants obtain and store information about voters, such as their telephone numbers or other personal data that can be matched with their online profiles for micro-targeting? If yes, how?
- Are political parties / candidates using micro-targeting techniques to reach specific sectors of the electorate? If so, are voters' personal data sufficiently protected?

### In relation to EU EOM visibility and social media strategy

- How is the EU EOM covered on social media platforms and on websites?
- Are there any instances of information manipulation and/or hateful content targeting the mission or its observers?

## USEFUL READING:

"EU EOM Guidelines for Observing Online Election Related Content", European Commission/EODS Project, 2025

*Digital Toolkit for EU EOMs*, European Commission/EODS Project, 2025 (online)

Reports on Foreign Information Manipulation and Interference Threats, EUvs-DISINFO, EEAS, 2023-2024-2025

"Guidelines to observe and assess online election campaigns", endorsed by the 2022 Implementation Meeting of the Declaration of Principles for International Election Observation

*Guidelines for Observation of Election Campaigns on Social Networks*, OSCE/ODIHR, 2021

*Guidance on Social Media Monitoring and Analysis Techniques, Tools and Methodologies*, NDI, 2020

#### 4.11 Complaints and appeals

All citizens have a right to an effective remedy, where their political rights have been infringed or denied. Without the opportunity to seek protection and redress in law, the political rights and freedoms related to elections may be of little value. The conduct of complaints and appeals processes is a useful indicator of the overall rule of law in the host country, and the level of public confidence in the integrity of the judiciary. This is especially relevant where the law is violated with impunity, or where the judiciary acts in a partisan or corrupt manner. In a contentious election, these factors can become paramount to the integrity of the process.

##### *Timeframes*

For each stage of the electoral process, the law should specify realistic timeframes for complaints and appeals to be submitted, and for effective remedy to be provided to a complainant. The timeframes should provide a suitable balance between the time pressures of an election process, and the need to allow a complaint/appeal to be lodged and heard fairly. There should also be sufficient time for any remedy to be meaningful. This is particularly important for complaints that relate to voter or candidate registration, as remedies should be implemented before the end of candidate registration and election day, respectively.

##### *Procedures for complaints and appeals*

The procedures for addressing complaints and appeals vary among countries but should provide for a hierarchical right of appeal. Electoral disputes may be initially handled by the election administration and appeals lodged before a court. Alternatively, complaints may be dealt with by the election administration only, or by the judiciary only. Some countries enable final appeals to be lodged with parliament, which creates a possibility for a conflict of political interest. Confidence in a complaints resolution process is greatly enhanced where there is right of appeal to a court, as election administrators may have a conflict of interest in adjudicating an election dispute. The adjudication process can be undermined where there is a lack of public confidence in the independence and impartiality of the judiciary.

##### *Violations of criminal law*

In many countries, established instances of electoral fraud are considered criminal offences. Where a complaint to protect an electoral right also relates to an allegation of criminal activity, the authorities should act to ensure

protection of both the electoral right and the rights of the suspect, including the right to a fair trial for the suspect, which should be guaranteed in domestic law. Any decision to prosecute should be taken on the available evidence and without political consideration. At the same time, failure to prosecute electoral offences can undermine confidence in the election process and create an atmosphere of impunity that may encourage further malpractice.

### Assessing the complaints and appeals process

The legal analyst assesses the procedures for complaints and appeals as provided in the legislation, as well as their implementation by relevant election authorities and judicial bodies. A key objective for the mission is to seek information on whether the complaints procedure provides a timely and effective remedy. Where possible, EU observers should obtain copies of official documentation related to any complaints, attend the hearings, and report on how it was resolved. When a decision on a complaint is appealed, the EU EOM should track its progress.

The legal analyst, in coordination with LTO teams, maintains a database to track the progress of election-related complaints as well as any resulting appeals, both at the national and regional levels, that usually includes the following information:

1. date and location of complaint;
2. date of submission and tribunal to which the complaint was submitted;
3. complainant and respondent;
4. legal basis for complaint;
5. whether supporting evidence was submitted;
6. whether the complaint has been followed up by the EU EOM;
7. whether the complaint was submitted in accordance with procedures. If not, why not and how the receiving body dealt with it;
8. how the complaint was resolved;
9. whether the decision was appealed.

LTOs are required to follow electoral disputes in their area of responsibility and report on them in the format provided by the legal analyst. This helps to follow-up on specific cases and provides a basis for the legal analyst to assess the process. The EU EOM may take steps to try to verify the basis of complaints and follow how effectively they are addressed.

It is not uncommon that aggrieved electoral contestants or citizens approach an EU EOM with claims of irregularities or malpractice and supporting documentation that have not been formally submitted to the competent authorities. While an EU EOM takes note of such information, it always encourages complainants to use the established mechanisms, and makes clear that it cannot adjudicate on any complaint.



International standards	Examples of good practice
<b>Right to an effective remedy</b>	
<p>“Each State Party to the present Covenant undertakes: (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity; (b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy”.</p> <p>ICCPR, article 2(3)</p>	<ul style="list-style-type: none"> <li>- The procedures for submitting complaints and the jurisdiction of the relevant tribunals are clearly established. The procedures incorporate reasonable timeframes for submission and resolution of complaints and opportunities for appeals.</li> <li>- There is a right of appeal, including a right of appeal to a court.</li> </ul>
<b>Right to a fair hearing</b>	
<p>“All persons shall be equal before the courts and tribunals. (...) Everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.”</p> <p>ICCPR, article 14(1)</p>	<ul style="list-style-type: none"> <li>- Courts have short deadlines for resolution of electoral complaints so that candidates will not be disadvantaged by delays.</li> <li>- The complaints procedure allows for a complainant to submit evidence (either in writing or orally) and for a defendant to respond to the evidence.</li> <li>- There is no real or apparent conflict of interest that calls into question the impartiality of the arbiter of the case.</li> </ul>
<b>Genuine elections</b>	
<p>“There should be access to judicial review or other equivalent process so that electors have confidence in the security of the ballot and the counting of the votes.”</p> <p>General Comment 25, para 20</p>	<ul style="list-style-type: none"> <li>- Full public information is available on the procedures, and a complete record of election-related complaints and appeals is archived and available.</li> </ul>
<b>Free expression of will</b>	
<p>“Any interference with registration or voting as well as intimidation or coercion of voters should be prohibited by penal laws and those laws should be strictly enforced.”</p> <p>General Comment 25, para 11</p>	<ul style="list-style-type: none"> <li>- The law clearly provides that interference with registration, voting and coercion to voters are strictly forbidden, penalties are provided for in case of infringement, and law enforcement mechanisms are in place.</li> </ul>

### Issues to be considered by the EU election mission

- Does the law provide citizens with the right to an effective remedy in cases where their political rights have been violated?
- Are the complaints procedures transparent?
- Are electoral remedies provided within a realistic timeframe?
- Is there a right of appeal to a court?
- Is the judiciary independent and perceived to be so?
- Are decisions on complaints or appeals taken impartially? Do the decisions appear to be reasonable, based on the available evidence?
- Is there confidence in the complaints procedures and the role of adjudicators?
- In cases of alleged criminal acts, are decisions to prosecute taken impartially? Do the decisions appear to be reasonable, based on the available evidence?
- Do political parties understand the complaints and appeals process? Do they use the official mechanisms to lodge complaints?

### USEFUL READING:

*Towards a Global Index of Electoral Justice*, International IDEA, 2021

*Electoral Justice System Assessment Guide*, International IDEA, 2019

*Handbook for the Observation of Election Dispute Resolution*, OSCE/ODIHR, 2019

*Electoral Justice: The International Idea Handbook*, International IDEA, 2010

## 4.12 Human rights and inclusivity

### 4.12.1 All human rights

Human rights are at the heart of an electoral process. International standards for democratic elections are drawn from international and regional human rights instruments, complemented by election-related jurisprudence developed by regional and international human rights protection bodies.

An election process should be carried out in an environment in which the population can fully enjoy all its political rights and freedoms. All human rights issues are considered carefully by an EU election mission since a seemingly well-run election can be meaningless if essential civil and political rights and fundamental freedoms are not guaranteed.

In addition to the specific human rights issues described in the sections above, in particular freedoms of expression, association, assembly and move-

ment, the violation of other human rights can result in an election that does not meet international standards. For example, the right to liberty and security of the person may be violated by the arbitrary arrest or detention of persons on election-related matters, or by threats and violence directed against those involved in an election.<sup>53</sup>

Concerns may arise if electoral stakeholders (such as campaign activists or participants at a rally) are arrested or detained without any basis in law, or where any arrest or detention is inappropriate or disproportionate to the circumstances of the case. All such persons have the right to be brought promptly before a tribunal or else released, and the right to challenge the lawfulness of their detention.<sup>54</sup>

The EU election mission identifies all human rights obligations and standards that are relevant to the host country. In circumstances where there are allegations of human rights violations during an electoral process, an EU election mission tracks and attempts to gather information on allegations. National human rights institutions and non-governmental organisations can be important sources of information for EU election missions on the extent to which a host country respects human rights, and on the human rights situation in the country.

#### Issues to be considered by the EU election mission

- Have any candidates or their supporters been detained or arrested? Are any candidates, or persons who were likely to be candidates, in exile?
- Have any prospective candidates been prevented from running because, for example, they are held in custody or are subject to administrative sanctions or a criminal investigation?
- Have any candidates, party activists, political activists, civil society representatives, electoral officials, observers, media representatives or voters been the victims of election-related violence? Have any campaign rallies, demonstrations, political gatherings or other activities been prohibited or obstructed by the authorities or security forces?
- Have any individuals or groups been subject to threats or intimidation, in particular by State authorities?
- Have government workers, students or others been forced or instructed to participate in campaign activities in support of the incumbents?
- Are there any state-of-emergency laws or regulations in place? If so, how do these affect the electoral process?
- Does the national human rights institution comply with the Paris Principles?<sup>55</sup> What is its role during elections?

<sup>53</sup> ICCPR, article 9(1).

<sup>54</sup> ICCPR, articles 9(3) and 9(4).

<sup>55</sup> UN Human Rights Commission Resolution 1992/54 and UNGA resolution 48/134 of 1993 on the status and functioning of national human rights institutions.

International standards	Examples of good practice
<p><b>Right to participate</b></p> <p>“Every citizen shall have the right and the opportunity (...) to take part in public affairs (...) and to vote and to be elected in genuine periodic elections.” ICCPR, article 25 (a) (b)</p>	<ul style="list-style-type: none"> <li>- All the human rights guarantees of international instruments have been fully incorporated into domestic law.</li> <li>- Laws are implemented in a manner that ensures all rights are respected.</li> <li>- Any political prisoners are released and allowed to participate in elections.</li> <li>- Any ‘state of emergency’ rules are lifted before an election process begins.</li> <li>- All official agencies – and in particular law enforcement agencies – exercise restraint and do not interfere in the electoral process.</li> <li>- Personnel of law enforcement agencies receive training on human rights and training on appropriate conduct during an election period.</li> </ul>
<p><b>Freedoms of expression, assembly, association and movement</b></p> <p>“Freedom of expression, assembly and association are essential conditions for democratic elections and must be fully protected.” ICCPR, articles 12, 19, 21 and 22</p>	
<p><b>Non-discrimination</b></p> <p>States must respect and ensure that all individuals can enjoy their rights without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. ICCPR, articles 2 and 3</p>	
<p><b>Security of the person</b></p> <p>Everyone has the right to liberty and security of person. No one shall be deprived of his liberty[...]. ICCPR, article 9</p>	
<p><b>Fair and public hearing</b></p>	
<p>All persons shall be equal before the courts. Everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal. ICCPR, article 14</p>	

#### 4.12.2 *Participation of women*<sup>56</sup>

Since women and men have an equal right to participate in all aspects of public life, women must be able to fully exercise their political rights during an election process, including in those areas, such as the campaign, party leadership, candidates lists and official elected positions, where men have traditionally outnumbered women. Women's right to participate in elections is not limited to registering and voting but also includes standing for office, participating fully in the campaign, and imparting and receiving information freely. Women should be well represented in candidate lists, political party leadership and election administration at all levels.

A number of factors – legal, social and cultural – can inhibit the participation of women. In some countries, laws may limit women's ability to be politically active, but this is relatively rare. However, there are often underlying barriers to women's participation that the State has an obligation to try to overcome. Women may receive less education or be more likely to live in poverty, with the result that they are disadvantaged politically. Although women may be equal to men under the law, they may be subject to indirect discrimination, or suffer from cultural stereotypes that can limit access to political participation. In countries where women's civil and political rights are particularly restricted for cultural or other reasons, consideration should be given to whether adequate enabling measures are in place.

Every element of an election process can affect women's participation. The electoral system might have an important impact on women's possibilities to be elected; for example, experience shows that women are less disadvantaged in proportional systems with closed lists than in open lists or in majoritarian systems with single-member constituencies.

The legal framework might disadvantage women in unexpected ways; for example, if citizenship laws apply differently to women and men, some women or their adult children may be disenfranchised. Women with small children might not register to vote if registration centres are not easily accessible. Women voters should be protected from intimidation, coercion and harassment, which in some countries might require separate polling stations. In post-conflict or other contexts where the security situation is problematic, women voters and candidates may be more susceptible to politically motivated violence. Violence may also be used as a tool to discourage women from participating.

<sup>56</sup> Sustainable Development Goal 5, adopted by UN Member States in 2015, set a 2030 deadline for the achievement of gender equality and the empowerment of all women and girls.

Article 4 of the CEDAW stipulates that ‘temporary special measures aimed at accelerating the *de facto* equality of men and women shall not be considered discrimination’. This opens the possibility for countries to implement a policy of reserved seats or quotas for women. The EU election mission assesses how any such system is implemented and the extent to which it is effective in achieving its aims.

### Assessing women’s participation

The issue of women’s participation is mainstreamed into all aspects of an EU election mission and reporting on women’s participation is therefore the responsibility of every mission member – including the core team, LTOs and STOs.

The Deputy Chief Observer assigns one core team member as a gender focal point and liaises with other mission members to coordinate efforts as well as meeting key interlocutors such as women’s organisations. The gender focal point is also responsible for drafting the dedicated section on women’s participation in the EU mission reporting, with the support of other core team members.

An EU election mission should focus on the barriers facing women at all stages of the election process and any concrete actions taken by relevant stakeholders to facilitate women’s participation. An EU election mission should take note of what further measures are needed and should reflect these in the mission’s reporting, including the recommendations in the final report.

International standards	Examples of good practice
<p><b>Non-discrimination</b></p> <p>“The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant”.</p> <p><b>ICCPR, article 3</b></p> <p>“[...] Discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political [and] cultural life of their countries, hampers the growth of the prosperity of society [...]”</p> <p><b>CEDAW Preamble</b></p>	<ul style="list-style-type: none"> <li>- Voter education promotes the participation of women in the electoral process, especially the right to register as voters, participate as candidates and to individually cast a secret ballot.</li> <li>- Political parties support and encourage women candidates, including by ensuring that women are nominated as candidates in equal numbers to men and are placed in ‘winnable’ positions on party lists.</li> </ul>
<p>“States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.”</p> <p><b>CEDAW, article 7</b></p> <p>“Societies in which women are excluded from public life and decision-making cannot be described as democratic. The concept of democracy will have real and dynamic meaning and lasting effect only when political decision-making is shared by women and men and takes equal account of the interests of both.”</p> <p><b>CEDAW General Comment 23, para 14</b></p>	<ul style="list-style-type: none"> <li>- The legal and procedural framework for elections is reviewed to ensure that it does not have a negative impact on the participation of women.</li> <li>- EMBs seek to employ equal numbers of men and women at all levels.</li> <li>- Citizen observer groups and party representatives seek to include equal numbers of men and women.</li> <li>- Disaggregated data is collected on the number of men and women voters who register and who participate in elections.</li> <li>- Media portray women as credible leaders and candidates.</li> </ul>



## Issues to be considered by the EU election mission

- To what degree do women participate in public life?
- What societal attitudes are there to women's involvement in politics? What barriers are there to women's equal participation?
- What measures are in place to promote women's participation?
- How many women are registered as voters? Is this an improvement over previous elections? Are women disadvantaged by factors such as registration locations, literacy requirements, language and documentation requirements?
- What is the attitude of political parties towards women in politics?
- How many women are standing as candidates? Are there any special provisions for women candidates?
- Does the EMB employ equal numbers of men and women at all levels?
- Are issues of special interest to women addressed by the contestants?
- Are women attending and speaking at rallies?
- Is voter and civic education reaching women? If not, why not?
- Are there signs that violence during the campaign has had a stronger disengaging effect on women?
- What time and space are given in the media to women candidates and issues of special interest to women?
- Are there segregated polling stations for men and women? If so, are the women's stations staffed by women, and are there sufficient women observers and party representatives to provide effective coverage?
- Is a culture of family voting resulting in women having less opportunity to mark their ballots in secret?
- What proportion of women vote in relation to those who were registered, and in relation to men who voted?
- How many women candidates were elected? Is this an improvement over previous elections?
- Is there a quota for women's seats? If so, what is the attitude to this?

## USEFUL READING:

*Handbook on Observing and Promoting Women's Electoral Participation*, OSCE/ODIHR, 2023

*Gender-Sensitive Scrutiny: A Guide to More Effective Law-Making and Oversight*, IDEA International, 2022

*Lessons on Gender Equality and Women's Political Participation*, IFES, 2020

*Preventing violence against women in elections: A programming guide*, UN Women, 2017

*A Framework for Developing Internal Gender Policies for Electoral Management Bodies*, IDEA International, 2016

*Inclusive electoral processes: A guide for electoral management bodies on promoting gender equality and women's participation*, UN Women, 2015

#### 4.12.3 *Participation of indigenous peoples and minority groups*

In countries with indigenous peoples, an EU election mission considers to what extent they enjoy the right and opportunity to participate in public affairs and elections on an equal basis, without discrimination. The same considerations apply for the observation in countries with minority populations of different national, ethnic, religious, cultural or linguistic backgrounds. In particular, a mission considers the right of all eligible citizens from indigenous and minority groups to be registered as voters and the right for candidates from minority backgrounds, or who represent minority political parties, to stand for office.

An EU election mission considers the impact of the electoral system and, for example, whether there is distortion of electoral boundaries or allocation of seats and/or votes that discriminates against the participation of indigenous peoples or any minority groups. An EU election mission should also take into consideration whether dedicated constituencies have been created for indigenous communities in legislative elections or seats are reserved for indigenous peoples in local councils.

In some countries, minorities and indigenous peoples have traditionally been discriminated against and marginalised, resulting in particular problems, such as high rates of illiteracy and low rates of obtaining citizenship documents and voter registration. Special measures may need to be taken by relevant authorities to facilitate election participation by minorities and indigenous peoples.

Some countries have legislation that explicitly recognises the rights of indigenous peoples and minority groups, including the right to use their own language, that may also have implications for the election process. States should produce election materials, including voter education and ballot papers, in minority languages.

##### **Assessing the participation of indigenous peoples and minority groups**

As with the political participation of women, issues of minorities' and indigenous peoples' participation are mainstreamed in EU election missions. In some cases, there may be a human rights analyst specifically responsible for comprehensive reporting on the topic. If this is not the case, a focal point should be assigned among core team members to ensure coordination and proper reporting on the issue.

Participation of minorities and indigenous peoples affects every stage of the election process and a broad view should be taken by an EU election mission. At the same time, the EU election mission should be careful to focus on issues of political participation of indigenous and minority groups, rather than their more general situation in the country. An important consideration is to what extent is participation facilitated by authorities, political parties and other stakeholders in practice, and whether any steps have been taken to counter discrimination.

International standards	Examples of good practice
<p><b>Non-discrimination</b></p> <p>“In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.”</p> <p><b>ICCPR, article 27</b></p> <p>“States Parties undertake to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of [...] the right to participate in elections and to take part in the conduct of public affairs”.</p> <p><b>ICERD, article 5</b></p> <p>“Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.”</p> <p><b>UN Declaration on the Rights of Indigenous Peoples, article 1</b></p> <p>“Information and materials about voting should be available in minority languages.”</p> <p><b>General Comment 25, para 12</b></p> <p>“[Governments should] ensure that members of these peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population.”</p> <p><b>ILO C-169<sup>57</sup>, article.2.2.a</b></p> <p>“Indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination.”</p> <p><b>ILO C-169, article.3.1</b></p> <p>“[Governments shall] establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them.”</p> <p><b>ILO C-169, article.6.1.a</b></p>	<ul style="list-style-type: none"> <li>- Electoral materials, including ballot papers, are made available in minority/indigenous/vernacular languages.</li> <li>- Voter education initiatives are aimed at minority/indigenous groups and conducted in their languages.</li> <li>- Minorities and indigenous peoples are represented in political parties, including as candidates and party representatives. Political parties support and encourage minority candidates.</li> <li>- EMBs seek to employ minorities at all levels.</li> <li>- Observation by citizen observer groups includes assessing the political participation of indigenous peoples and minorities.</li> <li>- Disaggregated data is collected on the number of minority voters and indigenous peoples who register and take part in elections.</li> </ul>

57 International Labour Organisation, Convention 169, 1989.

International standards	Examples of good practice
<b>Equal suffrage</b>	
<p>“The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group.”</p> <p><b>General Comment 25, para 21</b></p>	<ul style="list-style-type: none"> <li>- The legal and procedural framework for elections is reviewed to ensure that it does not have a negative impact on the participation of minorities.</li> <li>- The electoral system facilitates representation of minority groups and promotes intercommunal cooperation.</li> </ul>

### Issues to be considered by the EU election mission

- Are there reliable and up to date census figures for the percentage of minorities or indigenous peoples in the population?
- Does the constitution or legal framework provide any recognition of minorities or indigenous peoples?
- Does the election or political party law allow for parties with a regional, national minority or indigenous scope? If so, are they allowed to field candidates at national level elections?
- Do registration requirements for political parties, for example on geographical distribution of members, inhibit the participation of regionally concentrated minorities or indigenous groups?
- Do electoral thresholds have an impact on the ability of minority / indigenous political parties to win seats?
- Is there an equal right and opportunity, both in law and in practice, for persons belonging to minorities or indigenous groups to participate in the electoral process as voters, candidates, political party activists and electoral administrators?
- If not, what measures are in place to promote equality of participation by minority groups or indigenous peoples?
- Are there any candidates who are members of minorities or indigenous groups? If so, have they faced any particular obstacles?
- Are there restrictions on the use of minority or indigenous languages in the campaign?
- Does the EMB employ people from minority groups or indigenous peoples, and at what levels?
- Are issues of special interest to minority groups or indigenous peoples addressed by the contestants? Are they covered by the media? Are there media operating in minority languages?
- Is voter education reaching out to people belonging to indigenous peoples or minority groups?
- Are polling stations in minority or indigenous communities more vulnerable to irregularities? If so, what actions have been taken by the authorities?

## USEFUL READING:

*Observing the Electoral Participation of Indigenous Peoples and Afrodescendants: A Manual for OAS Electoral Observation Missions*, Organization of American States, 2015

*Handbook on Observing and Promoting the Participation of National Minorities in Electoral Processes*, OSCE/ODIHR, 2014

### 4.12.4 *The participation of persons with disabilities*

Citizens with disabilities have an equal right to participate in public and political affairs. They should not face obstacles in enjoying their political rights, including the right to vote, to stand as a candidate and to take an active role in the campaign.

The Convention on the Rights of Persons with Disabilities (CRPD)<sup>58</sup> is a far-reaching document whose entering into force in 2008 marked a paradigm shift in the way disability has been considered by international law.<sup>59</sup> No longer is the focus on a person's impairment *per se*, but rather on the obligation of society to be inclusive and accommodate individual differences. In the electoral context, this means authorities have the responsibility to proactively remove obstacles and facilitate participation throughout the election process.

The authorities should take measures to provide opportunity for voters with disabilities to vote in secret and, to the largest possible extent, without assistance in a regular polling station. Only if this cannot be accommodated should alternative voting methods (e.g., mobile ballot box, postal voting, internet voting) be considered. Given the increased risks for secrecy and integrity with remote voting, these methods should not be promoted as a substitute to improving accessibility at regular polling stations.

CRPD guarantees full participation in public life, including the right to vote and be elected for persons with disabilities and does not refer to any possible reasonable restriction to these rights. Until recently, mental incapacity was generally regarded as possible legitimate grounds for limiting suffrage rights, provided that restrictions were based on an individual assessment. This matter is in rapid evolution, as new jurisprudence is being developed by international human rights bodies as regards conditions for the right to vote of persons with mental disabilities.<sup>60</sup>

58 The EU has demonstrated its commitment to the rights of persons with disabilities through its ratification of the CRPD in December 2010, making it the first human rights treaty to be ratified by a regional organisation.

59 As of July 2025, 164 countries and regional organisations have signed the Convention. A total of 192 countries has either confirmed, ratified or acceded to it.

60 See: CRPD Committee, *Zsolt Bujdosó v. Hungary*, 9 September 2013; UN Human Rights Committee, *Concluding Observations on Belize*, 2013; ECHR, *Alajos Kiss v. Hungary*, 20 May 2010.

In addition to non-discrimination and universal suffrage, the following principles are referred to in CRPD and relate specifically to the participation of persons with disabilities:

- Accessibility involves electoral participation by people with disabilities being as easy as it is for others. It has a broad meaning and is not limited to voting facilities, but guarantees the effective and full participation of persons with disabilities in public affairs. Barriers that may need to be overcome include *inter alia*: physical obstacles at registration and polling stations, lack of accessible formats for voters' information or candidates' communication.
- Universal design refers to a proactive approach to accessibility. The rationale is to devise objects, products, procedures and environments in such a way that they are usable by all people, including people with disabilities, without the need for adaptation. Under universal design, voters with disabilities vote, to the largest extent possible, in the same locations, and according to the same procedures as other voters.
- Reasonable accommodation refers to the solutions that States have to implement in order to ensure persons with disabilities are able to exercise their human rights and fundamental freedoms on an equal basis. For voting conditions, the starting point is to try to provide opportunity for voters with disabilities to register, to vote in secret, and to mark a ballot directly, without assistance and in a regular polling station. Reasonable accommodation refers in this case to any adjustments that must be taken to make this possible. CRPD considers failure to provide reasonable accommodation as discrimination (article 2).

#### Assessing the participation of persons with disabilities

EU EOM observers have a responsibility to look comprehensively at the participation of people with disabilities in the electoral process. EU election missions must consider the subject in full, even if a country has not ratified the CRPD, and therefore has more limited obligations.

The expanding recognition in international law of participation, including political participation by people with disabilities, shows an emerging understanding and indicates developing global norms that can be referenced. However, the exact language used by the mission depends on the jurisdiction applicable in the host country, i.e. which international treaties have been signed and ratified.

In EU EOMs, one core team member takes lead responsibility as focal point for ensuring that disability issues are comprehensively addressed by the EU EOM. Other core team members are expected to contribute by undertaking research and analysis in their respective areas of assessment. The focal point supports core team colleagues, ensures co-ordination, meets with disability organisations and gathers data on the number of people estimated to have disabilities and the system for recording this. LTOs may also be able to meet with disability organisations at the local level and, along with STOs, assess the degree to which regulations and initiatives aimed at facilitating participation are implemented in practice around the country.

International standards	Examples of good practice
<p><b>Non-discrimination</b></p> <p>“States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.”</p> <p>CRPD, article 5(2)</p>	<ul style="list-style-type: none"> <li>- Voting procedures and materials are easy to use by persons with disabilities.</li> <li>- Polling stations and voter registration facilities are accessible to persons with disabilities, for example, located on ground floors of buildings with adequate space for wheelchair users.</li> </ul>
<p><b>Equal suffrage</b></p> <p>“States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake: (a) To ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, <i>inter alia</i>, by: (i) Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use; (ii) Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate. (iii) Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice.”</p> <p>CRPD, article 29</p> <p>“It is unreasonable to restrict the right to vote on the ground of physical disability.”</p> <p>General Comment 25, para 10</p>	<ul style="list-style-type: none"> <li>- Adequate training is provided to election officials on facilitating participation of disabled persons.</li> <li>- Special materials are developed to enable the blind to have a secret vote (i.e., without the assistance of another person).</li> <li>- Voter information is available in various formats in advance of elections, including on accessibility measures.</li> <li>- Political campaign events and materials are accessible.</li> <li>- Where necessary, assisted voting is in place but with appropriate safeguards – i.e., the person providing the assistance is selected by the voter and must sign an oath protecting secrecy.</li> <li>- Alternative mechanisms are provided for persons who cannot visit polling stations due to physical disability or long-term illness.</li> </ul>



### Issues to be considered by the EU election mission

- Are persons with disabilities provided with the opportunity in law and in practice to exercise their electoral and political rights without restriction?
- What are the barriers to their participation in the electoral process?
- What measures are in place to promote and enable their full participation?
- Where active registration is taking place, are steps taken to ensure inclusion of eligible people with disabilities in the voter register?
- Do election officials demonstrate knowledge of how to facilitate participation of persons with disabilities?
- Has adequate and effective voter information, including on accessibility measures, been provided to persons with disabilities in a timely manner?
- Are any persons with disabilities running as candidates?
- Are persons with disabilities attending and speaking at campaign events? Are campaign facilities and materials accessible?
- What policies do political parties have on including people with disabilities? Do party/candidate platforms address issues of particular interest to persons with disabilities?
- Are polling stations and equipment fully accessible to people with disabilities? Do polling booths have proper lighting?
- What procedures are in place for assisted voting for the disabled?
- Is there any provision for absentee voting, or for people confined to institutions (hospitals, elderly persons' homes) to vote? If yes, are proper safeguards in place?

### USEFUL READING:

*Political Participation of Persons with Intellectual or Psychosocial Disabilities*, UNDP, 2021

*A Booklet about: Watching Elections and Helping People with Disabilities take part in Elections*, OSCE/ODIHR, 2020

*Handbook on Observing and Promoting the Electoral Participation of Persons with Disabilities*, OSCE/ODIHR, 2017

#### 4.12.5 *Participation of LGBTIQ+ persons*

LGBTIQ+ persons should be able to participate in the public and political life on equal terms as other citizens and should not face obstacles to meaningful participation in the elections, both as voters and candidates.<sup>61</sup>

International law does not, for the time being, include a convention or treaty focusing on LGBTIQ+ issues. In recent years, the 2020 ICCPR General Comment 37 on the right of peaceful assembly has addressed LGBTIQ+ citizens' right to participate in the political and public life with full expression of their sexual orientation, identity and diversity.<sup>62</sup> Also the UN Human Rights Council concluding observations on States Parties normally include a section on discrimination on the grounds of sexual orientation and gender identity, if needed.<sup>63</sup> Regional organisations may also have documents or jurisprudence that may be useful to the assessment of LGBTIQ+ issues.<sup>64</sup>

Major impediments relate to LGBTIQ+ voters and candidates' freedom to fully express their sexual orientation and/or gender identity. For instance, in countries where gender and name reassignment are not legally recognised, trans voters are registered with the gender and name they do not mentally and emotionally identify themselves with. This may be problematic at the polling stations, as trans voters may be not be allowed to vote if the documents used for identification do not match their appearance. Trans candidates may appear on the ballot paper with their assigned name and not with the name of their choice, which may confuse voters.

LGBTIQ+ citizens may also face discrimination and intimidation while exercising their political rights as voters and candidates. Openly gay, lesbian, trans or bisexual candidates may have their right to expression and assembly restricted due to homophobic or transphobic attacks in the course of the election campaign. Political parties may follow a "don't ask, don't tell" policy which limits the rights of their LGBTIQ+ candidates and elected officials to fully express their sexual and/or gender orientation and identity. Also, issues of concern for the LGBTIQ+ community might not be part of candidate or party platforms.

61 LGBTIQ+ stands for lesbian, gay, bisexual, transgender, intersex, queer and others.

62 ICCPR General Comment 37, para 25.

63 See, for instance, UN HRC CCPR/C/GEO/CO/4, "Concluding observations on the fourth periodic report of Georgia", para 8 (2014); CCPR/C/MNG/CO/6, "Concluding observations on the sixth periodic report of Mongolia, para 11 (2017) and CCPR/C/RUS/CO/7, "Concluding observations on the seventh periodic report of Russia, para 10(2015).

64 For instance, the Inter American Court of Human Rights Advisory Opinion OC-24/17 on gender identity, and equality and non discrimination of same-sex couples.

## Assessing the participation of LGBTIQ+ persons

EU observers have a responsibility to look comprehensively at the participation of LGBTIQ+ citizens in the electoral process. EU election missions must consider how LGBTIQ+ citizens can fully enjoy their political rights with no discrimination to their sexual orientation and gender identity.

In EU EOMs, one core team focal point takes lead responsibility for ensuring that LGBTIQ+ issues are comprehensively addressed by the EU EOM and should keep contacts with LGBTI organisations in the country. Other core team members are expected to contribute by undertaking research and analysis in their respective areas of assessment.

- The legal analyst should assess whether the legislation is conducive for the meaningful participation of LGBTIQ+ citizens, including the legal framework for gender reassignment and recognition. He/she should also review the UN HRC latest concluding observations on the host country to assess issues of discrimination on grounds of gender identity and sexual orientation.
- The election analyst should find out whether the EMB has specific inclusive policies for LGBTIQ+ employees to work in an environment free from discrimination and homophobia. He/she should also assess whether the EMB has developed training of election officials to avoid discrimination against LGBTIQ+ voters. The election analyst may need to include questions on LGBTIQ+ issues on the election day checklists.
- The media and social media analysts must record any instances of homophobic and discriminatory rhetoric in the media and on online platforms against LGBTIQ+ candidates and elected officials.
- The political analyst should meet with LGBTIQ+ candidates to inquire about any limitations to their political rights and whether candidates and parties include LGBTIQ+ agenda issues in their platforms, including the promotion of inclusive policies.
- LTOs may also be able to meet with LGBTIQ+ organisations at the local level and to collect first-hand reports on discrimination, intimidation and homophobia. Together with the STOs, they will assess LGBTIQ+ issues on election day at the polling stations, namely discrimination or denial of the right to vote.

International standards	Examples of good practice
<p><b>Non-discrimination</b></p> <p>“All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”</p> <p><b>ICCPR, article 26</b></p> <p>“No distinctions are permitted between citizens in the enjoyment of these rights on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”</p> <p><b>General Comment 25, para 3</b></p>	<ul style="list-style-type: none"> <li>- There is a legal framework, either by law or by existing jurisprudence, for gender reassignment and recognition.</li> <li>- Procedures for gender recognition and name change are prompt.</li> <li>- If there is no legal possibility for name change, transgender candidates are allowed to use a name in the ballot paper that reflects the gender they emotionally and mentally identify themselves with.</li> <li>- The EMB has an inclusive homophobic-free policy for LGBTIQ+ employees.</li> <li>- The EMB provides specific training to poll workers on inclusive LGBTIQ+ participation as voters.</li> <li>- The EMB has issued provisions for transgender voters to vote regardless of whether their physical traits may not match their identification documents.</li> </ul>
<p><b>State must take the necessary steps to give effect to rights</b></p> <p>“States must ensure that laws and their interpretation and application do not result in discrimination in the enjoyment of the right of peaceful assembly, for example on the basis of race, colour, ethnicity, age, sex, language, property, religion or belief, political or other opinion, national or social origin, birth, minority, indigenous or other status, disability, sexual orientation or gender identity, or other status.”</p> <p><b>General Comment 37, para 25</b></p>	<ul style="list-style-type: none"> <li>- Legislation and criminal action against attacks of homophobic nature are enforced.</li> <li>- LGBTIQ+ candidates enjoy freedoms of expression, and assembly with full respect to their sexual orientation and gender identity.</li> </ul>

## USEFUL READING:

*Building inclusive democracies. A guide to strengthening the participation of LGBTI+ persons in political and electoral processes, UNDP, 2023*

*United Nations Treaty Bodies' jurisprudence on sexual orientation, gender identity, gender expression and sex characteristics: Policy Paper, ILGA World, 2019*

#### 4.12.6 *Participation of internally displaced persons and refugees*

Where relevant, an assessment of an electoral process will take account of the participation of internally displaced persons (IDPs), i.e., persons who have been forced or obliged to leave their place of residence (as a result of conflict, violence, human rights violations or natural disasters) but who have remained in their country. As citizens, IDPs should still retain all of their political rights, including the right to participate in the country's electoral process. Measures need to be taken to ensure that IDPs enjoy these rights, which may be affected by their forced change of residence or loss of documentation.

In countries with more than one constituency, the question of which constituency IDPs may cast their vote in, whether their place of origin, or their place of new residency, is often acute, and there are often ethnic, religious, linguistic or political implications.

Where possible, IDPs should be able to vote in their place of origin (although without being required to return there, particularly when security considerations make this too dangerous). When their decision is to re-settle in their place of new residence, IDPs should be able to officially change their place of residence, in the same way as any other citizen and without discrimination. In such instances, there should be no impediments to IDPs registering and voting in their new place of residence.

Documentation issues are also relevant, as many IDPs may have lost their identity documents, or they may have been destroyed when they fled. This requires special efforts by the authorities to facilitate IDPs' enjoyment of their civil and political rights.

Similarly, an assessment may need to consider whether refugees (i.e., persons who have been forced to leave their country because of a well-founded fear of violence or persecution) are able to participate in their country's electoral process. This issue depends on whether the legal framework provides electoral rights to citizens resident outside the country. If this is so, it also depends on how relevant legislation is implemented, and whether the host-country allows refugee voting to take place. In countries from which there has been a large outflow of refugees, especially following conflict, it is reasonable to assume that the authorities will facilitate their participation in an electoral process. Returning refugees may face similar issues to those of IDPs in enjoying their right to vote.

## Assessing IDP and refugee participation

An EU election mission is responsible for assessing the degree to which IDPs are able to effectively participate in an election and the opportunities provided by the State for their full and effective participation. In a post-conflict election, there may be significant issues related to IDPs in different parts of the country that must be addressed by the EU election mission.

One core team member takes lead responsibility for ensuring that IDPs issues are comprehensively addressed by the EU EOM. Other core team members assess IDPs issues within their area of responsibility. In particular:

- The legal and election analysts look at the legal and procedural framework for IDPs participation, as well as the implementation of the framework.
- The observer coordinator liaises closely with LTOs who are in areas with IDPs to assess the practical aspects of conduct of the campaign and voting preparations. STOs are responsible for assessing the circumstances of IDPs voting on election day.

In countries where there have been refugee outflows, the EU election mission similarly assesses issues of participation. However, unless special arrangements have been made, it will not likely be possible for the EU election mission to assess practical conditions for registering, campaigning and voting of refugees, as these processes take place outside of the country and therefore outside of the presence of the EU observers.

An EU election mission will likely meet with the International Organization for Migration and other international organisations responsible for IDPs and refugee issues as well as national authorities to collect data.

International standards	Examples of good practice
<b>Universal suffrage</b>	
<p>"(...) Refugees and displaced persons have, after their return to their homes of origin, the right to participate fully and equally in public affairs at all levels(...)."</p> <p><b>ICERD General Recommendation No. 22, para. 2(d)</b></p> <p>"Internally displaced persons (...), shall not be discriminated against (...) in the enjoyment of (...) the right to voter and participate in governmental affairs."</p> <p><b>UN Guiding Principles on Internal Displacement, principle 22.1(d)</b></p>	<ul style="list-style-type: none"> <li>- IDPs are able to vote in their location of displacement for either their district of origin or displacement.</li> <li>- IDPs do not suffer adverse consequences (e.g., loss of social benefits or housing) in their current place of residence by registering to vote or casting their vote in their home districts.</li> <li>- IDPs are involved in decision-making about special measures intended to support and maintain their electoral participation.</li> <li>- Voter education and campaign material is provided for IDPs and refugees.</li> </ul>
<b>State must take the necessary steps to give effect to rights</b>	
<p>"States must take effective measures to ensure that all persons entitled to vote are able to exercise that right."</p> <p><b>General Comment 25, para 11</b></p>	<ul style="list-style-type: none"> <li>- Registration and voting are facilitated for refugees in their current location, with no negative repercussions for their status in the host country.</li> </ul>

### Issues to be considered by the EU election mission

- Are there accurate figures for the number of IDPs and refugees?
- Are there issues concerning the districting of constituencies that relate to IDPs – i.e., are they properly counted in the population, and are the districts delimited and representatives allocated fairly?
- Are IDPs given the opportunity to register as voters, to vote and to stand as candidates in either their district of origin or their district of new residence?
- Regarding voter registration, have special measures been undertaken to enable and/or facilitate registration of IDPs and, where necessary, facilitate personal identification and re-issuing of identity-certifying documents or voter cards?
- Are appropriate and effective measures in place, i.e., legal, policy, administrative, procedural and other, to ensure participation of IDPs in all aspects of an electoral process without discrimination? If out-of-country voting is permitted, are similar measures in place for refugees?
- Have appropriate voter education campaigns been designed for and reached displaced persons, whether they reside in camps, collective centres or are dispersed among the general population?
- Are IDPs able to participate in the campaign, including freedom of movement? Do security conditions allow the exercise of their participation rights, including assembly, expression and association?
- Have there been any cases of coercion and threats towards IDPs and/or any other attempts at influencing their voting choices, either during the election campaign or on election day?
- On election day, have special arrangements been made to enable and facilitate the participation of IDPs in the electoral process, e.g., when the distance to the polling station is long, is transport provided free of charge or at a low cost? Are adequate security measures in place at polling stations and en route?
- Has the election process coincided with incidents of forced displacement of population? If so, are there reasons to believe that the displacement aimed at changing the outcome of the elections?

### USEFUL READING:

*Electoral Rights of Environmentally Displaced Persons*, IFES, April 2021

*The right of internally displaced persons to participate in electoral processes, particularly the right to vote and to stand in elections*, Report of the UN Special Rapporteur on Internally Displaced Persons, A/HRC/50/24, 2022

*The Guiding Principles on Internal Displacement*, UN Representative of the Secretary General on Internally Displaced Persons, OCHA, 2004

#### 4.12.7 *Participation of youth*

Challenges for meaningful youth participation can be found in all steps of the electoral process. The first of these depends on reaching a consensus on the definition of youth: the EU Youth Strategy considers youths as those between 15 and 29 and most EU youth projects involve people between 18 and 30.<sup>65</sup> Similarly, the 2015 UNSC Resolution 2250 on Youth, Peace and Security sets youth between 18 and 29. However, when it comes to political participation, many countries, as well as national and international civil society organisations active in democratic governance, define youth as all persons between 18 and 35 years of age.

The second challenge lies in defining the minimum age for passive and active suffrage. While it is a common practice for the voting age to be set at 18 years old, several countries have had ongoing debates about reducing the voting age to 17 or 16, and several jurisdictions have legislated to lower the voting age. Age requirements to stand for elections are generally higher than the voting age and may vary across countries, resulting in significant gap between the voting age and the minimum age to run as candidate, typically set at between 25 and 35. Such a barrier may bring disengagement and apathy among young voters.

According to the Inter-Parliamentary Union (IPU), only 2.6 per cent of the world's parliamentarians are under age 30, and 17.5 per cent of the world's parliamentarians are under the age of 40.<sup>66</sup> Consequently, young people might perceive a gap between them and their representatives from older generations. Lowering the age to stand as a candidate can encourage turnout among young voters and bring more elected young citizens, bringing a youth perspective to policy debates. Good practice indicates that age requirements for voting and running for office should not be different.<sup>67</sup>

While there is no specific standard on voting and candidacy age requirements, some international and regional instruments provide the basis for countries to develop legislation, policies and practices to foster the full participation of youth in their political and electoral processes.<sup>68</sup> An understanding of the

65 EU Youth Strategy portal: [https://youth.europa.eu/strategy\\_en](https://youth.europa.eu/strategy_en).

66 Source: Inter-Parliamentary Union, Youth participation in national parliaments, 2021.

67 The 2002 Venice Commission Code of Good Practice on Electoral Matters sets that “the right to stand for election should preferably be acquired at the same age as the right to vote and in any case not later than the age of 25, except where there are specific qualifying ages for certain offices.”

68 International instruments include: articles 22, 23, 24 and 25 of the ICCPR, and General Comment 25, emphasising the right and the opportunity of every citizen to take part in the conduct of public affairs, to vote and to be elected; the 1989 United Nations Convention on the Rights of the Child, article 10 of the 1998 UNESCO Lisbon Declaration on Youth Policies and Programmes. At regional level, article 10 of the 2001 Inter-American Democratic Charter, article 21 of the 2005 Ibero-American Convention on the Rights of Youth, and article 11 of the 2006 African Youth Charter.



international legal framework can help election observers to assess if local electoral laws and processes comply with international standards and youth-sensitive strategies and programmes are developed accordingly.

Other potential challenges include voter registration and residency requirements. An early voter register cut-off date may prevent young people who reach the voting age before or on election day from registering and thus voting if the legislation does not foresee registration of all citizens reaching the voting age by the election day. Moreover, young people are highly mobile and overly restrictive residency requirements may be a challenging obstacle to overcome. Indeed, the lack of adequate measures to register in a place where they study or work, even temporarily, may disproportionately disenfranchise them.

Finally, a full and meaningful participation of young citizens in public affairs should also address inclusion of young people in leadership positions within political parties, and the inclusion of youth-related issues in the political agenda and platforms of parties and candidates. Together with their youth wings, parties have a key role in enhancing participation through training, mentoring programmes and the creation of spaces for dialogue that can contribute to modelling party structure and the development of youth-oriented policies. The persistent exclusion of youth as candidates does not encourage young people to join political parties. Instead, they may prefer to find other ways to participate in politics such as protests, demonstrations, petitions, and other forms of mobilisation.

### Assessing the participation of youth

An EU election observation mission is responsible for assessing the degree to which young voters are given the opportunity to fully and effectively participate in an electoral process.

One core team member takes lead responsibility for ensuring that young voter issues are comprehensively addressed by the EU EOM. Other core team members assess within their area of responsibility. In particular:

- The legal analyst looks at the legal and procedural framework for young voters' participation, as well as the implementation of the framework.
- The election analyst assesses the implementation of the legal and procedural framework for young voters' participation, as well as the degree to which they are represented in the EMB structure. Voter registration issues should also be covered.
- The political analyst should address to what degree parties and candidates have included youth as candidates on their party lists and whether youth issues feature in their agendas and platforms.
- The social media analyst looks at the activity of young voters in the social media and their interactions with political actors, as well as the extent of disinformation and fake news in youth-related content.
- The observer coordinator liaises closely with LTOs to assess the practical aspects of young voters' engagement in the campaign and as candidates, as well their participation in the EMB structure. On election day and upon request, STOs should assess their participation as polling station members.

International standards	Examples of good practice
<b>Fundamental freedoms</b>	
<p>“Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”</p> <p><b>ICCPR, article 2</b></p> <p>“The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child’s choice.”</p> <p><b>UN Convention on the Rights of the Child, article 13</b></p>	<ul style="list-style-type: none"> <li>- All citizens, irrespective of their age, enjoy the same rights.</li> <li>- No discrimination for reasons of age.</li> </ul>
<b>Right to participate in public affairs</b>	
<p>“<u>Every citizen</u> shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country.”</p> <p><b>ICCPR, article 25</b></p> <p>“Ensuring and encouraging the <u>active participation of youth in all spheres of society and in decision-making processes</u> at the national, regional and international levels and ensuring that the necessary gender-sensitive measures are taken in order to attain equal access of young women and young men and by creating the conditions necessary for the fulfilment of their civic duties.”</p> <p><b>UNESCO Lisbon Declaration on Youth Policies and Programmes, article 10</b></p>	<ul style="list-style-type: none"> <li>- There is no distinction between the minimum voting age and the age for standing as parliamentary candidates.</li> <li>- Young citizens are represented in the EMB structures, including at the polling station committees.</li> <li>- Disaggregated data of voting population by age is available.</li> <li>- Political parties include young members in leadership positions and in their list of candidates on the same terms as other party members.</li> <li>- Parties and candidates address issues of interest for young voters in their agendas and platforms</li> <li>- EMBs carry out civic and voter education activities targeting young voters.</li> </ul>

## Issues to be considered by the EU election mission

### Election administration

- Are young people represented in the EMB structures?
- What outreach programmes does the EMB carry out to encourage the participation of young voters? Are there programmes specifically aimed at the different sub-categories of youth such as young women, first-time voters, young people with disabilities, etc?

### Voter registration

- Are disaggregated data by age on voter registration available?

#### In case of an active registration system:

- Have special voter registration procedures been implemented with respect to youth, e.g., special registration centres at schools and universities?
- Are young people in remote regions registering in the same proportion as those in larger cities and towns? If not, what are the reasons for that?
- Is information about voter registration reaching all young people?
- Is it possible to determine whether the number of young people registered reflect approximately the size of the youth population?
- Are all eligible citizens who reach voting age by election day able to register to vote, or is there an early cut-off date for registration that disenfranchises some young voters? If so, is it possible to estimate how many?

### Candidacy requirements

- Do the minimum voting age and the minimum age to run as a candidate coincide?
- How many youth candidates are present compared to the other age groups?
- What obstacles did they face to be able to run as a candidate?
- Do costs associated to run as a candidate constitute a barrier?

### Political party inclusion

- Are there young people in leadership positions within the party? And which positions do they cover in the party?
- Does the party have quotas for youth representation in their internal governance structure?

### Election campaign

- Are youth issues covered in party platforms and the election campaign?
- Are young candidates conducting their campaign mainly on social media platforms? If yes, where exactly and at what intensity?
- Do young people prefer to conduct election campaigning online or offline? Why?

## USEFUL READING:

*Bridging the Divide: Strengthening Partnership Between Young People and Political Parties*, NDI, 2022

*Youth participation in national parliaments*, Inter-Parliamentary Union (IPU), 2021

*Youth Participation in Electoral Processes, Handbook for Electoral Management Bodies*, European Commission & UNDP, Joint Task Force on Electoral Assistance, 2017

*World Youth Report, Youth Civic Engagement, Youth Electoral Participation*, United Nations, 2016, pp. 68-81

*Enhancing Youth Political Participation throughout the Electoral Cycle*, UNDP, 2015

### 4.13 Civil society and citizen election observation

All persons have a right to participate in public affairs, including in civil society activities and, through their right to freedom of association, to form and join civil society organisations. Such organisations play an essential role in democratic development through their ability to represent social interests, advocate for policies, provide key services and undertake research activities, often from a non-partisan perspective. They also provide an important function of promoting accountability through their scrutiny of government activities. Any restrictions on the formation, registration and operation of civil society organisations should be reasonable.

Civil society organisations often participate in an electoral process through citizen non-partisan election observation. Such work can greatly enhance the transparency of the electoral process and make a vital contribution to public confidence in the credibility and legitimacy of an election.

The legal framework for elections should provide guarantees for the right of citizen observer groups, in addition to similar rights provided to candidates, political parties and their representatives, to meaningfully observe all aspects of the electoral process (and not only election day). It is important that citizen observer groups enjoy the respect and the confidence of the public. Such groups should aim at playing a neutral role and reporting only accurate and objective findings. This requires the groups to be well-organised, adhere to a credible methodology, and provide quality training for their observers. The *Declaration of Global Principles for Non-partisan Election Observation and Monitoring by Citizen Organizations*, sets out clear principles for cred-

ible and responsible observation.<sup>69</sup> It has been endorsed by over 250 citizen observer groups worldwide. Citizen election observers, along with international observers, have been explicitly recognised by UN Special Rapporteurs as human rights defenders.<sup>70</sup>

Civil society organisations may also contribute to the electoral process in other ways, especially through the conduct of voter education activities, promoting codes of conduct for contestants, auditing the voter register, monitoring the media, undertaking parallel vote tabulations, convening public meetings or debates, and advocating for electoral reform between elections.

**Considering civil society involvement in the election process**

An EU election mission interacts frequently with civil society groups as key stakeholders in the electoral process. They typically act as citizen watchdogs on various parts of the process, advocate for electoral reforms and provide voter and civic education alongside election authorities. They are also often useful source of information for an EU EOM – both for the core team at the central level and for LTOs at the regional level.

The election analyst generally acts as the main contact point for any citizen observer groups, and the political analyst takes lead responsibility for ensuring that broader issues related to civil society are covered by the EU EOM. In particular, the EU EOM should consider to what extent authorities facilitate or inhibit the election-related activities of civil society groups, including through restrictive legislation. As an endorsing organisation of the Declaration of Principles for International Election Observation, the EU has a responsibility to evaluate and report on whether citizen observer organisations are able to conduct their activities without undue restrictions or interference and to advocate for their right to do so.<sup>71</sup>

While an EU election mission liaises closely with citizen observers who can provide valuable information on the election process, it bases its conclusions only on its own findings.

International standards	Examples of good practice
<b>Freedoms of expression, assembly and association</b>	
“Citizens are able to take part in the conduct of public affairs by exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves. This participation is supported by ensuring freedom of expression, assembly and association.”  <b>General Comment 25, para 8</b>	- Election laws provide for observation of all aspects of the election process by citizen observers.

69 Declaration of Global Principles for Non-partisan Election Observation and Monitoring by Citizen Organizations commemorated on 3 April 2012 at the United Nations, New York, available at: <http://www.gndem.org>.

70 UN Special Rapporteur on Human Rights Defenders, “The Situation of Election Observers as Human Rights Defenders”, statement issued on 27 October 2022.

71 Declaration of Principles for International Election Observation, para. 16.

International standards	Examples of good practice
<b>Genuine elections</b>	
<p>“There should be independent scrutiny of the voting and counting process and access to judicial review or other equivalent process so that electors have confidence in the security of the ballot and the counting of the votes.”</p> <p><b>General Comment 25, para 20</b></p>	<ul style="list-style-type: none"> <li>- EMBs and other authorities welcome, encourage and facilitate civil society participation in the electoral process, including through meetings and consultation with observer groups and cooperation on voter education activities.</li> <li>- The accreditation process for citizen observers is simple, timely and efficient.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Are the rights to form and join a civil society organisation protected in law?</li> <li>- Is there an active and pluralistic civil society participating in public affairs? If so, how effective is it? Are there obstacles to its effectiveness?</li> <li>- Is there any legislation that unreasonably restricts the ability of civil society organisations to operate freely?</li> <li>- Are citizen observer groups provided with the right to observe all aspects of the electoral process?</li> <li>- Is there active observation of the electoral process? If so, what aspects are being observed?</li> <li>- Are there restrictions on who can be accredited to observe the electoral process or on their degree of access? Are the restrictions reasonable?</li> <li>- Is there public confidence in the work of such groups and the quality of their observation methodology?</li> <li>- Are civil society organisations undertaking other activities related to the electoral process?</li> </ul>

## 4.14 Election day

### 4.14.1 *Voting: the Right to Vote, Equal Suffrage and the Free Expression of the Will of the Electorate*

All eligible citizens have the right to vote and should be provided with opportunities to exercise that right. In some countries voting is compulsory, but elsewhere voters can choose not to vote and cannot be forced to do so or punished for not doing so. All voters should have the same opportunities and conditions for voting, to ensure equal suffrage.

**Access to polling stations** is a necessary condition for voting, and the authorities have a responsibility to facilitate freedom of movement of voters to polling stations. Voters should be informed of their assigned polling station and not be required to travel an unreasonably long distance. Arrangements should be made for persons with disabilities to have access to their designat-

ed polling station. The number of polling stations should be in proportion to the size of the electorate and should prevent overcrowding, which can lead to the disenfranchisement of voters. The time available for voting should be fixed by law and should be the same for all voters. Delays to the opening of polling stations or early closing undermine the right to vote.

**Identification:** Where voters are required to prove their eligibility, documentation constituting valid proof should be specified in law, and should be the same for all voters. Nobody should be able to vote on behalf of another person (*proxy voting*) unless defined by law for specific circumstances.

**Voting procedures** should be consistent and allow all voters to cast their ballots in an efficient and organised manner. There should be an adequate number of properly trained polling officials who should be required to act in a fair and impartial manner. Eligible citizens who are prevented from voting by, for example, a decision of the polling staff or exclusion from the voter register, should have an opportunity to seek effective remedy. Accredited party/candidate representatives and international and citizen observers should be permitted to observe all aspects of election day activities, including opening and voting proceedings, closing, counting and tabulation of results. No unauthorised persons should be present in polling stations and no one should interfere in the conduct of voting.

**Multiple voting** – where a voter casts more ballots than permitted – undermines equal suffrage and should be prohibited by law and prevented through adequate safeguards. Examples of safeguards include: marking the voter register to indicate a voter has voted, requiring the voter to sign the register, and marking a voter's finger with ink. Safeguards should also be put in place to ensure that ballot papers are properly accounted for, supervised and secured at all times, including during transfer to the polling station and storage. Ballots should be validated during voting by marking them with an official stamp and/or the signatures of polling station officials.

The right to vote and the free expression of the will of the electorate is undermined where there is **intimidation, violence, undue influence or coercion**. Bribery or other unfair inducements to vote for a certain candidate (known as *vote-buying*) also compromise the free expression of the will of the electorate. Security personnel should ensure a secure environment outside of polling stations and act in an appropriate and impartial manner. They should not contribute in any way to an atmosphere of intimidation. Similarly, all public authorities should act in a neutral manner on election day and campaigning inside a polling station/centre should be prevented.

International standards	Examples of good practice
<b>Right to vote</b>	
<p>“Positive measures should be taken to overcome specific difficulties, such as illiteracy, language barriers and poverty which prevent persons entitled to vote from exercising their rights effectively. Specific methods, such as photographs and symbols, should be adopted to ensure that illiterate voters have adequate information on which to base their choice.”</p> <p><b>General Comment 25, para 12</b></p>	<ul style="list-style-type: none"> <li>- Ballot papers are designed as simply as possible.</li> <li>- The number of polling stations is in proportion to the size of the electorate, with a maximum number of voters per polling station that ensures that all voters can be processed efficiently.</li> <li>- The opening hours of polling stations are established in advance and are consistently applied.</li> <li>- Polling stations are accessible to persons with disabilities.</li> <li>- There are sufficient electoral materials, including ballot papers, to ensure that all voters can vote.</li> </ul>
<b>Equal suffrage</b>	
<p>“The principle of one person, one vote, must apply, and within the framework of each State’s electoral system, the vote of one elector should be equal to the vote of another.”</p> <p><b>General Comment 25, para 21</b></p>	
<b>Freedom of movement</b>	
<p>“Positive measures should be taken to overcome (...) impediments to freedom of movement which prevent persons entitled to vote from exercising their rights effectively.”</p> <p><b>General Comment 25, para 12</b></p>	<ul style="list-style-type: none"> <li>- Appropriate security procedures are established to ensure the political rights of citizens are protected.</li> </ul>
<b>Free expression of the will of the electorate</b>	
<p>“Persons entitled to vote must be free to vote for any candidate for election without undue influence or coercion of any kind which may distort or inhibit the free expression of the voter’s will. Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”</p> <p><b>General Comment 25, para 19</b></p>	<ul style="list-style-type: none"> <li>- Campaigning inside polling stations is not permitted.</li> </ul>
<b>Genuine elections</b>	
<p>“There should be independent scrutiny of the voting process and access to judicial review or other equivalent process so that voters have confidence in the security of the ballot and the counting of the votes.”</p> <p><b>General Comment 25, para 20</b></p>	<ul style="list-style-type: none"> <li>- Candidate/party representatives and non-partisan election observers are able to observe all stages of the election day process.</li> <li>- Security and integrity of ballot papers and other sensitive materials is ensured in a transparent manner.</li> </ul>



### Issues to be considered by the EU election mission

- Is the right to vote restricted in any way? Do voters have difficulties with access to their designated polling stations? Are there problems with overcrowding, excessive delays or queues?
- Do arrangements for voting establish equal requirements and opportunities for all voters?
- Are voting procedures conducive to an efficient and transparent voting process?
- Is the ballot paper designed as simply as possible and suitable for use by all voters?
- Are candidate/party representatives and observers able to observe all aspects of the voting process?
- Is impartial assistance provided to voters who require such support?
- Do polling officials conduct voting efficiently, impartially and in accordance with the law?
- Are only authorised people present in the polling station?
- Are appropriate steps taken to guarantee the integrity of the ballot and to prevent fraud?
- Is there evidence that the integrity of the ballot has been compromised through error and/or fraud? If so, what is the scale of the problem? Is it isolated or systematic, and what steps are taken to stop it?
- Are appropriate steps taken to prevent intimidation or coercion of voters and unlawful interference in polling?
- Is there evidence that intimidation or coercion of voters has taken place? If so, what steps are taken to enforce the law?
- Is there a peaceful atmosphere on election day?
- Are security forces behaving in an appropriate manner?

#### 4.14.2 *Voting: the right to a secret ballot*

All voters have the right to vote in secret. It is the responsibility of the authorities to guarantee this right through provision of polling booths or other methods that allow ballot papers to be marked in private. Marked ballots should not be inspected before being placed into a ballot box or contain any identifying features that would enable the ballot paper to be traced back to the voter. Voters should not be intimidated or coerced into revealing for whom they voted. Except in cases where a voter is being lawfully assisted, a voter cannot waive their right to vote in secret. Voting at the same time as another person in the same polling booth (so-called family/group voting) and voting outside a polling booth (open voting) should be prohibited.

**Assisted Voting:** Voters who are unable to vote unaided under standard procedures (for example blind voters) have the right to be provided with assistance. Wherever possible, however, steps should be taken to enable them to vote independently. Procedures for assistance should be regulated and publicised before election day. Assistance in marking a ballot paper should only be provided to those who would not otherwise be able to cast a ballot. The assistance provided should be independent, honest and protect the secrecy of the voter's choice.

Under article 29 of the Convention on the Rights of Persons with Disabilities, assistance is to be given by a person of the voter's own choice, although there may be restrictions on the number of times an individual can provide assistance. Those providing assistance should be impartial and therefore should not be candidate or party representatives.

International standards	Examples of good practice
<p><b>Right to a secret ballot</b></p> <p>“States should take measures to guarantee the requirement of the secrecy of the vote during elections, including absentee voting, where such a system exists. This implies that voters should be protected from any form of coercion or compulsion to disclose how they intend to vote or how they voted, and from any unlawful or arbitrary interference with the voting process.”</p> <p><b>General Comment 25, para 20</b></p>	<ul style="list-style-type: none"> <li>- Polling stations ensure privacy through a sufficient number of polling booths, of an appropriate design and quality that are suitable positioned.</li> <li>- Voting procedures ensure that a marked ballot cannot be viewed before being cast. A ballot paper is not traceable back to the voter.</li> <li>- Secrecy of the ballot requirements are enforced by the polling station staff.</li> </ul>
<p><b>Free expression of the will of the electorate</b></p> <p>“States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall (...) guarantee the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice.”</p> <p><b>CRPD, article 29.a.(iii)</b></p>	<ul style="list-style-type: none"> <li>- The law prohibits ‘open voting’ and ‘group voting’ unless the voter is being lawfully assisted, and this is effectively enforced.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Is the right to secrecy of the ballot guaranteed in law and in practice?</li> <li>- What steps are taken to prevent group voting and open voting?</li> <li>- Is group voting and open voting occurring, and if so, how frequently, and how is it responded to?</li> <li>- Are persons requiring assistance provided with it in a manner that ensures the secrecy of the ballot?</li> </ul>

#### 4.14.3 *Special voting procedures*

Special voting procedures may be applied where voters are unable to attend regular polling stations to cast their ballot. Often such procedures allow voters to vote in a location other than their designated polling station (absentee voting). Special voting procedures may take place in special polling stations

(for example, in places of detention, army barracks and universities). Some countries also allow voters to vote in a polling station other than their assigned polling station with an absentee voting certificate. Other forms of special voting include:

- Mobile voting: polling officials transport a mobile ballot box to voters who cannot attend their designated polling station (e.g., ill or elderly voters can cast their ballot at home or a hospital). Mobile voting usually takes place on election day but may also happen in advance.
- Postal voting: voters cast their ballots by post in advance of election day.
- Early voting: voters unable to attend their designated polling station on election day (e.g., election officials or security personnel) cast their ballot early.
- Out-of-country voting: expatriate citizens entitled to suffrage cast their ballots at special polling stations, often at their country's embassies, or by post.

Absentee voting can enhance participation by providing all eligible citizens with opportunities to vote. However, as absentee voting often takes place outside a controlled voting environment and without the presence of observers, there is increased scope for fraudulent practices. Some voters who participate in special voting procedures, such as soldiers or persons with illnesses, can be particularly vulnerable to pressure from persons in authority.

Further concerns may arise relating to the security and integrity of ballots cast outside of a controlled environment and appropriate safeguards should be put in place to ensure the secrecy and integrity of absentee ballots.

International standards	Examples of good practice
<p><b>Right to a secret ballot</b></p> <p>"States should take measures to guarantee the requirement of the secrecy of the vote during elections, including absentee voting, where such a system exists. This implies that voters should be protected from any form of coercion or compulsion to disclose how they intend to vote or how they voted, and from any unlawful or arbitrary interference with the voting process."</p> <p><b>General Comment 25, para 20</b></p>	<ul style="list-style-type: none"> <li>- Where there is mobile voting, this is limited to the homebound and hospitalised. Observers and party/candidate representatives are allowed to accompany the mobile ballot box.</li> <li>- Where postal voting is permitted, there are safeguards in place to ensure the secrecy of the ballot (e.g., a double envelope). Postal ballots are distributed in sufficient time to ensure they can be returned by election day.</li> <li>- Where there is early voting, special measures are in place to ensure the security of ballot boxes. Observers and party/candidate representatives are permitted to observe.</li> </ul>

### Issues to be considered by the EU election mission

- Do special voting procedures provide appropriate safeguards to protect the electoral rights of specific groups of absentee voters?
- Is there any evidence of irregularities related to the implementation of the special voting procedures?
- Is there public awareness and confidence in the special voting procedures?
- Are observers and party/candidate representatives able to observe all aspects of special voting procedures?
- What arrangements are there for the counting and aggregation of ballots cast by special voting procedures, including to protect secrecy?

#### 4.14.4 Closing of polling and counting of votes

Closing and counting procedures should be established in law and provide safeguards that guarantee a transparent, prompt and accurate count. The closing of polling and counting of votes should be conducted only by authorised officials and should follow procedures specified in the law and regulations. Counting officials record all data using standard forms, often referred to as the *results protocol*. All stages of the closing and counting process should take place in the presence and in full view of party/candidate representatives, as well as citizen and international observers if they are present. Counting should not take place in an atmosphere of intimidation.

The time for closing the poll should be fixed and any decision to extend voting hours should be based on objective criteria applied in a consistent manner. All persons who are waiting in line at the close of voting should be allowed to cast their ballot. Procedures for closing should include immediately sealing the ballot box and securing the unused ballot papers. Reconciliation is then undertaken by counting the number of voters on the voter list who received ballot papers and the number of unused ballot papers, as well as any spoilt and returned ballots. The sealed ballot box should not be opened before these steps are completed.

The counting of votes should take place promptly after the closing of the poll in order to minimise opportunities for interference with the ballots. Counting may take place at the polling station or at a district or regional counting centre, following transfer of the sealed ballot box. At a district or regional counting centre, results may be counted by polling station or mixed. The counting of ballot papers at polling stations can have the benefit of enhancing transparency and accountability. However, a counting centre can create a more controlled environment for counting and, through the mixing of ballot papers from different polling stations, can address any concern that ret-

tribution may be taken against voters where the results of individual polling stations are known. If the ballot box is transferred to a counting centre, it is crucial that it is supervised and accounted for at every stage. Party or candidate representatives and observers should be able to accompany the ballot box while in transit.

After the opening of the sealed ballot box, the total number of ballots inside should be counted and reconciled with the number of ballot papers that were issued to voters. The number of ballots inside the ballot box should not be more than the number of voters who cast their ballot.

As they are counted, ballot papers should be available for inspection by those present. All ballots that indicate the intended choice of the voter should be considered as valid, provided they contain no marks that could indicate who cast the ballot. Where there are discrepancies, the result is close, or the number of invalid votes is significant, an immediate recount may be decided. The results of the count should be recorded in the official results protocol and copies of the protocol should be provided to all party/candidate representatives and observers. An official copy of the results should be posted at the polling station as soon as the counting is completed. Following the count, all polling materials should be secured and transported in an appropriate manner. There should be opportunities to seek a remedy in the event of objections against decisions or activities of the counting officials.

International standards	Examples of good practice
<p><b>Genuine elections</b></p> <p>“The security of the ballot box must be guaranteed and votes should be counted in the presence of the candidates or their representatives.”</p> <p><b>General Comment 25, para 20</b></p> <p>“There should be independent scrutiny of the counting process so that electors have confidence in the security of the ballot and the counting of the votes.”</p> <p><b>General Comment 25, para 20</b></p>	<ul style="list-style-type: none"> <li>- All ballot papers that show the clear intention of the voter are considered valid.</li> <li>- Ballot papers that reveal the identity of the voter are considered invalid.</li> <li>- The counting process begins immediately after the end of voting.</li> <li>- Precautions are taken to prevent interference with marked ballots. Party/ candidate representatives and observers are able to observe all stages of the counting process.</li> <li>- Party/candidate representatives and observers are issued with a copy of the results protocol.</li> <li>- The results protocol is posted outside of the polling station or counting centre immediately following the vote count.</li> </ul>

#### Issues to be considered by the EU election mission

- Are the procedures for the closing of polls and counting of votes established in law, and do they provide transparent safeguards to protect the integrity of the process and accuracy of the results?
- Are the closing, reconciliation and counting procedures properly followed? Do counting officials act in an impartial manner and in accordance with the law?
- Is the counting of votes and recording of results honest and accurate?
- Are party/candidate representatives and citizen and international observers able to observe all aspects of the counting process?
- Are party/candidate representatives and observers issued with a copy of the results protocol?
- Are results publicly posted immediately at the polling station or counting centre upon the completion of the count?

#### 4.15 Tabulation, publication of results, and post-election environment

An election process culminates in the announcement and implementation of the final results. This is likely to be the responsibility of the EMB, which should ensure that the procedures for the tabulation and publication of results are clearly established in advance of election day. Good practice has shown that confidence in the credibility and accuracy of election results is greatly enhanced where the process is undertaken in a fully transparent and prompt manner. In particular, the EMB should ensure that:

- detailed results are published at every stage of the aggregation and tabulation process as soon as they are available, indicating how many votes have been won by each candidate or political party and the number of invalid votes;
- results are published in full, including a breakdown of results by individual polling station/counting centre, as well as regional constituencies, to allow for cross-checking of results;
- the results process is fully accessible to candidates, political parties, their representatives, citizen and international observers and the media.

The EMB should be able to show the connection between the votes cast and the results of the election and is expected to account for any discrepancies in the published results. An EU election mission reports on any discrepancies that it observes in the results process.

**Partial results** may be announced during the course of the tabulation process. If released, they should always be clearly referred to as representing only a proportion of the votes cast. An EMB will be expected to announce *pre-*

*liminary results* as soon as the tabulation of results is completed at a regional or countrywide level. There may be a deadline for the announcement of preliminary results.

**Final results** should be declared after the deadline for the submission of any challenges to the preliminary results has passed. In some instances, the outcome of the results is implemented even when there are challenges that remain outstanding. In other countries, the declaration of final results is made only after such challenges have been resolved.

Candidates and political parties have the right to challenge the validity of election results. Procedures should be established to allow challenges to be made within an appropriate timeframe to an independent body, such as a court. Challenges should be dealt with impartially, and decisions should be based on the available evidence and made without political consideration. Where results have been successfully challenged, for example because of proven violations of voting procedures, voting should be repeated in the polling stations affected within a suitable timeframe. However, repeat polling may not be required if the total number of registered voters in the polling station(s) is of an insufficient number to change the allocation of a mandate.

Successful candidates should be installed in office and allowed to take up the authority of their position without undue delay. They are entitled to stay in office for the valid term of the mandate, and no attempts should be made to disqualify or remove them from elected office, except using grounds provided for in law and which meet international standards.

Many countries have a two-stage process for some elected positions, under which a second round of voting may be held if no candidate receives the required number of votes in the first round. If there is a second round election, an EU EOM remains in the country to assess the critical period between the two rounds as well as the second round election and final tabulation of results.

### *Post-election developments*

The immediate post-election period, as results are finalised and announced to the contestants and the public, is sensitive in any election. While in some circumstances the results announcement may only confirm what is already known through partial results, parallel vote tabulations, internal polling or exit polls, in other circumstances the announcement may be the first indication to the losing party or candidate and its supporters that they have lost the election. It is critical that the losing party or candidate accept the election results, or if not, that they use official mechanisms for challenging the results,

and in either case they should publicly communicate this to their supporters. Any public protests or demonstrations should be peacefully conducted.

In a tense post-election environment, failure of losing parties to swiftly and publicly recognise the results may contribute to a volatile situation that could include acts of retribution and violence. In such situations, political parties and candidates have a responsibility to calm tensions and encourage their supporters to act peacefully and responsibly. Media also have a responsibility not to incite violence and to encourage a peaceful response to election results.

**Assessing post-election developments**

In a close contest or if there are many challenges or recounts, the final announcement of results may take a considerable amount of time. In such a situation, the EU EOM may extend its stay or that of certain core team members and LTOs in order to accompany fully the election process. An unexpected delay in the announcement of official results may lead to political tensions and EU observers may identify any indications of such tensions among electoral stakeholders. In such circumstances the EU EOM may play an important role in promoting transparency and encouraging a peaceful post-election environment.

EU observers endeavour to document any cases of violence, harassment or intimidation after elections, including acts of political retribution. They also observe any political demonstrations or protests, security allowing. Any findings in the post-election process should be included in the final report, or as necessary, additional statements may be issued.

International standards	Examples of good practice
<b>Genuine elections</b>	
<p>“There should be independent scrutiny of the results process and access to judicial review or other equivalent process so that electors have confidence that the results reflect the votes cast and the counting of the votes.”</p> <p><b>General Comment 25, para 20</b></p>	<ul style="list-style-type: none"><li>- Election officials ensure that the results of the counting of votes are aggregated, recorded and transmitted accurately.</li><li>- All votes are counted and results aggregated promptly.</li><li>- Detailed results data is provided to candidates or their representatives, observers, the media and the general public.</li><li>- Detailed results, broken down to the polling station level (or counting centre where this is the lowest level), are swiftly and publicly displayed at all levels of the EMB as well as on the Internet.</li><li>- In determining proportions of votes cast, the proportion is calculated from the number of valid votes only.</li></ul>



International standards	Examples of good practice
<b>Free expression of will of the electors</b>	
<p>“The results of genuine elections should be respected and implemented”.</p> <p><b>General Comment 25, para 19</b></p> <p>“The grounds for the removal of elected office holders should be established by law based on objective and reasonable criteria and incorporating fair procedures.”</p> <p><b>General Comment 25, para 16</b></p>	<ul style="list-style-type: none"> <li>- Procedures allow for election results to be challenged in an effective and timely manner.</li> <li>- Courts make rulings on challenges before the final results are certified.</li> <li>- Defeated parties and candidates call on supporters to respect the process and refrain from inciting violence.</li> </ul>

Issues to be considered by the EU election mission
<ul style="list-style-type: none"> <li>- Are the procedures for tabulating and publishing results clearly established in advance of the election?</li> <li>- Is the results process undertaken in a prompt and fully transparent manner? Can the process be fully observed by party/candidate representatives and by citizen or international observers?</li> <li>- Are results published within stipulated timeframes and using appropriate procedures? Are the results announced and published promptly in the media and on the Internet? Are the results publicly posted at every level of the election administration?</li> <li>- Does each level of results aggregation include a breakdown of results by polling station or counting centre, to enable an independent audit to be conducted?</li> <li>- Are there any discrepancies between the counted votes and the published results? Can the EMB account for them?</li> <li>- Are candidates and political parties able to challenge the validity of election results to a court? Are challenges dealt with in an impartial manner and decided upon based on available evidence and without political consideration?</li> <li>- Where results are found to be invalid, under what circumstances are repeat elections held?</li> <li>- Are elected candidates installed in office?</li> <li>- Is there any post-election day violence and/or intimidation or fear of this taking place?</li> <li>- Is there acceptance by election stakeholders of the conduct and results of the election?</li> </ul>



## SECTION FIVE

# 5 ESTABLISHING AN EU ELECTION OBSERVATION MISSION

### 5.1 Deciding whether to observe an election

The decision on whether to deploy an EU EOM is made by the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission (HR/VP), based on the recommendations of an Exploratory Mission led by the EEAS. A decision to deploy an EU EOM does not mean that the EU deems an election process to be either problematic or credible. Likewise, a decision not to deploy an EU EOM does not mean that a prior judgement on the electoral process has been made or that the EU has no interest in the conduct of the election.

#### 5.1.1 Identification of priority countries

The first stage of the decision-making process is the identification of potential countries for election observation. A rolling calendar of upcoming elections is maintained by the EEAS.

The EEAS Democracy and Electoral Observation Division liaises with geographical departments in the EEAS and FPI to identify priority countries for possible deployment of EU election missions in the coming year and to review the list of priorities for the current year, according to the assessed added value, political priorities and, in cooperation with FPI, budgetary

availability. The EEAS shares its priority proposals with Member States in the Political and Security Committee of the EU Council, and with the European Parliament for consultation. The HR/VP decides on the final list of priorities. In case the EU is invited to observe elections in a country that is not on the priority list, the HR/VP decides whether to deploy an EU EOM through an *ad hoc* procedure involving EU Member States and the European Parliament.

In most instances, the EU has chosen to prioritise countries holding presidential or parliamentary elections, although countries holding local elections and referendums may also be prioritised, especially when these election events are part of a post-conflict transition or are considered as particularly important for a country's democratic development. Countries are categorised as 'priority' based on a range of factors, which include:

- a constructive engagement through an EU EOM could result in an improved election, for example, by increasing voter confidence in the process and consolidating trust in institutions;
- the deployment of an EU EOM would complement and enhance EU democratisation and/or crisis management and peace-building initiatives in the country;
- an invitation has been received by the EU from the country organising the elections;
- the presence of an EU EOM would demonstrate EU support for an important political process or democratic transition.

The selection of priority countries is also necessary to make best use of the human and financial resources available for observation missions. EU EOMs are financed by the Neighbourhood, Development and International Cooperation Instrument - Global Europe thematic programme for Human Rights and Democracy (NDICI), a funding mechanism aimed at supporting democracy and human rights globally.

### 5.1.2 The Exploratory Mission

Once a country is identified as a priority for an EU EOM, the second stage in the process is the deployment of an exploratory mission (ExM) to assess whether deployment of an election observation mission would be useful, feasible and advisable. The ExM is deployed once a formal invitation to observe is extended, or when an invitation is anticipated and there is a clear commitment from the authorities to facilitate the work of the ExM. Questions considered by the ExM include:

<b>Useful?</b>	<ul style="list-style-type: none"> <li>- Would the presence of an EU EOM be a constructive contribution to the electoral process?</li> <li>- Would the presence of an EU EOM contribute to stakeholder confidence in the electoral process and democratic institutions?</li> <li>- Would the presence of an EU EOM contribute to deterring fraud and the potential for election-related violence?</li> <li>- Would the presence of an EU EOM support the role of civil society in the electoral process?</li> <li>- Is there interest and support from election stakeholders, including the host authorities, political parties and civil society in the deployment of an EU EOM?</li> <li>- Is it likely that stakeholders will constructively consider the EU EOM final report and its recommendations?</li> </ul>
<b>Advisable?</b>	<ul style="list-style-type: none"> <li>- Does a preliminary assessment indicate the possibility of a credible, inclusive and transparent election process?</li> <li>- Do minimum conditions for effective and meaningful election observation exist (see below: 5.1.3 Minimum conditions for effective and meaningful election observation)?</li> <li>- Would the deployment of an EU EOM be consistent with the broader political objectives of the EU vis-à-vis the partner country?</li> <li>- Do the EU Member States support the deployment of an EU EOM?</li> </ul>
<b>Feasible?</b>	<ul style="list-style-type: none"> <li>- Is it likely that, following a formal invitation to observe, the host country's authorities will sign an Administrative Arrangement with the EU Delegation before deployment?</li> <li>- Can suitable logistical arrangements be made to enable an EU EOM to conduct credible election observation?</li> <li>- Do security conditions provide for the safe deployment of EU observers? Can acceptable security mitigation measures be put in place?</li> </ul>

The ExM is normally conducted between six and four months in advance of the scheduled election date and usually lasts around 2 weeks. It is usually composed of three EU officers: two EEAS staff (a member of the election team who leads the mission and the geographical desk), one FPI staff member (project manager of the mission in charge of security, logistics and budgetary aspects); and three or four external experts in elections, security and logistics.

In order to gather information and identify key issues that may affect the election process, members of the ExM meet with a wide range of interlocutors, including the state and electoral authorities, election stakeholders (political actors, civil society, media) and representatives of EU Member States

and the international community. The assessment of the election framework and political environment by the ExM follows the areas of assessment detailed in Section Four.

As part of its mandate, the ExM also meets with relevant interlocutors (including government agencies, security advisers, health specialists, international organisations and communication and transport providers) to identify whether there are suitable logistical and security conditions for the deployment of an EU EOM. In addition, the exploratory mission prepares an indicative budget and terms of reference for the prospective EU EOM.

The EU Delegation plays a crucial role. Ahead of the ExM, it informs the authorities of the host country about the arrival of the ExM, prepares the ExM's agenda of meetings in coordination with the EEAS and FPI, and whenever possible it attends the meetings of the ExM with national stakeholders.

The ExM reports its findings to the HR/VP and makes a recommendation as to whether the deployment of an EU EOM would be useful, advisable and feasible. The executive summary of the ExM's findings, which are not public, provides an assessment of the election framework and environment, and considers preparations that have been undertaken to date. It highlights any issues that would deserve particular attention by the prospective EU EOM and outlines the scope and scale of a prospective mission, including the size of the core team, number of observers, deployment timing and logistical requirements. The executive summary also includes an assessment of whether minimum conditions for credible election observation are present as well as initial political and security risk assessments. In cases where conditions do not allow the deployment of EU observers in the field, the ExM may also recommend the deployment of a different mission format than the EOM.

### *5.1.3 Minimum conditions for effective and meaningful election observation*

An EU EOM requires certain minimum conditions to allow it to undertake effective and meaningful election observation<sup>72</sup>. These conditions are generally contained in the Administrative Arrangement (AA) signed with the host country authorities. Conditions include:

- the host country's authorities have issued a written invitation sufficiently in advance of the election to allow an exploratory mission to take place and to make possible the deployment of an EU EOM;

<sup>72</sup> Council Decision 9262/98.

- EU observers will be guaranteed unimpeded access to all stages of the electoral process and will have full access to electoral information in a timely manner;
- EU observers will be guaranteed unimpeded access to all persons concerned with the electoral process, including:
  - electoral officials at all levels,
  - State officials, including security personnel, whose functions are relevant to the organisation of elections,
  - all political parties and individuals that have sought to compete in the elections (including those that were disqualified, withdrew or abstained),
  - civil society representatives,
  - media, and
  - any other organisations and individuals that have a role to play in the election process;
- EU observers will be guaranteed freedom of movement around the country (aside from areas eventually designated as ‘no go’ for security reasons);
- EU observers and EU EOM national staff will be provided with accreditation in a timely manner;
- the host authorities will not interfere in EU decisions relating to the size of the EU EOM, selection of EU observers and national staff, or timeframe of deployment;
- government, security or electoral authorities will not interfere in the activities of the EU EOM;
- there are guarantees that the host country will facilitate the import and customs clearance procedures for observer equipment in a timely manner;
- the security situation is sufficiently stable for EU observers to be deployed and, if required, acceptable security arrangements can be put in place by the state and regional authorities; and
- the EU EOM will be guaranteed the freedom to issue, without interference, its public statements and reports on its assessment of the election process.

The absence of any of these conditions may lead to an EU EOM not being deployed. An EU EOM also can be withdrawn after deployment if problems with these conditions arise.

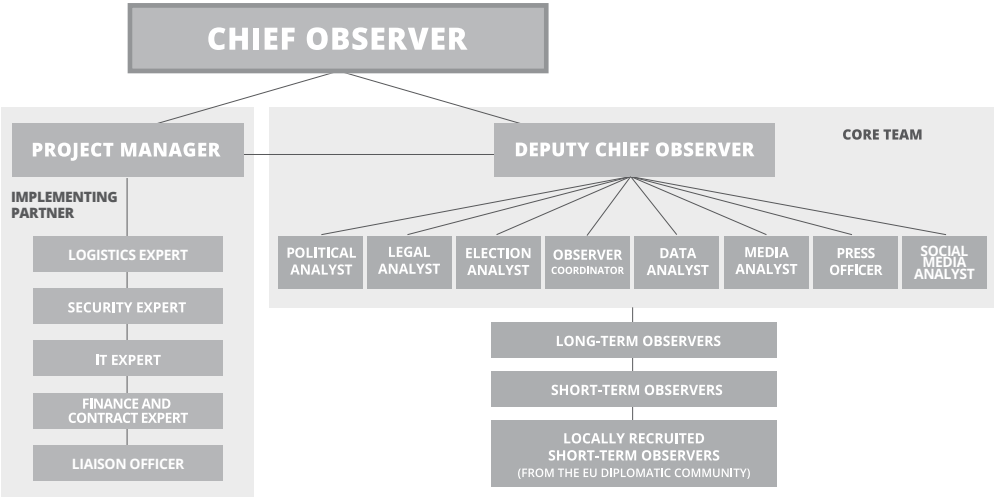
5.2 Mission formats

While the main mission format that the EU deploys is the full-scale EOM (Election Observation Mission), it also may deploy the smaller Election Assessment Team (EAT) and the Election Expert Mission (EEM).

5.2.1 Structure of an EU EOM

The structure and size of an EU EOM is based on the recommendation of the exploratory mission, which proposes an appropriate number of core team, long-term observer and short-term observer positions (including locally recruited STOs – LSTOs), in relation to the geographical size of the country, technical complexity of the election process, security and logistical conditions and established criteria for determining field deployment.

EU EOMs generally include the following:



In some cases, the core team may include additional thematic experts, and in larger missions, the core team and implementing partner may be strengthened by deputies.

5.2.2 Election Expert Missions

In cases when an EU EOM is not foreseen or feasible, but it is deemed useful to closely follow an election process, the EU may decide to deploy an Election Expert Mission (EEM). An EEM can also be deployed when an ExM has recommended not to send an EU EOM or there is no time to deploy one sufficiently ahead of election day. The deployment of an EEM usually



follows an invitation by the host country but does not require the signing of an Administrative Arrangement with the host country. The EU Delegation informs the host country through established diplomatic procedures (normally a Note Verbale) about the deployment and composition of the EU EEM.

An EEM usually consists of two to four experts including an electoral/political analyst, a legal/human rights analyst and a media/social media analyst. The EEM is normally deployed several weeks prior to an election and meets with a broad range of election stakeholders, using the same basis for assessment of the election process detailed in Section Four. However, an EEM does not conduct systematic election day observation, nor does it present a preliminary statement or make public statements. EEMs produce a final report that is shared with the authorities of the country and may be made public if there is agreement from the national authorities.

Key methodological differences between EU EOMs and EEMs exist, including: the scale and scope of the missions, the reduced ability of EEMs to verify information, the lack of presence at subnational level outside of the capital, the decreased focus on election day due to the absence of short-term observers and the EEM's low visibility.

### *5.2.3 Election Assessment Teams*

In specific cases where certain conditions for observation, such as those related to security, prevent the deployment of observers throughout the country but the election is still considered a priority, the EU has occasionally deployed an Election Assessment Team (EAT). An EAT usually consists of a full core team of experts based in the capital but does not include LTOs or STOs and does not conduct standard election day observation. An EAT may nevertheless deploy a limited number of regional analysts, if conditions allow, to follow the process outside of the capital. The work of an EAT is also supported by an implementing partner (IP) team on the ground. An EAT may be headed in some cases by a Chief Observer (CO) from the European Parliament.



## 5.3 Planning and preparation for an Election Observation Mission

### 5.3.1 Administrative Arrangement

Following a decision to deploy an EU EOM, the EU Delegation in country on behalf of the EU seeks to sign the Administrative Arrangement with the government and electoral authorities of the host country (see 3.6 *Cooperation with the host country*). The document sets out the role and responsibilities of the EU EOM and EU observers and the corresponding role and responsibilities of the host country authorities. An EU EOM will not be deployed unless the AA is signed.

### 5.3.2 Terms of reference

Based on the findings of the exploratory mission, FPI prepares a set of terms of reference that provide the basis for the structure of the EU EOM:

- Terms of reference for the Deputy Chief Observer (DCO), core team members and for observers – in coordination with the EEAS; and
- Terms of reference for the implementing partner detailing the timeframe of the mission, provisional deployment plans, the composition and tasks of the EU EOM core team, the number of observers and the budget. A selection process for an implementing partner is launched and the contracted IP provides the administrative, logistical and security services that are required to ensure the implementation of the EU EOM. For details on the IP terms of reference, see 5.4.1 *The role of the implementing partner*.

### 5.3.3 Appointment of a Chief Observer

After consulting the European Parliament, the HR/ VP appoints a Chief Observer to lead the EU EOM. The CO is a Member of the European Parliament. Before, during and after the mission, there is regular communication between the HR/ VP and his/her services, and the CO.

### 5.3.4 DCO and core team selection

Candidates for DCO and core team positions apply directly to FPI after publication of the terms of reference and calls for candidates on the dedicated website<sup>73</sup>. In order to be considered for selection for an EU EOM, candidates must be registered in the EU Election Observer Roster<sup>74</sup>.

<sup>73</sup> See [https://fpi.ec.europa.eu/announcements/jobs\\_en](https://fpi.ec.europa.eu/announcements/jobs_en).

<sup>74</sup> The roster is found at <https://webgate.ec.europa.eu/eom/roster/home>.

*All proposed candidates must comply with the EU EOMs' Code of Conduct and Ethical Guidelines, with no breaches of these documents in the past five years.*

The DCO is contracted as a Special Advisor directly by FPI. A selection committee composed of two members from FPI and one from EEAS pre-selects three candidates and proposes them to the FPI Director/Head of Service in ranked order. Following a consultation with the EEAS, the FPI Director/Head of Service decides upon the final appointment.

A selection committee composed of FPI and EEAS staff selects the core team experts<sup>75</sup>, taking into account general criteria defined in Council Decision 8728/99<sup>76</sup>. All EU EOM selection procedures should ensure, as much as possible, a gender and nationality balance. Efforts are also made to ensure a balance of experience levels, so that newcomers are also provided with opportunities.

### 5.3.5 Selection of observers

For short and long-term observers, a call for observers and terms of reference are sent to the focal points for election observation in the EU Member States and partner countries (Canada, Norway and Switzerland). These focal points are responsible for the pre-selection of their national candidates. The established shortlist is provided to FPI, which organises a selection committee composed of FPI and EEAS staff which makes the final selection ensuring, as much as possible, a gender and nationality balance. Efforts are also made to ensure a balance of experience levels, so that newcomers are also provided with opportunities.

*All proposed candidates must comply with the EU EOMs' Code of Conduct and Ethical Guidelines, with no breaches of these documents in the past five years.*

### 5.3.6 Common criteria for EU observer and core team member selection

Observers participating in EU EOMs are expected to fulfil the following criteria<sup>77</sup>:

- previous experience as an election observer and/or relevant experience or specific training (at national or international level);
- professional capacity in mission working languages (English, French, Portuguese or Spanish);

<sup>75</sup> The core team members are treated as experts defined in Art. 204 of the Financial Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012).

<sup>76</sup> Council Decision 8728/99 – PESC 165 – COHOM 4, 28.5.1999.

<sup>77</sup> Ibid.

- interpersonal skills (capacity for balanced judgement, ability to work in teams, ability to cope with difficult situations, respect for local attitudes and customs, good communication skills, readiness to work in a multicultural environment);
- ability to maintain professional independence and strict impartiality in the conduct of duties in the host country;
- ability to work with computers, internet and technical equipment (including satellite phones, radios, etc.);
- good physical condition;
- commitment to the support of democratic governance and human rights;
- EU Member State or partner country (Norway, Switzerland and Canada) citizenship (note: core team members must have EU Member State citizenship).

The following additional criteria are taken into account when selecting LTOs and core team members:

- familiarity and experience with electoral laws and procedures (including experience with administrative and legislative procedures for elections), preferably in different electoral traditions;
- knowledge of human rights and democratisation issues;
- basic knowledge of EU institutions;
- analytical and drafting skills;
- participation in and successful completion of training courses;
- appraisal(s) from previous missions and training courses included on the roster;
- experience of training, coordination and people management where relevant for management positions.

Specific requirements for a particular EU EOM may include:

- knowledge of the host country or region and/or the political situation;
- experience of challenging working and living conditions;
- previous security training and experience of difficult security environments.

The working language of an EU EOM is decided by the exploratory mission, and may be English, French, Portuguese or Spanish, depending on the particular circumstances of the country where elections are observed. All mem-

bers of the EU EOM will need to be able to communicate professionally (level C1)<sup>78</sup> in the working language of the mission. Core team members will also need to be fluent in English and/or French as these are the languages in which EU EOM reports are issued.

### *5.3.7 Criteria for the deployment of observers*

Five main criteria are used to determine the locations for the field deployment of LTOs and STOs:

- Balanced geographical coverage: observer teams are deployed in a way that provides a balanced coverage of the country given the number of teams being deployed.
- Population centres: major urban and administrative centres of the country are covered. There is also a balance between urban and rural areas.
- Areas of specific relevance: this may include post-conflict, minority and internally displaced persons areas or other political hot spots.
- Logistical restrictions: observer teams may not be deployed to certain regions if there are logistical problems, such as poor transport and communication infrastructure or unsuitable accommodation.
- Security restrictions: observer teams are not deployed to areas where there are significant security risks or where security risks cannot be reasonably managed.

## **5.4 Deploying an EU Election Observation Mission**

### *5.4.1 The role of the implementing partner*

Logistical, security and administrative support for an EU EOM (or EAT) is provided by an implementing partner. This role can be assigned to a non-governmental organisation, a private company or an international agency that manages operational aspects of the mission on request of FPI and is responsible for the administrative, operational, security and financial implementation of an EU EOM. The IPs are contracted through a framework contract managed by FPI.

The role of the IP is critical, especially given the tight timetable of an EU EOM. In the host country, it is represented by a project manager, logistics expert, security expert, IT expert, finance expert and other support staff depending on

<sup>78</sup> Level C1 according to the Council of Europe languages levels available at <https://www.coe.int/en/web/common-european-framework-reference-languages/table-1-cefr-3.3-common-reference-levels-global-scale>.

the needs of the mission. The IP is also responsible for ensuring the security of all mission members, notably by carrying out a security assessment, devising a security plan and sending daily instructions to mission members.

The implementing partner does not have any public profile and visibility in the host country and does not interfere with decision-making issues related to the assessment of and statements about the election process. When logistical, administrative and security decisions have a political dimension or impact, they are taken after duly consulting the CO (or in his/her absence the DCO) and FPI and the EEAS.

#### *5.4.2 Mission opening, start-up and closure*

After an initial briefing with the EEAS and FPI, the IP typically arrives in-country 10 days ahead of the arrival of the core team to arrange suitable office space for the EU EOM headquarters, allowing the work of the EU EOM to start immediately. The IP also identifies possible accommodation and local transport for the core team and arranges accreditation for all EU observers with the relevant bodies.

The IP is also in charge of identifying CVs of suitable national support staff. The number of positions for national staff is identified in the terms of reference, based on the recommendation of the exploratory mission. Their contracts include a clause on confidentiality and absence of conflicts of interest.

After a briefing by the EEAS, FPI and the EU Delegation, core team members are deployed. Upon arrival, they hold introductory meetings with EU Member States, host country officials and the EU Delegation. A press release is distributed to announce the opening of the EU EOM. The core team begins to meet with key interlocutors and prepares the briefing for LTOs, who typically arrive two weeks later. The CO also normally makes her/his first visit to the EOM, often to coincide with the deployment of LTOs.

LTOs attend a briefing by the core team and IP experts after their arrival and are then immediately deployed in teams of two to their areas of responsibility (AoR). LTOs conduct observation of the pre-election environment and make preparations for the arrival of STOs in their AoRs. STOs typically arrive in the host country five to seven days prior to election day. They are briefed in the capital by the core team and IP and are then deployed to regions in pairs. They are briefed by their LTO team about the situation in their region, familiarise themselves with the local circumstances, and observe voting, counting and tabulation on election day. Following election day ob-

servation, STOs attend a local debriefing with their LTOs on their findings and then return to the capital.

Usually two days after election day, the EU EOM releases its preliminary statement at a press conference. STOs are debriefed and sent back to their home countries. LTOs continue to observe post-election developments in their AoRs, including the tabulation of results and post-electoral complaints phase, then travel to the capital for a debriefing before returning to their home countries approximately ten days after election day.

The EU EOM usually closes some three weeks after election day, unless there is a delay, for example, in the publication of final results or in the resolution of complaints and appeals. Points of concern in the post-election period may result in some of the core team and a selection of LTOs remaining in-country for an extended period of time. Where a series of elections takes place over a short period of time (e.g. two rounds of an election), the EU EOM may remain in-country for the duration of the process.

Before closure of an EU EOM, the core team members undertake a series of farewell meetings with key interlocutors, where draft EOM recommendations are also discussed before being formalised in the EOM Final Report. A final debriefing is provided to EU Member States Heads of Mission. The DCO and the IP project manager are responsible for archiving of reports and other work produced by the EU EOM. Following their departure from host country, the IP and the core team debrief the relevant EU services.

The final report is usually issued within two months of the completion of the process and is released during a return visit to the host country of the CO, DCO, press officer and whenever possible other core team members (see below: *9.3 Return visit and release of the final report*).

### **5.4.3 Overview of EU EOM programming timetable**

The following table presents an indicative schedule of election observation activities from preparation to follow-up. The schedule is based on a single round election, but it is possible for the deployment period to be extended where there are more rounds, or if extended coverage is required by post-election developments such as electoral appeals. This timetable may need to be adjusted according to circumstances, for example, when elections are called at short notice.

Preparatory stage	
12-6 months prior to election day (E-Day)	- Finalisation of the priority list
6-4 months prior to E-Day	- Exploratory mission - Decision on deployment
2½ months prior to E-Day	- Chief Observer appointed - Implementing partner contracted - Selection and recruitment of mission members - Observers selected - Administrative Arrangement signed
Deployment stage	
8-6 weeks prior to E-Day	- Announcement of EU EOM deployment by the HR/VP - Deployment of the implementing partner's team - Chief Observer and core team arrive in country - Opening press event
Deployment stage	
4 weeks prior to E-Day	- Long-term observers arrive - Observation of pre-election day environment
7-5 days prior to E-Day	- Short-term observers arrive
3 days prior to E-Day	- A European Parliament delegation may be integrated in the EU EOM
Election day	- Observation of voting, counting and tabulation
1-3 days after E-Day	- Preliminary statement issued - Observation of the post-election environment
2 days after E-Day	- EP delegation returns to Europe
3-5 days after E-Day	- Debriefing of short-term observers and return home
7-10 days after E-Day	- Debriefing of long-term observers and return home
2-4 weeks after E-Day (or the publication of final results, whichever is later)	- Core team departs - Closedown of the mission
After core team departure	- Debriefing of core team
Final report stage and follow-up	
Up to 2 months after completion of election process	- Final report is presented
3 months after conclusion of election process and onwards	- Follow-up activities

#### 5.4.4 *Appraisal of observers*

All EU observers are appraised at the end of their work with the EU EOM, using criteria established by FPI. The appraisal system is intended to check the performance of observers and to keep a record of their professional performance and individual behaviour during an EU EOM in order to further facilitate and improve the selection process conducted by Member States and FPI. It should identify recommended observers, those who need more skills development, as well as those who are inappropriate for such mission work. Appraisals also provide feedback to observers and enable FPI to plan skills development activities through its EODS project. Criteria considered include:

- knowledge and understanding of elections and the role of an EU EOM;
- ability to collect and analyse information;
- ability to write and communicate clearly and in the mission working language(s);
- ability to work in a team, follow instructions and behave in an appropriate manner.

Evaluation modalities are specific to each observer category (STO, LTO and core team).

#### *Core team appraisal*

The DCO provides a record of performance of the core team members in collaboration with the CO.

#### *LTO and STO appraisal*

The DCO and the observer coordinator oversee the appraisal of LTOs and STOs:

- LTO performance is appraised by the observer coordinator in consultation with all members of the core team and the IP. The appraisal process is based on criteria established by FPI.
- STO performance is appraised by the observer coordinator, in consultation with the designated LTO team. The appraisal process is based on criteria established by FPI, which are provided to STOs and LTOs by the core team. In addition, STOs are provided with an opportunity to evaluate the role of their LTO team.
- All observers have the possibility to appeal against their evaluation<sup>79</sup> and are given the opportunity to evaluate all aspects of the mission, including core team and IP performance.

<sup>79</sup> The detailed provisions on evaluation can be found in the 'Guidelines for EU EOM Observers Evaluation' published on the EOMs website: [https://www.ecas.europa.eu/ecas/eu-election-observation-missions-1\\_en](https://www.ecas.europa.eu/ecas/eu-election-observation-missions-1_en).



## 5.5 Mission security

The paramount concern for all EU Election Observation Missions is the security of its members. Election observation often takes place in countries where EOM members may face significant threats. These threats can arise from various sources, including cross-border or interstate armed conflicts, terrorism, criminal activities, road, air, and water transport conditions, natural disasters, man-made hazards, diseases, and limited access to suitable healthcare facilities. Additionally, threats can emerge such as electoral violence and the actions of groups opposed to the elections that may impede observation activities.

FPI bears the duty of care for EU EOMs. The capacity to uphold this duty of care is a crucial element in the HR/VP's decision-making regarding the deployment of an EU EOM. FPI contracts the implementing partner, which assumes responsibility for the security and safety of the mission. This responsibility encompasses the execution of the Security Risk Management methodology for EU EOMs. Further, it includes ensuring that vehicles are in good technical condition, that drivers are properly trained and briefed, and that comprehensive standard operating procedures and contingency plans are in place.

Furthermore, the IP is tasked with liaising with relevant security stakeholders in the host country. Those include the Regional Security Officer/Adviser of the EU Delegation in the host country, security services of the host country, security officers in embassies of EU Member States and like-minded countries, the UN presence in the country, in particular the UN Department of Safety and Security (UNDSS), NGOs, and other relevant sources of information.

Although the IP takes all necessary precautions to ensure the security and safety of all EU EOM members, each individual member, and in particular the observers deployed across the country, share the responsibility for their personal security and safety, and those of their colleagues. Each observer needs to behave in a way that minimises exposure to security threats, remain vigilant at all times, and follow the instructions of the IP.

### 5.5.1 Risk assessment

FPI has developed a comprehensive Security Risk Management (SRM) methodology, which each IP executes during missions. This SRM methodology covers both the ExM and the EU EOM, dividing the SRM process between the two.

The initial threat assessment is conducted during the ExM. This assessment includes identifying potential threats, evaluating their impact, and suggesting appropriate mitigation measures.

Building on this threat assessment, the risk management is implemented by the EU EOM IP. The SRM process includes a thorough review of the ExM's threat assessment, scenario building, vulnerability assessment, assessment of the initial risk, advising FPI on the decision on the security risk strategy, implementation of mitigation measures, and evaluation of the residual risk level.

The EU EOM security expert manages the SRM and oversees day-to-day security operations, providing daily and weekly reports to FPI. The security expert also advises FPI, the ultimate decision-making authority on security-related issues, particularly during security incidents or when the assessed risk level surpasses the threshold specified in the SRM methodology.

The SRM is an iterative process that requires constant revision and adaptation in response to evolving on-ground situations throughout the EU EOM. Observers and other EU EOM members are required to provide security-related information to the security expert and to report any developments or events that may affect the mission's security or safety.

### *5.5.2 Security planning and procedures*

Based on the SRM process, the security expert of the IP develops the Mission Security Plan (MSP). This plan outlines all security-related aspects of the mission and defines roles and responsibilities. The MSP includes daily communication routines, communication plans, guarding plans, accommodation security and safety assessment procedures, movement protocols for EU EOM members, standard operating procedures (SOPs), and contingency plans for the security scenarios identified in the SRM process. Additionally, the MSP delineates the reporting chain for security incidents, which follows instructions provided by FPI.

The security framework for the EU EOM includes a Security Operations Centre with a 24/7 presence, a warden system, and daily and weekly security briefings for all EU EOM members, including observers and FPI.

Observers are responsible for implementing the security and safety provisions and procedures as directed by the security expert within their AoR. Maintaining regular communication about the security situation, planned and completed movements, and any information impacting the observer team's security and safety is crucial. To ensure effective execution of these protocols, observers undergo comprehensive training on SOPs, security pro-

cedures, and communication upon arrival in the host country and prior to deployment to their specific AoRs. In regions with heightened threat levels, this preparation may include specialised security awareness training.

Before their arrival in the host country, the IP ensures that EU observers are informed about pertinent medical considerations, including recommended vaccinations and other pre-emptive health measures. The IP also arranges for medical insurance, medical evacuation, and casualty evacuation to address any potential emergencies.

All observers are equipped with security tools foreseen in security mitigation measures, such as individual first aid kits and satellite communication devices (e.g., satellite phones, BGANs, vehicle tracking systems, personal tracking systems). Observers are thoroughly briefed and trained on the use of this equipment before their deployment to their respective AoR.

Movement of EU EOM members is carefully managed according to the assessed risk levels in the host country. This includes registering all planned movements with the Security Operations Centre, conducting regular check-ins and check-outs, and utilising vehicle and personal tracking systems as required by the security situation.

In areas where risk levels are elevated, additional security measures may be implemented, such as deploying armoured vehicles, providing armed escorts, or establishing geo-fencing around certain parts of the observers' AoR. Any restrictions on EU EOM coverage due to security concerns are transparently communicated in mission statements and reports.

When an incident occurs in-country, FPI, in close collaboration with key stakeholders – including the CO and EEAS – makes the final decisions on how to handle the operational aspects.

Should the threat to observers escalate, FPI, upon the security expert's recommendation and after consultation with the CO, DCO and EEAS, may decide to withdraw observers to a safer location, such as a provincial or national capital, or to initiate a full evacuation of the EU EOM from the country.

### *5.5.3 Security responsibilities*

FPI bears the responsibility for implementing and managing the security-related and operational aspects of the EU EOM. This includes holding the ultimate decision-making authority over all security-related issues and the management of security incidents. In making these decisions, FPI consults with the CO, DCO and EEAS.

On the ground, this responsibility is executed through the contracted IP. The security expert, alongside other IP members, provides advice to FPI regarding the best course of action during the mission's setup and in response to any security incidents that may arise.

The security expert is specifically charged with ensuring that the mission's security, safety, and cybersecurity are fully integrated into the logistical and operational planning and execution of the EU EOM.

In day-to-day operations, the security expert advises the CO and DCO on all security-related matters. The CO, and in their absence, the DCO, contributes their assessment of how any proposed security measures might impact the mission's methodology for observation.

Maintaining close and regular communication between the IP and the CO, DCO, other core team members and FPI is crucial to the mission's success. Similarly, it is essential that core team members keep the security expert informed of any information or planned events (e.g., interviews, press statements, press conferences) that could impact the mission's security.

As outlined in the Code of Conduct for EU Observers, it is the duty of all observers and other EU EOM members to adhere to the security instructions, procedures, and guidelines provided by the security expert. These measures are in place to mitigate security risks for each observer and all mission members. Personal security requires common sense and precautionary behaviour. EU EOM members are expected to conduct themselves in an appropriate and discreet manner at all times, including during non-working hours.

## 5.6 Relations with external actors

### 5.6.1 *Relations with the host country*

The EU EOM establishes working relations with the state authorities of the host country. Upon arrival, the CO holds introductory meetings with the Ministry of Foreign Affairs and the EMB, bodies with which the EU has agreed an Administrative Arrangement. At these meetings, the CO (or DCO) introduces the mandate and role of the EU EOM and establishes points of contact at working level. Introductory meetings may also be held with the head of state, the head of government, other representatives of the state authorities and the speaker of parliament. Further introductory meetings are held with the main political parties, with key candidates and other election stakeholders. All introductory meetings are organised in advance of

the arrival of the EU EOM by the EU Delegation, in consultation with the EEAS Democracy and Electoral Observation Division.

The EU EOM meets regularly with the EMB and other interlocutors, such as political parties, candidates, the judiciary, civil society and the media. In addition, further meetings are held with state authorities to discuss issues relating to the assessment and operational work of the mission. These meetings, coordinated by the DCO, may include:

- Ministry of Foreign Affairs to ensure relevant accreditation and visa arrangements are made for EU observers and possible customs clearance procedures for EOM material, as well as to obtain information on issues such as out-of-country voting;
- Ministry of Justice to obtain information on the legislative framework, complaints and appeals processes, registration of political parties and other legislative issues;
- Ministry of Interior and policing bodies to exchange security information relevant to ensuring the safety of EU observers. Additionally, information is gathered on the structure of the security forces and their role during the election process, as well as arrangements for voting in prisons and by security personnel, and on the voter register (in countries where the Ministry of Interior is the competent body);
- Ministry of Defence to obtain information on voting by members of the armed forces;
- Ombudsman and/or National Human Rights Commission to obtain information on issues such as freedom of movement, expression, association and assembly, as well as participation of women and minorities;
- State media supervisory bodies to assess activities relating to media and social media regulation, monitoring and enforcement;
- Other State agencies relevant to the electoral process (i.e.: National Statistics Office, department responsible for issuing identity cards, etc) or external stakeholders like social media platform representatives in country, UN or other international organisation representatives.

### ***5.6.2 Coordination with the EU Delegation and resident diplomatic representatives***

The CO and DCO meet frequently with the Head of the EU Delegation and other EU Heads of Mission. The CO, and in his/her absence the DCO, provides regular diplomatic briefings to EU Heads of Mission at the initiative of

the EU Delegation, outlining EOM methodology, activities and developing assessment. Such meetings provide an opportunity for the EU EOM and the other EU structures present in country to have close dialogue on the electoral process and to share relevant information. However, at all times the EU EOM retains political independence in its findings and conclusions. These briefings also enable the EU EOM to inform EU Member State embassies of procedures for the potential participation of a limited number of diplomatic staff as locally-recruited STOs. The CO and DCO also meet with diplomatic representatives of non-EU countries and international organisations.

### 5.6.3 *Coordination with other international observer delegations*

The 2000 European Commission Communication on Election Assistance and Observation and the 2005 *Declaration of Principles for International Election Observation* commit EU EOMs to cooperate and coordinate with other international observer groups. Such an approach can help find common positions on the electoral process and maximise the contribution of international election observation to the host country. Cooperation can include the sharing of information on the election process, observation findings, and security, and the holding of joint meetings with interlocutors.

The EU EOM ensures that such cooperation does not compromise its independence and bases its conclusions on the findings of its own observers. In light of this, joint statements should in principle not be sought, but joint press releases aimed at preventing post-election violence or other serious concerns have on occasion been issued. Relations with other international observer groups are coordinated by the DCO and may involve other members of the core team.

## 5.7 *Mission visibility*

An important task of the EU EOM is to raise awareness and understanding of its mandate and purpose as well as the EU's wider work in support of democracy, the rule of law and human rights. Every EU EOM develops an approach to public outreach to build and sustain a positive reputation in-country and internationally and to manage expectations about its role in the electoral process. In doing so, it takes steps to:

- encourage a positive attitude towards democratic processes;
- promote understanding of the important and constructive role that can be played by election observers, both national and international;

- explain the EU EOM's mandate, referring to the principles of impartiality and non-interference, as well as the duration and composition of the mission;
- provide information on EU election observation methodology;
- ensure that any public statements on the conduct of the electoral process are widely distributed to media outlets and other interested parties; and
- maximise visibility and transparency of the mission's work in-country and internationally.

### 5.7.1 *Media relations*

The work of EU observers often attracts considerable national and international attention. The EU EOM media strategy should respond to this with a view to maximising the positive impact of the mission. The CO acts as the principal spokesperson of the EU EOM and works closely with the DCO and the press officer in developing media relations. Only the CO and DCO are mandated to speak about the conduct of the electoral process. Other EU EOM members may only speak about the mandate, structure and activities of the mission (see 5.7.3 *Interacting with the media in the field*). During an EOM both the CO and the DCO conduct a series of public diplomacy activities by actively engaging with local and international media.

#### *Opening press release and press conference*

The HR/VP issues a press release announcing the deployment of the EU EOM and the appointment of the CO. Subsequently, upon arrival, the EU EOM issues a press release to announce its formal opening, explaining that the mission has been invited by the host country authorities to observe the electoral process and emphasising in particular the independence of the EU EOM from EU institutions and its separate mandate from the EU Delegation and embassies of EU Member States. It provides information on the composition and duration of the EU EOM as well as the mission's contact details.

The EU EOM press release is issued at a press event, which announces the formal opening of the EU EOM. A press advisory notice to inform the resident media of the timing and location of the event is issued by the EU EOM. This normally takes place shortly after the arrival in country of the CO (preferably at the moment of the deployment of LTOs to the field) and is organised after the mission has held introductory courtesy meetings with key electoral actors. Before answering questions, the CO outlines the information contained in the opening press release and explains the EU EOM's



role and mandate, underlying in particular the principles of independence, impartiality and non-interference in the electoral process.

### *Media interviews, briefings and events*

Throughout the duration of the EU EOM, there are further opportunities for media coverage. The CO is encouraged to give interviews and to hold media briefings with journalists. The EU EOM also issues additional press releases related to mission activities. The EU EOM invites journalists to cover mission events, including deployment of LTOs and STOs, CO activities, field trips and visits to polling stations on election day. However, the EU EOM will not give any comments on its assessment of the electoral process before issuing its preliminary statement two days after election day.

Where press releases are issued in relation to electoral events that may be politically sensitive (for example, if violence occurs during a campaign), care is taken to ensure that such statements are impartial, responsible and constructive in tone.

### *Post-election press conference announcing the preliminary statement*

A key event for the EU EOM is the release of its preliminary statement shortly after election day (see 8.3 *Preliminary statement*). In deciding when to release its preliminary statement, the EU EOM should balance the expectation and interest in a prompt assessment with the need for time to produce an accurate and comprehensive analysis of its preliminary findings. Therefore, the press conference normally takes place within 48 hours from the close of the polls, as the EU EOM needs time to gather and analyse field reports on the conduct of election day from its LTOs and STOs.

At the press conference, the CO delivers a summary of the preliminary statement, outlining the key findings and conclusions of the EU EOM on the conduct of the election process, and then answers questions. The CO highlights that the EU EOM statement is issued at a time when the last phases of the election process are yet to be completed and that it is continuing to observe and will provide a comprehensive independent and impartial assessment of the electoral process as well as recommendations to improve the electoral framework in its final report, issued within two months of the completion of the electoral process. This last part is a crucial element especially in elections where controversy arises over the tabulation of results and resolution of election day complaints, which are not covered by the preliminary statement.

Where an EP delegation is part of the EOM, the head of the EP delegation also speaks at the press conference after the CO. When necessary, the EU



EOM ensures that professional interpretation is provided at the press conference. The mission also issues a press release to accompany the preliminary statement. This is consistent in content and tone to the preliminary statement and includes quotes from the CO and the head of the EP delegation. Statements may also be issued by the HR/ VP or his/her spokesperson and the President of the European Council in the post-election day period.

### *Press events for the release of the final report*

The final report is usually issued within two months of the completion of the entire election process. It is normally released at a press conference organised by the EU EOM during the return visit (see 9.3 *Return visit and release of the final report*). The release of the final report takes place shortly after it has been presented to the state and electoral authorities. The report is also shared with EU Member States, the European Parliament, EU Heads of Mission and other representatives of the international community. A press conference is organised by the EU EOM press officer, at which the CO presents the key conclusions of the final report and its recommendations.

### *5.7.2 Public outreach activities*

In addition to direct relations with the media, the EU EOM should develop a public outreach strategy that seeks to engage and build relations with electoral stakeholders and to broaden their awareness of the role and mandate of election observation. This may include utilising various channels such as local radio and TV interviews, the EU EOM website, social media features and roundtable discussions with civil society.

### *EU EOM fact sheet*

Upon arrival, the EU EOM will prepare a mission fact sheet, providing information on its mandate, role and activities, and background information on the EU. The fact sheet is professionally produced and translated into all relevant languages. Copies are then distributed widely through meetings with interlocutors and other public outreach activities and posted on the EU EOM website and social media outreach accounts.

### *EU EOM website*

An essential element for public outreach is the EU EOM website, which provides information on the mission's composition, activities and contact details. It also contains information on the EU and its observation policy and documentation related to EU observation methodology (including this

handbook and the accompanying *Compendium of International Standards for Elections*). The *Declaration of Principles for International Election Observation* is also included on the mission website. In addition, the website contains all EU EOM press releases, public reports, and other election-related information. The website also functions as the archive for all products for public consumption, including stories, videos and news features produced by the EU EOM during the deployment period.

### *EU EOM social media*

EU EOMs open social media accounts on relevant platforms to publicise their activities, including on the specific roles of the core team members and LTOs. All mission outreach activities are posted on the EU EOM social media to ensure visibility and promote better knowledge of the role of EU observers. These accounts are used also to raise awareness on EU EOM methodology and, if needed, to debunk fake news about the EU EOM.

### *Increased focus on visibility*

In recent years, renewed efforts have been made to reinforce the visibility of EU EOMs by maximising the use of multimedia and web-based platforms, including social media. Such efforts entail consistently feeding the EU EOM social media pages and website during the period of the mission. These audio-visuals are mostly focused on the observers' work in the field, EU EOM media events, and other features profiling the different core team members' tasks, as well as activities such as traditional media and social media monitoring operations.

EU EOMs are required to produce audiovisual material compliant with the EU Data Protection Regulation (EU DPR), so it can be used within the EU communications network. That implies obtaining consent from the person(s) concerned before photos or videos are taken, preferably in an explicit written format.

Observers are comprehensively briefed by the EU EOM press officer on EU DPR requirements as they may be asked to collect images from their area of responsibility to feed the EU EOM online platforms.

Mission members should avoid collecting and sharing images (videos and photos) or any personal comments on the electoral process on their private social media accounts, which may not be compliant with the EU DPR rules, as they are responsible for any consequences that may result from the misuse of third parties' personal data. They are, instead, encouraged to share only the EU EOM's published posts.

### 5.7.3 *Interacting with the media in the field*

Occasions when EU observers are asked by the media for interviews on their work provide important opportunities for transparency and public outreach on the work of the EU EOM. In order to ensure that an accurate and consistent message is given, the EU EOM press officer provides EU observers with guidelines on interacting with the media. Such guidance equally applies to the use of social media.

In principle any requests for interviews should be referred to the press officer. However, in circumstances where EU observers are directly approached by journalists, in particular during election day observation, they may share the following with media:

- the role and mandate of the EU EOM;
- the long-term and countrywide coverage of the EU EOM and the number of EU observers;
- the commitment of the EU EOM to impartiality and non-interference;
- the background and experience of the members of the observer team.

They should further inform the media that:

- the preliminary findings of the EU EOM will be issued in a statement at a press conference that all media outlets can attend;
- the EU EOM will publish a comprehensive final report within two months of the completion of the election process; and
- the CO and DCO may be contacted for further details via the EU EOM press officer.

EU observers should not:

- under any circumstances offer any kind of assessment of the electoral process or any aspect of it, even if the assessment is characterised as a preliminary or personal view;
- express their personal opinion on any aspect of the electoral process;
- speculate on any aspect of the electoral process, such as the conduct of election day or the results;
- compare the electoral process of the country being observed with any other elections, including their own country, or other countries where they may have observed.



## 6.1 The EU EOM at central level

### 6.1.1 Chief Observer

The EU EOM is led by a Chief Observer (CO), a Member of the European Parliament (MEP) appointed by the HR/ VP. The CO has overall responsibility for the EU EOM. S/he works in close cooperation with the EEAS, FPI and other EU institutions. The CO adheres to guidelines provided by the EEAS and FPI, which requires that s/he:

- ensures that the EU EOM abides by the Declaration of Principles for International Election Observation, endorsed by the EU at the United Nations in October 2005, as well as administrative arrangements signed with the relevant authorities;
- ensures that the EU EOM carefully follows EU methodology and good practices in election observation outlined in this handbook and the accompanying guidelines;
- abides by the Code of Conduct for EU Observers, its Ethical Guidelines and the Code of Conduct for International Election Observers contained in the Declaration of Principles for International Election Observation, and ensures that core team members and observers are made fully aware of the need to abide by these documents;

- ensures that the EU EOM evaluates the conduct of the electoral process in accordance with international standards for democratic elections;
- ensures that the EU EOM's independence in findings and conclusions as well as political neutrality are maintained throughout the deployment of the mission;
- represents the EU EOM in contacts with a broad range of interlocutors, liaises regularly with other credible international observation missions and citizen observer groups, and keeps Member State embassies and the EU Delegation informed of the EU EOM's work, findings and conclusions;
- briefs and works closely with the delegation from the European Parliament (when applicable);
- maintains regular contact with the media in order to develop a high profile for the mission on both domestic and international levels;
- ensures that reporting by the EU EOM is of high quality, fully adhering to the guidelines and standard formats provided;
- ensures that all findings and conclusions of the EU EOM are based on carefully verified factual information gathered by the core team and observers;
- oversees the observer appraisal process and provides final evaluation of core team members in coordination with the DCO and provides the evaluation of the DCO;
- returns to the country to present the final report, containing detailed recommendations for the future, to election stakeholders and the wider public.

Given his/her duties as an MEP, the CO is unlikely to be able to be present for the entire duration of the mission. During a period of absence, the CO retains overall authority, but the DCO is designated with day-to-day management responsibility. The CO should aim to be present in the host country for key electoral and mission events, including the opening of the mission, the briefing and deployment of observers, and the election day period. In addition to leading the return visit to present the final report, the CO may also be asked to join a follow-up mission (see *9.4 EU Election Follow-up Missions*).

Regarding security procedures, while the duty of care remains with FPI and decisions regarding security are implemented by the IP, the CO should be consulted and made aware of any important decisions that affect the work of the EOM.



### 6.1.2 Core team members

All EU EOM core team members report to and work under the supervision of the CO and DCO. Specific descriptions of the role and responsibilities of core team members are provided in the EU EOM terms of reference. Prior to deployment, core team members attend a briefing with the EEAS and FPI. All core team members contribute to mission reports and briefings for EU observers. The following section provides a general description of their work.

The number of core team members and their areas of expertise is decided by the ExM in close consultation with the EEAS and FPI. Depending on the assessment made by the ExM, the number and areas of expertise of the core team members may vary. The standard core team composition includes the following positions:

#### *Deputy Chief Observer (DCO)*

In coordination with the CO, the DCO has management responsibility for the political, analytical, methodological work and for the coordination of the activities of all mission members, including the IP. The DCO advises the CO and deputises for the CO in his or her absence. In this context, the DCO is employed directly by the European Commission with a Special Advisor status. S/he is the main point of contact of the IP for operational and security aspects of the EU EOM and therefore should be duly informed and consulted of any decision in this matter. S/he is the focal point for communication with the EEAS, FPI, the resident international and diplomatic community, and national stakeholders. In addition, the DCO:

- ensures the EU EOM adheres to the administrative arrangements agreed with state and electoral authorities;
- ensures the consistent implementation of EU election observation methodology as outlined in this handbook in accordance with international standards for democratic elections;
- provides day to day guidance and instructions to all members of the core team;
- prepares interim reports, the preliminary statement and the final report based on core team contributions and in accordance with guidelines and templates provided by the EEAS and FPI, and ensures that reports are produced to the highest professional standards;
- establishes a mission timetable detailing key events, including reporting deadlines, as well as internal EU EOM procedures;

- coordinates preparation of observer briefings, materials and forms, and operational planning for observer deployment and election day coverage;
- facilitates the preparation of the briefing programme and deployment plan for the EP delegation joining the EU EOM;
- acts as a contact point for other international election observer groups, as well as for the European Parliament delegation and locally recruited EU observers;
- ensures the high visibility of the missions in close cooperation with the press officer and acts as principal spokesperson for the mission in the absence of the CO;
- oversees the observer appraisal process and provides final evaluation of core team members in coordination with the CO;
- maintains regular contact with the CO when s/he is not present in country;
- maintains close contact with the EEAS and FPI, informing them about electoral and political developments outside of reporting cycles;
- returns to the host country with the CO for the delivery of the final report and formulation of the Follow-up Plan, together with the EU Delegation.

### *Election analyst*

The election analyst is responsible for assessing the work of election management bodies (EMB) and governmental bodies in the preparation and conduct of the electoral process, including access to EMB information, voter registration, party and candidate registration, recruitment and training of election staff, measures taken to promote women's participation and inclusivity of marginalised groups, and the procedures for voting, counting and the tabulation of results. S/he is also responsible for assessing election technologies, where there is not a designated election technologies analyst (see below). S/he works in close cooperation with the DCO, the legal analyst and other members of the core team, and draws on analysis and reports from LTOs and STOs. The election analyst is the focal point for relations with the election management body, other relevant administrative agencies and citizen observer groups. The election analyst has lead responsibility for the preparation of election day observer report forms.

### *Legal analyst*

The legal analyst is responsible for assessing the compliance of the legal framework with international standards for democratic elections, the imple-

mentation and enforcement of national laws, and the implementation of complaints and appeals procedures. S/he identifies the universal and regional legal and political instruments that are relevant to the host country. S/he is responsible for ensuring that mission members are familiar with relevant international standards and that these are properly used by the EU EOM as the basis of its assessment, as well as for the EOM's recommendations. S/he should become fully conversant with relevant host country laws and ensure that all members of the core team and LTOs understand legal provisions relevant to their areas of assessment.

The legal analyst tracks election-related complaints and appeals, maintains a database of election-related complaints, attends court cases when necessary, and provides the CO with legal opinions on relevant issues. S/he ensures that the EU EOM has copies of all relevant legislation and regulations, liaises closely with the DCO, the election analyst and other members of the core team, and analyses the reports from LTOs and STOs. The legal analyst is the focal point for relations with the judiciary and other relevant legal stakeholders.

### *Political analyst*

The political analyst is responsible for assessing political developments and campaign activities related to the electoral process, including campaign finance. In conjunction with the media and the social media analysts, s/he follows the election campaign in the media and on social media platforms, including political advertising and the role of third-party campaigns. In addition, the political analyst provides the EU EOM with background on the political context and history of the host country. With input from the IP security expert, the political analyst tracks any incidents or reports of election-related violence. The political analyst is the focal point for relations with political parties, candidates and their campaign teams, as well as for civil society activity.

### *Media analyst*

The media analyst is responsible for assessing the role of the media in the electoral process, the legal framework for media coverage, the wider environment for media, and freedom of expression. In particular, the media analyst establishes a Media Monitoring Unit (MMU), to undertake quantitative and qualitative analysis of media coverage of the election. The MMU consists of national staff who are trained in media monitoring methodology. The media analyst assesses compliance of the media with national laws, tracks media-related complaints, and liaises closely with other core team members. S/he



liaises with long-term observers on regional media activity. In conjunction with the social media and political analysts, s/he monitors the online versions of traditional media outlets as well as online news sites. S/he produces media monitoring data for inclusion in mission reports. The media analyst is the focal point for relations with media regulatory bodies, media outlets and civil society organisations that represent journalists and carry out media monitoring. S/he works closely with the press officer, including by monitoring coverage of the EU EOM in the local media.

### *Social media analyst*

The social media analyst is responsible for assessing the online environment and content related to the electoral process and campaign, the legal framework for digital rights and freedom of expression online, and regulations governing the Internet and social media platforms. The social media analyst is also responsible for setting up a Social Media Monitoring Unit (SMMU) of several national staff, who monitor the online campaign and use of social media platforms by the candidates and other election stakeholders. The social media analyst is the focal point for civil society organisations active in the protection of digital rights, social media monitoring and fact-checking initiatives. S/he coordinates closely with the media and political analysts.

### *Press officer*

The press officer is responsible for developing strategies for maximising visibility of the EU EOM through media coverage and public outreach. The press officer establishes and maintains contact with the national and international media, and develops a media contacts database. S/he organises all press events, identifies events of media interest, and prepares and distributes EU EOM press releases in consultation with the Chief Observer, DCO and EEAS. S/he is responsible for preparing content for the EU EOM website and social media accounts with contributions of other core team members. The press officer oversees public outreach activities, including the development of an EU EOM fact sheet and the production of videos and photos that explain the work of the EU EOM. The press officer makes public or press statements on behalf of the EU EOM only with the specific approval of the CO or DCO.

### *Observer coordinator*

The observer coordinator is responsible for coordination of long- and short-term observers (LTOs and STOs) and, in particular, the gathering and initial

analysis of observer reports from the field. S/he acts as the core team focal point for all LTOs and STOs, tasks and guides observers on their operational and reporting responsibilities, and brings relevant matters to the attention of observers and the core team. Working closely with the DCO and other core team members, the observer coordinator manages the preparation of the deployment plan in close coordination with the IP security and logistics experts, coordinates observer briefings, briefing materials, debriefings and other events. S/he oversees compliance with relevant codes of conduct for election observers and EU observation methodology. In conjunction with the DCO, s/he conducts the appraisal of observers. The observer coordinator consolidates and analyses long-term observer reports from the field, identifying emerging issues and regional patterns, and shares relevant information with core team members. The observer coordinator visits LTO teams in the field, as circumstances permit. In larger missions, s/he may be supported by a deputy observer coordinator.

### *Data analyst*

The data analyst has lead responsibility for the collection of observers' findings on voting, counting and tabulation, and for providing the core team with a detailed statistical analysis of the observation data. The data analyst assists the election analyst in the tailoring of observer forms to the specific context of the elections observed, and may be requested to work with the observer coordinator and the IP on designing a deployment plan for election day that minimises sample bias, for example by considering the rural-urban ratio of polling stations. The data analyst produces an internal final report on the EOM observation data. The data analyst may also provide analysis of available election data coming from other sources, such as the EMB, national authorities, or other institutions, including on the voter register and the results, schedule permitting.

When the ExM identifies issues that may have a particular impact on the EU EOM assessment, the core team may also include a:

### *Human rights and gender analyst*

The human rights and gender analyst conducts an assessment of the situation of human rights (including gender and ethnic groups'/marginalised communities' issues) and the existing regulatory framework to support women's participation and representation. S/he analyses human rights and gender issues in line with international and regional standards for genuine democratic elections and national legislation paying special attention to the women's role in political parties and the election process. In the absence of

a human rights and gender analyst, the assessment is generally conducted by the legal analyst, in coordination with other analysts.

### *Election technology analyst*

The election technology analyst works to provide an in-depth assessment of the election technologies used in the election process, including for voter registration and identification, electronic voting and/or counting systems and the transmission of results. S/he considers the systems used, including the adoption and procurement processes, and the level of confidence of stakeholders and voters. S/he analyses to what extent an election technology provides integrity and transparency at each stage of the process. S/he is responsible for providing an analysis of the system for electronic transmission of results. The analyst works closely with the other core team members, particularly the election and legal analyst.

### *6.1.3 Implementing partner's key experts*

#### *Project manager*

The project manager in the host country oversees the activities of the IP team. Together with her/his team, s/he arranges for all logistics and administrative requirements to deploy and repatriate the EU EOM (including: equipment procurement, financial and contractual aspects of the EU EOM implementation, international transportation, visas, etc.). S/he is responsible and accountable for the overall administrative management of the EU EOM including financial and budgetary control. Together with her/his team, s/he sets up the EU EOM office, identifies local accommodation, arranges accreditation and pre-selects local support staff prior to the arrival of the core team. S/he coordinates the operational aspects of the observers' deployment throughout the country, in close cooperation with the logistics and security experts. S/he liaises with the DCO and FPI on a regular basis.

#### *Logistics expert*

The logistics expert is responsible for all operational and logistics aspects of the EU EOM. The logistics expert advises on the implementation of the administrative and logistical requirements of the EU EOM (national staff recruitment, office space, drivers, vehicles, accommodation, room bookings, equipment, visibility materials, communications, medical kits, observer transportation, etc.). The logistics expert works closely with the observer coordinator and security expert on arrangements for the deployment of observers. S/he ensures operational needs of the EU EOM mission members

are met and the mission runs smoothly. The logistics expert is responsible for the close-down of the mission, including organising the archive and sending it to FPI. In larger missions, s/he may be supported by a deputy logistics expert.

### *Security expert*

The security expert is responsible for executing the Security Risk Management methodology and advising and implementing necessary safety and security measures for all EU EOM members, as well as providing clear instructions and guidance on the measures. S/he offers advice on all security-related matters to the CO and the DCO, conducts continuous security risk assessments, security planning and oversees the implementation of the EU EOM security plan and its procedures. The security expert monitors the evolving security situation within the host country, including any potential threats of election violence, in close coordination with the political analyst and social media analyst. S/he establishes relations with national security structures (i.e., police, diplomatic security, armed forces, intelligence agencies) and international actors, including EU Member State embassies and the UN. Those relations are vital for developing and updating security awareness, contingency plans for crisis situations and potential evacuations. The security expert establishes security reporting and warden systems, provides security clearance for the deployment plan and, where relevant, approves observer movements within the country.

The security expert works closely with the CO, DCO, logistics expert and project manager on logistical requirements for security standards, including those related to offices, accommodation, and communications equipment. Upon arrival in the host country, s/he provides a security briefing for all observers. In countries where threat levels are elevated, the security expert organises the security awareness training. The security expert reports daily and weekly to the CO, the DCO, the CT and FPI, providing regular security assessment reports. In larger missions, s/he may be supported by a deputy security expert and/or by liaison officers deployed outside the capital.

For any major security-related decision, the security expert consults the CO and/or DCO and advises FPI, which holds the decision-making authority in security matters.

## 6.2 Long-term observers (LTOs)

### 6.2.1 Roles and responsibilities of LTOs

An essential element of EU election observation methodology is its long-term, comprehensive coverage of the electoral process countrywide. Observation, assessment and reporting on election-related activities and events by teams of LTOs across the country are vital to the overall collective assessment of the EU EOM.

LTOs undertake an assessment of the same broad range of issues in their Areas of Responsibility (AoR) that the core team follows at the national level. These include:

- regional political context: the role of key political and electoral actors in the process and any political developments arising;
- election administration: the performance of the regional/local EMBs in preparing and implementing the election process;
- voter registration: the level of public confidence in the quality and accuracy of the voter register, the efficiency and reliability of the voter registration process, and the tracking of any related complaints;
- candidate registration: the implementation of procedures for the registration of candidates at regional level;
- campaign: the range of campaign activities taking place, and whether there are any restrictions on the freedoms of expression, assembly and movement;
- media: the role of local media and their coverage of the election campaign;
- human rights: whether there are human rights issues impacting on the electoral process, including issues relating to discrimination and the participation of women, minorities, disabled persons and other groups;
- civil society: the range of local civil society activities related to the election, especially citizen observers and any obstacles they face in carrying out their activities;
- complaints and appeals: the tracking of election-related complaints and the effectiveness of complaints and appeals mechanisms;
- election day: the implementation of voting and counting procedures and the wider election day environment;
- results and post-election issues: the aggregation, tabulation and publication of election results and the environment during the post-election period.

In addition, LTOs are responsible for preparing and managing the deployment of STO teams in their AoR for expanded mission coverage on election day, in close coordination with the observer coordinator and the IP logistics and security experts. They may also be responsible for supervising teams of local STOs and assisting MEPs who are deployed to their AoR. LTO teams are required to follow all management, operational and security guidelines, including on public outreach. Each LTO team produces a weekly report on developments in their AoR (and may also produce campaign rally reports after political rallies and *ad hoc* or spot reports on relevant situations as they arise), using reporting templates provided by the EU EOM.

LTOs work in international teams of two. The pairing of individuals is based on ensuring a balance in the team of nationalities, previous observation experience and other relevant experiences. LTOs work in pairs to enhance the credibility and reliability of their observations and to ensure a balanced analysis. Where possible, there is also a gender balance within a team. As the representatives of the EU EOM in their AoR, LTOs should work to the highest professional standards, maintaining the integrity of the mission. Each LTO should adhere strictly to the Code of Conduct for EU Observers and its Ethical Guidelines.

Normally, LTOs are in-country for approximately five to six weeks, arriving four weeks before election day and remaining in their AoR for up to ten days after election day. LTO teams work closely with, and under the supervision of, the observer coordinator.

### 6.2.2 *LTO meetings with interlocutors*

LTO teams are the focal point for all regional interlocutors of the mission. These include the following electoral stakeholders:

- regional and local branches of the EMB;
- senior officials from regional and local government (e.g., governors, mayors);
- political parties from the region or the representatives/branches of national parties;
- candidates standing in the region, or the regional campaign representatives of national candidates;
- journalists and representatives of regional and national media;
- civil society organisations active in the fields of human rights and elections in the region, including citizen observer groups and organisations representing women, youth and minorities, as well as other communities;

- senior police officials;
- community leaders, academics, and others who may have useful knowledge of elections; and
- representatives of international organisations operating in the region, including other international election observer groups.

The LTO team meets regularly with interlocutors across their AoR. Both members of the LTO team attend all meetings together.

### 6.2.3 *LTO orientation and activities*

#### *Pre-deployment*

Prior to their deployment, each LTO is contacted by e-mail by the IP and the observer coordinator. LTOs receive operational information (flight tickets, visa procedures, country profile, etc.) and election-related information, including advance LTO briefing materials and, when possible, the deployment plan. LTOs are expected to familiarise themselves with this material before arriving in-country.

#### *Briefing upon arrival*

A comprehensive three-day briefing for LTOs takes place covering: EU EOM methodology, the Code of Conduct and its Ethical Guidelines, all areas of assessment, relevant security issues and standard security procedures, and reporting and coordination issues. In addition, explanation is provided on administrative and logistical matters, including communications, and there is a handover of equipment and materials.

#### *Deployment of LTO teams*

The criteria for the field deployment of LTO teams are outlined above in subsection 5.3.7 *Criteria for the deployment of observers*. Ideally, all regions of the host country are covered by LTO teams, unless logistical or security reasons restrict deployment or coverage in specific areas. The LTO team is usually based in the regional administrative capital of their designated region, and travels extensively to other locations throughout their AoR. Where possible, each LTO team is deployed by road with their interpreter/assistant and driver. In larger countries, LTO teams may be deployed by air and meet their support staff upon arrival at an airport near to their deployment base.

### *Mid-term briefing*

In countries where the electoral process is longer than usual (i.e. two-round elections), a briefing/debriefing may be held mid-way during the deployment of the EU EOM. The mid-term briefing enables the core team and LTOs to discuss electoral developments, clarify observation issues and confirm preparations for the deployment of STOs. Mid-term briefings may also be held remotely using online tools.

#### *6.2.4 Preparing for STOs*

Shortly before election day, each LTO team is likely to be joined by one or several teams of STOs. They may also be joined by one or more team(s) of locally-recruited STOs, and members of the election delegation from the European Parliament. The core team and IP team issue guidelines to LTOs on the specific tasks to be undertaken in order to prepare for the deployment of STOs.

The number of STOs to be deployed to the host country is considered during the exploratory mission and finalised by EEAS and FPI. The core team prepares a provisional deployment plan for STO teams to each AoR, using the criteria outlined in 5.3.7 *Criteria for the deployment of observers* and in close coordination with the IP team. The deployment plan is finalised after consultation with each LTO team, who are asked to indicate the optimum number of STO teams for their AoR.

#### *Preparing a regional STO deployment plan*

When the number of STO teams to be deployed to each AoR is finalised, the LTO team prepares a regional deployment plan for their AoR. This includes the following information:

- the AoRs covered by each STO team and their deployment base;
- a list of polling stations in each STO team's area of deployment that may be visited on election day, based on instructions provided by the core team aimed at addressing possible sample bias (see 7.2 Election day deployment and reducing sample bias);
- suggested routes between locations in the AoR, including estimated times of travel;
- a list of the locations of regional EMB offices and/or regional tabulation centres.



### *Preparing a regional STO briefing*

LTOs also prepare a regional briefing pack of relevant materials, using a template provided by the observer coordinator. The regional briefing pack includes general background information on the AoR, such as the regional political context and the work of the EMB, and highlights any specific issues that are relevant to STOs. It also details logistical arrangements, including a timeframe for the STOs over the election day period, procedures for the transmission of reporting forms, any specific security issues and a list of contact names and addresses. The regional briefing pack should also include relevant regional documentation such as maps, lists of polling stations, the numbers of registered voters at each polling station, and lists of regional candidates. This information should be available from the regional EMB. Upon the arrival of the STOs in the AoR, the LTO team provides a regional briefing to explain the information contained in the briefing pack and to allow an opportunity for questions and team-building.

### *Preparing STO logistical arrangements*

The LTO team prepares regional logistical arrangements for the STOs in its AoR under the direction of the IP. This includes identifying suitable accommodation for STOs and assisting the IP with the recruitment of suitable candidates for interpreters/assistants. LTOs should provide a group briefing for all national support staff on their role and responsibilities.

#### *6.2.5 Planning for election day and post-election day observation*

Each LTO team undertakes the following tasks in planning for election day:

- confirm with the core team a schedule for reporting observation data;
- establish a schedule for STO teams on election day, including fixed contact times with LTOs (including after final return to accommodation), the return of observer checklists, and procedures for reporting serious irregularities or emergencies;
- designate 'duty' LTOs and STOs to be called in an emergency or if queries arise;
- prepare a list of contact details for key local interlocutors;
- prepare a schedule for the debriefing of STOs;
- prepare a schedule for STOs over the immediate post-election period, including observation of the tabulation process.

Individual debriefings with STOs normally take place at various times on election day and at the end of their observation. This is an important task for LTOs, as it ensures that the core team can be made immediately aware of key observations and allows the LTO team to clarify the information provided. It is also common for a group debriefing to take place early the following day, so that STOs can review and compare their findings, and the LTO team can gather further information on election day from across the AoR.

Further information on election day and post-election activities is found in Section Seven.

### **6.2.6 End of mission**

#### *Tasks before leaving the AoR*

Ahead of their departure from the AoR, LTOs hold farewell meetings with all key interlocutors, at which time they can distribute copies of the EU EOM preliminary statement. LTOs also prepare a final report on the team's work and produce an electronic archive of all relevant documents for submission to the core team. Copies of complaints and other original documents should be filed and returned to the observer coordinator or legal analyst. The LTO team should also produce a contact list of its interlocutors, as well as drivers and interpreters/assistants.

#### *End of mission debriefing*

LTO teams take part in a debriefing at the end of their mission. This is led by the DCO and provides an opportunity for the core team and LTOs to share and discuss their findings on the election process and organisation of the mission. LTOs are asked to identify possible recommendations for the mission's final report and improvements for future missions.

### **6.2.7 LTO reporting**

Reporting by LTOs to the core team is a cornerstone of the work of all EU EOMs. The quality of the findings of the EU EOM depends, to a large extent, on the accuracy and usefulness of the reports produced by LTO teams, as they provide concrete regional examples that substantiate the broader findings of the mission. The observer coordinator is in charge of managing and supervising LTO reporting. The information provided by LTOs is used in the EU EOM interim reports, preliminary statement and final report. Guidelines for reporting by EU observers are outlined in Section Eight.

Some information from interlocutors may be sensitive and need to be treated in confidence, protecting their anonymity. The LTO team should discuss these cases with the core team on an individual basis and consider whether the LTO report should include such information. If not included, it should be passed to the core team in an appropriate confidential manner.

LTO teams submit their reports jointly, reflecting the combined observations of the team members. If the two team members disagree on a substantive issue, they may report both points of view and explain why their opinions differ.

*LTO weekly reports*

Each LTO team produces weekly reports that provide information and preliminary analysis on all issues relevant to the electoral process within their AoR. The core team establishes a reporting schedule and provides a template structure. The LTO weekly reports should contain factual information and descriptions of events, along with analysis of these facts within the regional context. Concrete examples should be provided wherever possible. Facts and commentary should be clearly distinguished in reporting. Sources should be stated and whether information received is deemed credible or not. Speculation or personal opinions by LTOs should be avoided or clearly identified as such. LTOs may also be asked to fill out a weekly checklist to provide comparative qualitative and quantitative data to the core team.

SIX

Model structure for the LTO weekly report

(Some issues may not have to be addressed each week)

1. Executive summary

2. Political context

3. Election administration

4. Voter registration

5. Registration of candidates/  
political parties

6. Election campaign

7. Media environment

8. Complaints and appeals

9. Participation of women

10. Participation of minorities

11. Civil society

12. Voting, counting and tabulation

13. Operational issues and  
preparations for STO  
deployment

14. Security issues

15. Action required by the core  
team

As soon as LTO reports are received, the observer coordinator distributes copies to the CO and the core team. A summary of all the weekly reports is

produced by the observer coordinator and circulated to the core team and LTOs. All internal mission reports should be considered confidential documents and should not be further circulated, the content of which may have political implications.

### *Other LTO reports*

There are other reports which LTO teams may be required to submit in different circumstances. Templates for these reports will be provided to the LTO team by the core team.

- **Spot/incident reports.** These reports cover important or urgent issues (e.g., a violent incident or coverage of a prominent court case). The issue covered by the spot/incident report should also be included in the next scheduled weekly LTO report.
- **Campaign rally reports.** The template for these reports provides a checklist for issues to be reported on, when LTOs attend a campaign event (e.g., a rally or public debate).
- **LTO final report.** At the end of deployment in their AoR, LTO teams provide a final report on their main findings and conclusions on the electoral process, as well as issues related to the organisation of the mission. The final LTO report may include recommendations for the core team to consider for inclusion in the EU EOM final report.

## **6.3 Short-term observers (STOs)**

### *6.3.1 Roles and responsibilities of STOs*

The EU EOM extends the scope of its observation coverage on election day through the deployment of STO teams across the country. Their observation of voting, counting and the tabulation process is an important part of the EU EOM's findings and overall assessment of the electoral process.

STOs observe, assess and report on the following aspects of the electoral process:

- election environment, including the atmosphere over the election day period, and whether there are instances of intimidation, restrictions on freedom of movement, or other problems;
- implementation of voting procedures, including compliance with national laws, whether the right to vote and the right to a secret ballot are enjoyed in practice, and whether election officials act in a fair and impartial manner;

- implementation of the procedures for the counting of votes, including compliance with national laws, whether the votes are counted promptly, accurately and honestly, counting officials act in an impartial manner and the process is transparent;
- tabulation and publication of results, including whether there is a transparent, accurate and prompt transfer, tabulation and publication of results, and whether there are problems with the wider post-election environment.

Each STO team completes report checklists on voting, counting and tabulation. These data are transmitted to the EU EOM headquarters for statistical analysis. In addition, STOs provide narrative reports and regular updates to their designated LTO team. This is especially important where an STO team observes serious irregularities or problematic events. In addition, the STO team may have separate security and logistical reporting requirements, including movement reports.

Like LTOs, also STOs work in international teams of two. The pairing of individuals is based on ensuring a balance amongst teams of nationalities, previous observation experience and other relevant experiences. Where possible, there is also a gender balance in a team. STOs work in pairs to enhance the credibility and reliability of their observations and to ensure a balance of analysis. As representatives of the EU EOM, STOs should work to the highest professional standards and maintain the integrity of the mission. Each STO should adhere strictly to the EU observer Code of Conduct, its Ethical Guidelines, and any other relevant codes of conduct.

Ideally, STOs are in country for 10-12 days, arriving around a week before election day. All STOs work under the supervision of the observer coordinator and their designated LTO team.

For detailed guidelines on the work of EU observers on election day, see Section Seven.

### *6.3.2 STO meetings with interlocutors*

During their work over the election day period, an STO team meets a number of local interlocutors and electoral stakeholders, including:

- members of the local EMB, polling station officials, and counting officials;
- candidate representatives and political party representatives in polling stations;
- citizen and international election observers;

- officials from local government (e.g., mayors) and police;
- occasionally they may encounter journalists.

### 6.3.3 *STO orientation and activities*

#### *Pre-deployment*

Ahead of their departure, each STO is contacted by e-mail by the IP and the observer coordinator. Whenever possible, they are sent election-related information, including advance briefing materials and the deployment plan. STOs are expected to familiarise themselves with this material before arriving in-country.

#### *Briefing upon arrival*

STOs are met at the airport by representatives of the IP, before being transferred to a hotel, usually in the capital city. Each STO is provided with mission identification, accreditation, and a mission briefing pack.

A two-day briefing for STOs takes place, the agenda for which includes:

- a welcome from the CO and the core team;
- comprehensive briefings on EU methodology for election observation and background information on all areas of assessment undertaken by the EU EOM;
- The Code of Conduct for EU Observers and its Ethical Guidelines;
- a specific briefing and/or training on relevant security issues and standard security procedures;
- detailed information on voting, counting and tabulation procedures, observer report forms, reporting procedures and coordination issues;
- an overview of logistical, coordination and administrative issues, including a handover of equipment and materials; and
- guidelines on dealing with media enquiries.
- Security Awareness Training (where it applies)

#### *Deployment of STO teams*

The criteria for the field deployment of STO teams are outlined above in 5.3.7 *Criteria for the deployment of observers*. The polling stations selected for observation should reflect to the largest possible extent the variety of demographics in the country, including the ratio of urban to rural population and

the distribution of any minority groups. Once issued, the deployment plan may not be changed, except in cases of emergencies. Generally, there is more than one STO team in each of the AoRs covered by an LTO team.

Each STO team will be provided with their own area of deployment. Ideally, all regions of the host country will be covered by STO teams, unless there are logistical or security reasons that restrict deployment or coverage in specific areas. The STO team is usually initially based in the administrative capital of the AoR but may – if necessary and feasible – be relocated closer to their area of deployment. Where possible, each STO team is deployed by road, with their interpreter/ assistant and driver. In larger countries, STO teams may be deployed by air (or other means) and meet their support staff upon arrival.

As emphasised in Section Seven, the variety of the sample and the accuracy of the observation are more important than the number of polling stations observed. Consequently, observer teams should always observe as a team and visit no more than two polling stations within any single polling centre.

### *Regional STO briefings*

STOs receive a regional briefing from their designated LTO team, which covers:

- general background information on the AoR, such as the regional political context and the work of the EMB, as well as any specific issues that are relevant to STOs;
- logistical arrangements, including a timeframe for the STOs over the election day period and procedures for the transmission of observation data, any specific security issues, and a list of contact names and addresses; and
- relevant regional documentation, such as maps and lists of regional candidates.

Each STO team receives information on its specific area of deployment, including:

- a list of the polling stations, identifying those that may be visited on election day;
- data on the number of registered voters at each polling station;
- a list of any specific polling stations or specific areas that the STOs are directed to visit (e.g., special polling stations or problematic areas);
- a list of the location of regional/local EMB offices and/or results tabulation centres; and

- suggested routes between locations in the AoR, including estimated times of travel.

### *Familiarisation*

Following their regional briefing, STO teams familiarise themselves with their area of deployment. This includes preliminary tours before election day to areas of observation in order to locate polling stations and tabulation centres and a meeting with election officials. This allows the STO team to gain a useful insight into the election day preparations, identify any potential concerns and plan a route and a schedule of visits on election day. STOs should select which polling station they will observe the opening of voting and the polling station/counting centre where they will observe the counting. The STO team may choose to modify their schedule on election day, for example if they believe it would be useful to return to a polling station a second time, or if they decide it would be beneficial to observe the count at a different location from the one which they initially intended to observe. The STO team only shares their anticipated route and schedule with their designated LTO team, and the security expert if required. It should remain confidential.

### *Post-election debriefing*

STOs are debriefed by their designated LTO team, in order to discuss their observations of election day and clarify any issues that arise from their reports. This takes place at various times throughout election day and at the end of their observation. A group debriefing with other STO teams in the AoR takes place early the following day, so that STOs can review and compare their collective findings.

### *Post-election observation*

During their remaining period in their area of deployment, STOs observe key aspects of the post-election period. This can include observing any on-going counting of votes or tabulation of results, visiting polling stations to collect published results data, and surveying the general post-election environment.

### *End of mission debriefing*

STOs take part in a joint debriefing at the end of their mission. The debriefing is led by the DCO with the presence of the IP for the relevant parts of the agenda and provides an opportunity for the core team and all STOs to share and discuss their findings on the election process and political situa-



tion. Similarly, a discussion is held on operational and security aspects with the IP team. STOs are asked to identify possible recommendations for the mission's final report and improvements for future EU EOMs.

#### 6.4 European Parliament Delegation to the EU EOM

The European Parliament frequently sends delegations to observe elections that become part of the EU EOM in the field. Official election observation delegations from the European Parliament are authorised by the Conference of Presidents of the European Parliament. They join the EU EOM post-election press conference to release the preliminary statement and present their findings. In so doing, European Parliament delegations enhance the visibility of the EU's election observation efforts.

EP delegations to the EU EOM usually consist of seven Members of the European Parliament (MEPs) appointed by the political groups. Each delegation is accompanied by staff from the Secretariat and from the political groups. Election day observation is conducted under the inclusive umbrella of the EU EOM. It is the responsibility of the delegation's Chair to speak on behalf of the EP delegation, while respecting the Code of Conduct, which all delegation members are required to sign and follow. Such statements must be aligned to the views expressed in resolutions adopted by Parliament. The delegation chair does not speak for the Parliament, but only for the delegation.

European Parliament delegations arrive in the host country two to three days before election day. Members of delegations follow a working programme (including briefings and meetings with the authorities, political parties and candidates, election officials, NGOs, etc.), prepared with the EU EOM's assistance. Members play an active role on the day of the election, visiting polling stations and observing the opening, voting, closing and counting. Each Member of a European Parliament delegation signs the Code of Conduct for Members of the European Parliament participating in election observation delegations and strictly abides by its provisions, as well as the Code of Conduct for International Election Observers, endorsed by the European Parliament on 16 May 2007.

The EU EOM facilitates the work of the European Parliament election observation delegation by organising a comprehensive working programme for the delegation (including briefings and meetings with main stakeholders of the electoral process) and a deployment plan. The EU EOM also provides

for advice on security, and support in logistics and administration, based on a separate budget from the European Parliament.

The European Parliament is the only EU institution that observes elections outside the EU EOM framework, as it also participates in OSCE/ODIHR election observation missions. Over the years, the European Parliament has built a recognised expertise in international election observation, and actively promotes best practices among EU national parliaments and parliamentarians.

## 6.5 National support staff

### 6.5.1 *Recruitment of national support staff*

National support staff are an essential part of an EU EOM. The number of positions for national staff is identified in the terms of reference, based on the recommendation of the exploratory mission. Suitable candidates are identified by the IP for core team members to interview and select. The IP then contracts those who are chosen. Every reasonable effort should be made to enable national staff to vote on election day. Where there are different official languages spoken in the host country, it is necessary to ensure that the mission has interpreters able to speak all main languages. Consideration should be given to the gender and ethnic balance among national support staff.

National staff are briefed by the core team and IP on their role and responsibilities, with particular emphasis on requirements for confidentiality and neutrality and the need for flexibility in terms of working hours. The national staff are also briefed on the Code of Conduct and its Ethical Guidelines. National staff should conduct themselves in a politically impartial and objective manner at all times, regardless of their private political opinion or views on the electoral process. Throughout their employment with the EU EOM, national staff should not be involved in partisan campaign activities or take any action that could cause the mission's impartiality to be questioned. Their contracts should include a clause on confidentiality and absence of conflicts of interest.

### 6.5.2 *National staff positions*

- Core team and IP assistants/interpreters are responsible for supporting the designated core team and IP member in their functions, including interpretation and translation to and from the working language of the

EU EOM. All interpreters should be provided with a glossary of election terms translated into the relevant language(s).

- Media monitors are responsible for preparing quantitative and qualitative data on the media coverage of the election. They are trained and supervised by the EU EOM media analyst.
- Social media monitors are responsible for following the campaign on social media platforms and preparing relevant qualitative and quantitative data. They are trained and supervised by the social media analyst.
- LTO assistants/interpreters and STO assistants/interpreters are responsible for supporting LTO or STO teams in the field. They should have good local knowledge of the area of responsibility and be able to interpret/translate as necessary.
- Core team and IP administrative support staff (e.g., receptionist, guards, etc.) should be able to communicate effectively in the working language of the EU EOM and are managed by the IP.
- Drivers (for the core team, IP, LTO and STO teams) are required to be licensed and prove their competence to drive safely. They must follow the driving guidelines issued to them.

Temporary national staff may also be hired for specific professional tasks such as translation of public reports, interpretation at media events and provision of expert advice on the legal framework.



## 7.1 Overview of EU observation of election day

The aim of election day observation is to assess whether voting, counting and tabulation are conducted in accordance with election legislation and international standards. In this regard, EU observer teams are deployed to locations across the host country to assess whether:

- all eligible voters are provided with the opportunity to exercise their right to vote, and there are no restrictions on their freedom of movement;
- equal suffrage is respected;
- the right to a secret ballot is enjoyed;
- election officials perform their duties effectively, impartially, without interference and in a transparent way;
- voting, counting and tabulation are conducted in a peaceful and orderly atmosphere, so that voters are freely able to make their choice, and there are no incidents of violence or intimidation;
- election oversight actors, including party/candidate representatives, citizen non-partisan observers, international observers and the media, are able to carry out their duties without interference;

- detailed results at all levels are published accurately and promptly after the votes are counted, and broken down to the lowest possible level; and
- the aggregation and tabulation of results by higher level EMBs takes place accurately, transparently and promptly.

EU EOM coverage of election day is principally provided by STO and LTO teams. Coverage is often strengthened by the inclusion of locally-recruited observers from EU embassies in the host country, as well as by visits to polling stations by the core team. The EU EOM is often joined on election day by members of an election observation delegation from the European Parliament. All observer teams are coordinated in their area of deployment by the designated LTO team under the supervision of the observer coordinator and the DCO.

An EU observer team should arrive at the first polling station in time to observe the opening procedures. Following the opening, observers travel to different polling stations to observe voting. An observer team usually visits around eight to twelve polling stations on election day. A minimum of 30 to 40 minutes in each polling station is required, although the observer team may stay longer in a polling station or return later to the same polling station. The observer team then attends the closing of a polling station and stays to observe the counting of votes (in some elections, observers might move to observe counting centres), a process that often takes several hours. Throughout this work, the observer team provides regular reports to their designated LTO team, who reports to the core team. Each observer team is required to provide frequent information on its location and next planned movement, in case of a security alert.

### Do's and Don'ts on election day

#### DO:

- Travel cautiously on roads at all times
- Report any violent incident or serious irregularity immediately to the LTOs or core team
- Take careful notes of observations
- Make a clear distinction between incidents observed directly and those reported by others
- Respect confidentiality and treat sensitive data with care
- Report any refusal to allow observers into a polling station immediately to the LTOs
- Make realistic and objective assessments and be prepared to explain your findings
- Complete an observer checklist for each polling station visited

#### DON'T:

- Do not take undue risks
- Do not provide advice or assistance to the election authorities
- Do not engage in any activity that creates a conflict of interest with observer duties
- Do not compromise the voters' right to a secret ballot
- Do not sign official documents (unless required to do so by the core team)

Each EU observer team visits different locations, and some may see some issues with the process, while others may see none. EU election observation methodology ensures that the mission's assessment is not dependent on the observations of one team; instead there is a collective assessment based on information from a large number of independent and impartial observers working across the country.

## 7.2 Election day deployment and reducing sample bias

Election day observation is based on observers visiting a sample of polling stations, where they fill in an observer form that includes points for assessment. The choice of the sample and the accuracy of the observation are more important than the number of polling stations observed. In particular, the following steps can be taken by observers to limit bias in the sample of data points (polling stations) on election day:

- Observers should follow guidance provided by the core team on polling station selection;
- Observers should visit no more than two polling stations of the same polling centre;
- Observers should always remain in pairs for observation of polling stations;
- Observers should remain in a polling station at least 30 minutes;
- Observers should observe specific polling stations assigned to them (minority areas, prisons or military bases), but should follow guidance provided so that these polling stations do not have disproportional weight in the analysis.

## 7.3 Observer report forms

Each observer receives a series of observer report forms or an electronic device, namely a smartphone with access to the data collection platform, containing a checklist of questions on key aspects of the election day process. The forms ensure that observer teams from across the country use consistent criteria for observing and reporting. The information from these forms enables the core team to produce an analysis, from which it can draw conclusions on the conduct of election day.



Before being deployed in their areas of responsibility, observers are provided with a comprehensive briefing and guidelines on how to fill in the forms and use the platform. Each observer team completes one form per team for each visit to a polling station. Separate ‘Comments’ sections allow observers to make written comments on their observations, or to record any significant event or irregularity that they observed or have had reported to them. Where further detail is needed, observers may prepare a ‘flash report’ on the event that is submitted immediately to the EU EOM headquarters.

### *7.3.1 Types of forms*

Observers are provided with a report form for each of the different stages of their election day observation, for example:

- Opening (Form A): includes a checklist of questions on the procedures for opening a polling station;
- Voting (Form B): includes a checklist of questions on the environment around a polling station, the voting procedures, the atmosphere inside a polling station, and an overall assessment of voting and the work of polling station staff;
- Closing and Counting (Form C): includes a checklist of questions on the closing procedures, a checklist of questions on the procedures for counting votes and posting results, and an overall assessment of closing and counting;
- Closing (if counting is conducted in a separate counting centre – Form D): includes a checklist of questions on the closing procedures and an overall assessment of closing;
- Counting (in a counting centre – Form E): includes a checklist of questions on the procedures for counting votes and publishing results at a counting centre, and an overall assessment of counting at a counting centre;
- Tabulation (Form F): includes questions on the transfer of polling materials and the procedures for aggregating results.

Template forms for observation of opening, voting, closing and counting are shown in Annex 2.

### *7.3.2 Preparation of observer forms*

The checklists used to assess the conduct of election day proceedings follow a standard template, but must nevertheless reflect the specificities of the elec-

tions observed. EU EOM core teams use the templates as a starting point and customise them according to the specific election procedures and context of the country where they are observing.

The changes made to the forms by the core team are automatically reflected in the country-specific observer forms, which can be printed for paper-based observation or can be uploaded on observer smartphones. The customisation by the core team consists of:

- adjusting questions to the local election terminology;
- adjusting questions to the election legislation and regulations of the country (people present, election material, ID documents required, etc.);
- adding questions regarding procedures or issues specific to the country and election observed;
- adding questions regarding specific IT equipment used for the country's elections;
- removing questions not applicable to the country's elections.

The order of the sections and the scales for assessment on the templates provided cannot be changed by the core team.

Within an EOM core team, the election analyst has lead responsibility for the customisation of the forms, with support from the data analyst. Draft customised forms are then approved by the DCO.

### *7.3.3 Transmitting observer report forms/checklists*

Observers complete forms and transmit them to the EU EOM headquarters at regular intervals during the day. Observers are briefed on the procedures for transmitting forms/checklists to the EU EOM headquarters by the core team, and their designated LTO team.

Observer teams using an electronic device for filling-in the forms/checklists are also given paper-copies of the observation forms as back-up. Their LTO team informs them about network coverage and connectivity in their AoR. For observers operating in areas where connectivity is not stable, LTOs may suggest a suitable time and place for transmission. Connectivity aspects are checked by observer teams before election day, during AoR familiarisation.



## 7.4 Observation of voting<sup>80</sup>

### 7.4.1 Observations outside polling stations

When approaching and entering a polling station, observers should assess the general situation and atmosphere outside and around its location. Possible issues to be aware of include:

- Is the polling station accessible for voters with disabilities?
- Are there crowds around the polling station? If so, are people waiting to cast their ballot or are they there for another purpose? Are the crowds being kept in order?
- Is security personnel present, and, if so, is it behaving in an appropriate manner (e.g., not harassing voters or using excessive force)?
- Is there any evidence of tension, intimidation or other disturbance outside the polling station?
- Is there any campaigning near the polling station? Does it breach regulations on campaign exclusion zones?
- Are there signs of any irregularities, such as voters being offered inducements to vote for a particular candidate or party?
- Are voters being transported to the polling stations by buses? If so, who is providing the buses and from where are the voters travelling?

### 7.4.2 Meeting polling staff

Upon entering the polling station, observers should introduce themselves and their interpreter/assistant to the official in charge and show their accreditation. Observers should explain their role, including that they will have questions to ask but will not interfere in the voting process. Out of courtesy, observers should ask for agreement to observe in the polling station.

In the exceptional circumstances that a polling station official refuses the observer team permission to observe, objects to their presence or gives instructions that prevent effective observation from taking place, the observer team should explain that they are accredited observers and have been invited to observe on election day by the EMB and the government or the authorities. If permission is still refused, the observer team should leave the polling station. Once outside, the observers should inform their designated LTO team. The incident should also be recorded in an 'incident report'.

At all times, observers should be courteous, and should ensure that their conduct outside and inside a polling station is beyond reproach. Interpreters/

80 See General Guidelines for Observers when visiting Polling Stations (Council Decision 9262/98 at Annex III of the 2000 Communication on Election Assistance and Observation).

assistants should act in a similar manner. Observers should exercise restraint, where food and alcoholic drink is offered at polling stations. When leaving a polling station, observers should offer their thanks to the official in charge for their assistance.

### **7.4.3 Observations inside polling stations**

Observers should position themselves for a good view of voting procedures and should also move around the polling station to gain different perspectives. Whenever possible, observers should speak with a number of different polling station officials, particularly when the polling station committee includes representatives of different political parties. EU observers should also try to speak with others who may be present, including party/candidate representatives, and citizen observers. These people, who often remain in the same polling station all day, may provide helpful information on the environment at the polling station and whether problems have occurred.

#### **Issues to consider raising with polling station officials**

##### **Polling station information**

- What is the official name and number of the polling station?
- How many voters are registered at the polling station?
- Is the voter list for the polling station available for voter information?
- Are there any supplementary voter lists in use?
- How many people have voted so far at the polling station?

##### **Organisation and structure of the polling station committee**

- Are all polling officials present?
- How were the polling officials selected? What is their usual employment?
- Do the polling officials represent political parties?
- Do any of the polling officials have experience with previous elections?
- Did the polling officials receive formal training? What was covered in the training?
- Did they regard the training as effective? What other training would they like to have received?
- How are the tasks of the polling committee divided among its members?

##### **Essential materials**

- Are there sufficient quantity of ballots and other polling materials?
- When were the ballots and other polling materials received? Have they been kept secure at all times?
- How many ballots were received by the polling station?

##### **Others present**

- Are party/candidate representatives present? Are they accredited?
- Are citizen election observers present? Are they accredited?

##### **Problems and complaints**

- Has the polling station committee experienced any problems? Has the polling station committee received any complaints? If so, from whom and how were they addressed?
- Have any voters been turned away? If so, on what basis?

Observers should assess whether polling officials appear well-trained and familiar with their responsibilities; if the polling officials are performing their duties impartially and free from pressure; and whether observers and party/candidate representatives are being effective in their role.

#### **7.4.4 Observing the opening of a polling station**

The STO team should arrive at their first polling station at least 30 minutes ahead of opening in order to observe opening procedures. The EU observer report form (Form A, see Annex 2) details the key procedures to be followed. For the opening process, observers should generally note whether:

- opening procedures are complied with;
- all essential materials are present;
- the ballot box was empty at the time of its sealing; and
- the polling station opened on time.

#### **7.4.5 Observing voting procedures**

Using their observer report forms (Form B, see Annex 2) as guides, STOs should carefully observe all procedures at the polling station. While voting procedures differ considerably among countries, there are some general issues of which to be aware.

##### **Points of inquiry: voting**

###### **Compliance with the law:**

- Are polling station officials conducting voting in accordance with the procedures?

###### **Impartiality of polling station officials:**

- Is there evidence that the polling officials are acting in a partisan manner?
- Are there any campaign materials present inside the polling station?

###### **Polling station atmosphere:**

- Is the polling station operating in an orderly manner? Is there any overcrowding inside the polling station?
- Are there any delays in the processing of voters?
- Is there evidence inside the polling station that pressure is being exerted upon voters or inducements are being offered?
- Is there an atmosphere of intimidation or tension inside the polling station?

###### **Persons present inside the polling station:**

- Are there police, security forces or government officials present inside the polling station? Is their presence justified? Were they invited in by election officials and if so for what reason? Is their conduct appropriate?
- Is any person present in a polling station whose presence is unauthorised?
- Is any person other than a polling station official directing the work of the polling staff?

**Where voters are required to show identification:**

- Are all voters being required to produce the correct ID documents?

**Where voter lists are used:**

- Are polling officials checking if the voter is included in the voter list before allowing him/her to vote?
- Are measures implemented to prevent multiple voting (e.g., marking the voter list, checking for/applying indelible ink)?
- Are people being turned away for any lawful reason?
- Are people being turned away with no lawful ground?
- Are people being allowed to vote without proper ID/passport or without being on the list?
- Is there a supplementary list of any sort?

**Where voters are required to sign the voter list:**

- Are voters consistently being asked to sign the voter list?
- Are there visibly identical signatures?

**Ballot papers:**

- Are unmarked ballots being kept securely?
- Where ballots must be stamped or signed by polling station officials, are they being stamped or signed in accordance with instructions?
- Are voters being given the correct number of ballots?

**Ballot box:**

- Is the ballot box properly sealed?
- Is the ballot box in use in full view of all polling station officials, observers and voters?
- If there are any full ballot boxes, are they stored securely?

**Right to a secret vote and assisted voting:**

- Are voters provided with the opportunity to vote in secrecy using polling booths or similar arrangements? Does the layout of the polling station or structure of the polling booth breach secrecy?
- Are polling station officials ensuring that voters do not enter a polling booth together or mark their ballots outside of the polling booth?
- Are voters requiring assistance able to receive it? Is the number of persons requiring assistance unusually high?
- Is the assistance being provided in accordance with the law?
- Are the same people assisting many voters?

**Understanding of procedures:**

- Do polling station officials appear to have sufficient knowledge of the procedures?
- Do voters appear to understand the procedures? Is there any confusion (e.g., overly complex ballot papers, use of new voting machines, materials in another language)?

**Participation of women:**

- Are women voters able to vote freely and in secret?
- Are there female polling officials, observers and party/candidate representatives?
- Is there a good turnout of women coming to vote? If not, what reasons are given for this?

**Participation of minorities:**

- Are voters from minorities able to vote freely and in secret?

- Are there polling officials, observers and party/candidate representatives from minority groups?
- Is there a good turnout of people from minorities coming to vote? If not, what reasons are given for this?

**Possible problems:**

- Is there any evidence of disturbance?
- Is there any evidence of any procedural and/or criminal irregularity? Examples can include:
  - 'multiple voting', where persons are voting more than once;
  - 'stuffed ballot box', where a ballot box is unusually full or where ballots can be seen to have been placed in the ballot box in an unusual manner, e.g., without being folded or several ballots folded together;
  - 'carousel voting', where voters use pre-marked ballot papers given to them outside of the polling station;
  - 'proxy voting', where voters cast ballots for others without formal permission;
  - 'voter impersonation', where the person voting is not the person registered as a voter;
  - 'underage voting', where persons voting are too young to be eligible to vote;
  - 'group voting', where more than one person votes in a booth at the same time;
  - 'family voting', where one family member votes on behalf of other members of the family;
  - 'open voting', where voters mark their ballots outside of the polling booth.

#### ***7.4.6 Observing special voting procedures***

Some observer teams may be asked to follow special voting procedures, such as early voting, mobile voting, military voting, prison voting, etc. Such work may involve variations of the standard methodology for observation of election day, but still focuses on whether the special procedures are implemented in accordance with the law and international standards so that the electoral rights of citizens are protected. The core team provides specific guidelines on the observation of special voting procedures relevant to the host country.

#### ***7.4.7 Observing the closing of a polling station***

The observer team should arrive at their last polling station at least 30 minutes ahead of the scheduled closing time. The observer report form (Forms C or D, see Annex 2) details the key procedures to be followed, which include looking at whether:

- closing procedures are complied with;
- the polling station closed on time;
- any voters waiting in line at closing time were allowed to vote;

- the ballot box is closed and the slot sealed as soon as voting ends;
- the number of voters who voted at the polling station (i.e. number of signatures on the voter list) is counted;
- the number of unused ballot papers is counted;
- unused ballots are immediately rendered invalid and secured.

## 7.5 Observation of counting

After the polling station is closed, the observer team looks at how the votes cast in that polling station are counted (Forms D or E). In some countries, the ballot box(es) may be transferred from the polling station to a counting centre, in which case the STO team should follow the transfer of the ballot box(es) from the polling station to the counting centre.

### Points of inquiry: counting

#### In cases of counting at polling stations:

- Does the counting of ballots take place immediately after the closing of the polling station (i.e., without a break for food or other purposes)?
- Have there been any opportunities for interference with the ballot box(es) that could breach their integrity?

#### In cases of counting at counting centres:

- Are there any opportunities for interference in the security of the ballot box(es) during the transfer (e.g., the ballot box was not taken directly to the counting centre)?
- Are the procedures for handing over the ballot box and other materials to the counting centre followed?
- Is there any delay between the receipt of the ballot box(es) and the start of counting?
- Is the ballot box(es) secure at all times after transfer?

#### Counting officials:

- Are counting officials conducting the count in accordance with the procedures?
- Is there any evidence that the counting officials are acting in a partisan manner?

#### Atmosphere during the count:

- Is the count being conducted in an orderly manner? Is there any overcrowding?
- Is there a delay in the counting of votes?
- Is there evidence of pressure being placed upon counting officials or others who are present?
- Is there an atmosphere of intimidation or tension at the count?

#### Persons present at the count:

- Are there police or security forces present at the count? Is their presence justified? Is their conduct appropriate?
- Are citizen observers and party/candidate representatives present and, if so, are they able to observe the full counting process?
- Is any person present at the count whose presence is unauthorised?
- Is any person other than a counting official directing the count?

**Reconciliation and counting of votes:**

- Was the ballot box opened and votes counted in the presence of all counting officials, party/candidate representatives and observers?
- Is the total number of ballots inside the ballot box counted before votes for individual parties/candidates?
- Does the number of ballot papers inside the ballot box reconcile with the number of persons who are recorded as having voted?
- Are all counting officials, party/candidate representatives and observers able to inspect ballots to see how they have been marked?
- Are all ballots that indicate the clear choice of the voter considered valid?
- Is ballot validity determined in a consistent and consultative manner and in accordance with the law?
- Are there any ballots that are marked in a manner that could identify the voter and thereby violate the secrecy of the vote (e.g., unusual markings that could be used for identification)?
- Is there evidence of discrepancies in the results?
- Do the results accurately reflect the votes counted? Are they recorded in official protocols?

**Understanding of procedures:**

- Do counting officials appear to have sufficient command of the procedures?
- Do observers and party/candidate representatives appear to understand the procedures and their role?

**Problems and complaints:**

- Is there any evidence of any procedural and/or criminal irregularity, such as 'stuffed ballot boxes'?
- Have there been any formal complaints relating to the counting process?
- Does any counting official, party/candidate representative dispute the accuracy of the results?
- If there is a dispute over the validity of a particular ballot or ballots, how is this resolved?

*Results protocols*

The results from the counting of votes are recorded in official results protocols, which require all significant data required by the law, for instance the number of people who voted, the total number of ballots cast, the number of votes for each candidate and the number of invalid votes. The protocol may also be used to identify discrepancies in the results. Counting officials and persons present at the count may be required to sign the results protocol.

Key issues in relation to the results protocol are:

- Was the results protocol completed by competent counting officials without confusion?
- Was the results protocol completed accurately and in detail?
- Did anyone refuse to sign the protocol or attach an objection or complaint?

- Are official copies of the results made available to party/candidate representatives and observers?
- Is an official copy of the results immediately posted for public inspection?

Each observer team should record the results of the polling station where it observed the counting of votes and obtain a copy of the results protocol, if possible, or take a picture with their smartphone (please make sure the picture is of good quality). The information contained within it can be used by the EU EOM for possible cross-checking of the results of the election.

## 7.6 Observation of the tabulation process

Observing the tabulation is particularly important, since errors or irregularities committed during this phase can have a far greater effect on the overall election results than problems at individual polling stations. After the votes at polling stations have been counted, the results are transmitted to a higher level EMB or tabulation centre, where they are aggregated to determine which parties/candidates are successfully elected. There may be several stages in a tabulation process, all of which should be undertaken in a prompt and fully transparent manner. Observer teams may be required to undertake the following tasks:

- accompany the physical transfer of electoral material, including the results protocol, from the counting location to a tabulation centre and observe the handover of electoral material at the tabulation centre;
- observe the process of tabulating results and, in particular, that results of the vote count are honestly and accurately included in the tabulation;
- assess whether the tabulation process is undertaken in a transparent and consistent manner;
- note whether detailed polling station results are published at every level of the election administration as soon as they are available, including the number of votes for each candidate or political party, and the number of invalid votes;
- obtain copies of the tabulated data for cross-checking purposes.

The tabulation of results may be undertaken electronically or via a computer network to a centralised tabulation centre, which may create access difficulties for observers. The observer team should seek permission from the election official in charge to see the procedural steps for the electronic tabulation of results, including receipt and inputting of data.



The EU EOM may assign dedicated STO teams to tabulation or counting centres, or several STO teams may be assigned to work in shifts, in order to observe the full tabulation process after election day. In such cases, the core team will issue specific guidelines.

## 7.7 Analysis of observer data

The data analyst analyses the data from the observer forms as they arrive at the EU EOM headquarters. Observer forms feed into a database that includes all the checklist questions. The database allows the data analyst to consider the number of sample points for each type of form, and how robust the sample is as a result. The data analyst reviews where observation has taken place to check for any sample bias – for instance if certain regions/cities are over- or under-represented, or the ratio of rural to urban observations is skewed.

The resulting election day analysis provides the core team with a reliable insight into the conduct of election day and, in particular, whether there are patterns of irregularities and, if so, whether they were isolated or systematic, regional or national. Statistics are also produced on specific procedural aspects, so that the core team can determine whether any particular point in the process may have been problematic.

The data analyst performs cross tabulations and specific queries into the observation database on their own initiative and upon request from other core team members, especially the election analyst and DCO. The core team also reviews all additional comments submitted by observers, and follows up directly with the teams concerned, as necessary.

The conclusions produced by the analysis of the observer data are reflected in the election day findings of the preliminary statement. The analysis also provides a basis for the debriefing of STOs, when the statistics can be linked to the experiences of observers to establish a more comprehensive picture.

## 7.8 Post-election day observation

As part of its assessment of the immediate post-election day period, the EU EOM directs LTOs and STOs to undertake a range of tasks including:

- checking whether results are posted at polling stations/counting centres and are published at all levels of the EMB in the AoR;
- when possible, cross-checking the accuracy of published results to the results posted at polling stations;

- observing the work of counting or results tabulation centres, where this is ongoing;
- meeting with interlocutors and seeking their opinions on election day and the post-election day period and improvements that can be made to the framework and conditions for elections;
- following any complaints or appeals submitted and the adjudication process;
- observing the general post-election day environment, including observation of possible post-election protests or demonstrations, security permitting;
- identifying any indications of possible political tensions among electoral stakeholders;
- reporting and tracking election-related incidents or problems such as violence, intimidation and harassment, including acts of political retribution.

The EU EOM core team provides guidance to LTOs and STOs on how to report back on post-election developments. For any urgent issues, a flash report may be submitted.



# 8

## SECTION EIGHT

# REPORTING

### 8.1 Guidelines for reporting by EU EOMs

Reporting is a crucial element of the work of the mission. All reports produced by the EU EOM should meet the highest possible standard. Attention should be paid to ensuring that all information is accurate and objective and based on credible sources, which can be substantiated with concrete examples and when possible, with references to sources. All mission reports should make clear what has been directly observed by EU observers, and what has been reported to them by interlocutors. While an EU EOM may refer to information from interlocutors that comes from credible or multiple sources, information that has no supporting evidence or comes from a single partisan source should be clearly indicated as such. Some information from interlocutors may be sensitive and need to be treated in confidence, with anonymity of a source being protected.

Mission reports should be concise, within the specified length, and written in clear language. They should follow a consistent structure, using the guidelines and templates that are provided by the EEAS and the EODS project. When making reference to international standards for elections, a report should source the reference, detailing the relevant universal and/or regional instruments, to highlight that these are being used as the basis of the EU EOM assessment.

## 8.2 Interim reports

The EU EOM core team produce interim reports that provide a regular update and analysis of all relevant electoral developments. The reports are usually produced every 10 days over the course of the deployment of the EU EOM. They are internal EU documents, distributed only to EU institutions and EU Member States.

### 8.2.1 *Purpose of interim reports*

Interim reports provide an overview of all aspects of the electoral process assessed by the EU EOM during the reporting period. These include political developments, preparations for the elections, voter registration, candidate registration, the campaign, the media, election-related complaints, human rights issues and the participation of women and minorities. Interim reports also provide key information on the elections and updates on mission activities, such as the deployment of LTOs and STOs to the field.

The information and analysis contained in interim reports should provide a basis for the findings and conclusions outlined by the EU EOM in its preliminary statement and final report. However, an interim report offers only preliminary analysis that is based on information available at the time and, thus, cannot be distributed publicly or to any persons or organisations outside the EU structures.

### 8.2.2 *Preparation of interim reports*

Interim reports are drafted by the DCO based on contributions from core team members and the summary of LTO weekly reports. The timing of the interim reports is incorporated into the EU EOM calendar and corresponds with the reporting schedule for LTOs. Interim reports should not exceed 6-8 pages, including a one-page executive summary. A draft of the interim report is shared with the EEAS Democracy and Electoral Observation Division for comments to ensure quality and consistency in observation and reporting methodology. The CO takes the final decision on the final text of the EU EOM interim report.

### 8.2.3 *Other internal reports*

The EU EOM may produce flash reports on events or developments that happen outside of the reporting schedule and need to be brought to the urgent attention of the EU structures. These reports supplement interim reports, but do not replace them. The EU EOM will also produce operational

reports that cover logistical issues and the work of the IP during the course of the mission.

### 8.3 Preliminary statement

The preliminary statement is the first post-election assessment by the EU EOM and is usually issued at a press conference within 48 hours of the close of polling. It is generally the highest profile output of the mission, attracting significant levels of political, diplomatic and media interest. The preliminary statement is a public document and should be written to be read by election stakeholders in the host country (candidates, political parties, civil society, journalists and voters) as well as an international audience. Working towards a credible and high-quality preliminary statement should be a primary focus for all core team members and observers during their work on the mission. When issued, the CO stresses the *preliminary* nature of the statement and underlines that the EU EOM continues its observation of post-election developments and will issue its overall assessment later in its final report.

#### 8.3.1 Purpose of the preliminary statement

The preliminary statement outlines the EU EOM's preliminary findings and conclusions on the stages of the electoral process that have taken place, and the extent to which the mission considers the election has so far been conducted in line with international standards for elections. As such, the preliminary statement establishes an important indicator for electoral stakeholders of the credibility of the election process. It is important that the mission highlights that it continues to observe the completion of the counting and tabulation of votes (where ongoing), the publication of results, the resolution of any complaints or appeals and the wider post-election environment.

If there are significant problems with the post-election period, the EU EOM may choose to release a statement ahead of the final report, to provide preliminary findings and conclusions on such issues as the results process, complaints and appeals processes or the post-election political environment. In two round elections, the EU EOM releases two preliminary statements.

#### 8.3.2 Preparation of the preliminary statement

The preliminary statement is drafted by the DCO on the basis of contributions from the core team and findings of LTOs. It should follow the guidelines and template provided by the EEAS and the EODS project. Given the tight and immovable deadlines in place over an election day period, prepar-

ing a preliminary statement is a challenging task that requires a structured process of drafting, reviewing and finalisation that should start well ahead of election day.

A first draft of the preliminary statement is shared with the EEAS Democracy and Electoral Observation Division for comments to ensure quality in reporting and consistency in implementing the methodology. Comments of the EEAS Democracy and Electoral Observation Division should be taken into consideration. Shortly before release, the election day findings of EU observers are added. The ultimate responsibility for the final text rests with the CO.

The preliminary statement should be translated into the official language of the host country. In Francophone countries, the preliminary statement is drafted in French with no translation into English. As much as possible, it should not exceed ten pages, including an executive summary at the beginning. The preliminary statement should provide a clear overall conclusion, outlined in a ‘headline conclusion’ and the first bullet point. The statement is accompanied by a press release that provides an overview of the mission’s findings, along with quotes from the CO and the leader of the EP delegation.

### 8.3.3 *Sharing the preliminary statement*

The preliminary statement is the independent assessment from an EU EOM. In due time before it is made public, the CO consults with the Head of the European Parliament delegation, if one is present, with a view to the delegation’s endorsement of the preliminary statement. There may also be circumstances where the mission liaises closely with other observer missions before issuing the preliminary statement. It is also common practice for observer groups who are endorsers of the *Declaration of Principles for International Election Observation* to share the key elements of their findings with each other prior to the release of the preliminary statement.

A few hours ahead of the press conference, a copy of the preliminary statement should be provided to the state and electoral authorities (usually the head of the EMB and the Ministry of Foreign Affairs) with whom administrative arrangements have been signed. It should be made clear, however, that the preliminary statement is being provided as a courtesy only, and that under no circumstances will the EU EOM change or negotiate the contents.

The preliminary statement should be finalised in sufficient time to ensure it is translated and photocopied for the press conference. Immediately upon its release, the statement (in the languages in which it was produced) should be placed on the mission website and circulated via its social media channels.

Copies should be distributed to the national and international media, as well as to local interlocutors. The statement should also be distributed to LTOs for their information and, in appropriate languages, shared with interlocutors in their AoRs.

## 8.4 The final report

The final report contains the EU EOM's overall assessment of the election and its recommendations for the improvement of future processes. (see Section Nine: Return visit, recommendations and follow-up). It is normally issued within two months of the completion of the elections. The report plays a highly important technical and political function in providing a comprehensive and independent assessment of the election process. As with the preliminary statement, the final report is a public document. This means that it should be written with a view to be read by all election stakeholders in the host country, as well as by an international audience.

The final report details the EU EOM's overall findings and conclusions on the election process, and its assessment of the degree to which the election was conducted in accordance with international standards. A key feature of the final report is the detailed and constructive recommendations it offers to improve the framework and conduct of future elections and strengthen democratic institutions. In this context, it also serves to identify possible areas for future EU-supported electoral assistance.

Drafting of the EU EOM final report is undertaken by the DCO, under the direction of the CO, based on contributions from the core team and LTO findings. The final report is prepared in accordance with the guidelines and template provided by the EEAS Democracy and Electoral Observation Division, and the EODS project. A draft of the final report is shared with the EEAS Democracy and Electoral Observation Division for comments to ensure the quality of reporting and consistency in implementing reporting methodology and whose comments should be taken into consideration. However, ultimate responsibility for its content rests with the CO. In contrast to the brevity of the preliminary statement, the final report provides more detailed analysis and description of technical issues, which should be clearly explained. In order to ensure accessibility for all stakeholders, the final report should avoid highly technical language or jargon. Whenever relevant, the final report should refer to and quote relevant international and regional standards for democratic elections.



The final report builds upon the conclusions made by the mission in its preliminary statement. If the overall assessment of the mission has changed in any way from the preliminary assessments – for example if a generally ‘positive’ preliminary statement has become a ‘negative’ final report because of post-election problems with results or violence – the final report should clearly explain the reasons for this change.

The final report is usually prepared during the closing period of the mission, and a first draft of the report should be prepared before the return of the core team to Europe. If there are ongoing political and electoral developments (such as delays in the results process, the resolution of complaints or any post-election instability), it may be necessary for the draft to be updated after the return home of the core team. The final report is produced in English or French and translated into the official languages of the host country to make it as broadly accessible as possible. It is published on the EU EOM website and EU Election Missions database (<https://database.eueom.eu>).

## 8.5 Final internal report

The core team produces a final internal report on the implementation of the EU EOM that provides an overview of logistical, administrative and security aspects of the mission, as well as reporting on public outreach activities. The final internal report is prepared in accordance with the mission terms of reference and includes a review of the work of the IP. A specific focus of the final internal report is identification of any lessons learned for improvements to EU EOM programming and methodology. The final internal report is drafted by the DCO. It is submitted to FPI and EEAS ahead of the core team final debriefing in Brussels.





## SECTION NINE

# 9 RECOMMENDATIONS, RETURN VISIT AND FOLLOW-UP

### 9.1 Follow-up to EU Election Observation Missions

While the main output of an EU EOM is its final report, the lasting impact of the mission comes from its recommendations for improving the electoral process. In recent years follow-up to election observation has become central to the EU's approach to election observation and assistance. Increasing attention has been given to the elaboration of recommendations, the delivery of the report during the return visit and the deployment of election follow-up missions during the election cycle. EU-funded democracy support projects take EU EOM recommendations into account and seek to promote them before the next elections.

Several EU policy documents have committed EU institutions to systematic follow-up to EU EOMs. These have included: the 2009 Agenda for Action on Democracy Support in the EU's External Relations, the June 2012 EU Council Action Plan implementing the EU Strategic Framework on Human Rights and Democracy, and subsequent Human Rights and Democracy Action Plans for 2015-19 and 2020-2027.<sup>81</sup>

<sup>81</sup> In 2024 the EU extended its Action Plan until 2027 to align with the budget cycle.

In addition, in 2017 the European Court of Auditors (CoA) issued a report<sup>82</sup> assessing to what degree EU institutions had provided support for the implementation of the recommendations of EU election observation missions and providing recommendations on how the process of follow-up could be improved.

The EU aims to follow up on the implementation of the recommendations and develops its electoral assistance and governance programmes drawing on the EU EOM's recommendations wherever possible. An EU EOM is well-placed to provide important insight as to what aspects of electoral assistance and democracy support are necessary for addressing key issues identified in the mission assessment. Such insight does not only relate to election administration and the conduct of elections, but extends also to areas of assessment such as the legal framework, campaign regulations including campaign finance, the media environment, social media, participation of women and other disadvantaged groups, and election dispute resolution.

## 9.2 Recommendations

Recommendations to improve the electoral process are a crucial part of the EU EOM's final report. While the final report tells the story of the elections and provides a detailed assessment of the process and its compliance with international and regional standards, the recommendations can be considered as the legacy of EU election missions. Recommendations provide benchmarks to measure progress on electoral reform between elections and are revisited by subsequent EU election missions.

An EU election mission makes recommendations for improvements to the electoral process based on international standards for democratic elections. Each recommendation should address specific issues identified in the body of the final report. For instance, if the final report identifies that the conduct of the election day was affected by an overall inadequate performance of the polling officials, the EU election mission may seek to recommend to improve the quality of the training of the election officials. If shortcomings and gaps are identified in the legal framework for elections, the EU EOM may recommend bringing parts of the legislation in line with international and regional standards.

The recommendations highlight where action is needed to address issues (e.g., inconsistency, lack of transparency, lack of resources, or lack of public

<sup>82</sup> "Election observation missions – efforts made to follow up recommendations, but better monitoring needed", European Court of Auditors, European Union, 2017.

confidence) that have led to problems during the election process. Recommendations can also be offered where action should be taken to improve the efficiency, effectiveness, and institutional capacity of electoral stakeholders (e.g., the election administration, political parties, the government, the legislative, civil society, media). Recommendations can also be offered to address inconsistencies and gaps identified in the legal framework for elections, and to facilitate its inclusivity, including the political participation of any disadvantaged groups (e.g., women, minorities, disabled persons, LGBTIQ+ citizens, youth and IDPs).

Each recommendation should be realistically achievable, assuming there is political will to improve the electoral process ahead of future elections. Recommendations should use clear language and identify the relevant standards they are addressing. At the same time, recommendations should be consistent with the EU EOM mandate and not be overly prescriptive. EU EOM members should become familiar with recommendations of previous missions in the country to assess the extent of their implementation. If previous recommendations remain valid and not implemented in full, they should again be included in the recommendations of the EOM.

EU EOM core team members, with the support of the LTOs, should identify possible areas for improvement in their discussions with stakeholders over the course of the EOM. EOMs should consult with stakeholders about the usefulness of specific recommendations, prior to their finalisation.

The core team should identify which recommendations in the final report are priorities for implementation. The timely involvement of the EEAS Democracy and Electoral Observation Division is essential in ensuring a consistent and coherent EU approach to EOM recommendations.

A recommendations matrix should accompany the final report as an annex. This matrix includes reference to the specific text in the final report where the problem that the recommendation addresses is identified, the institution responsible for its implementation, whether a change in the constitution/primary legislation is needed and the election principle and international/regional standard that supports the recommendation.

### **Main principles for effective EU EOM recommendations**

The recommendations should be a logical extension of the issues raised in the report.

The recommendations section needs to work as a stand-alone document: Recommendations are presented in final reports as a list of numbered recommendations and a chart that lays out each recommendation.

Recommendations, particularly those related to technical matters, should be discussed thoroughly with national stakeholders and any international technical assistance providers.

Missions should be aware of the position of all national political actors regarding its recommendations. The findings of an EU EOM can be questioned if a single recommendation is seen as outside of the EU EOM mandate or favouring the interests of a particular segment of society.

Recommendations should be technically implementable, should there be political will. The mission may also need to make recommendations that have little chance of implementation due to political obstacles but are still important for compliance with commitments.

Recommendations must remain within the EU EOM mandate, which is to assess to what extent the election process is in line with the country's international commitments for democratic elections.

A maximum of 20 recommendations. Each one should cover one distinct issue, i.e. several different issues should not be grouped into one recommendation.

The mission should identify several priority recommendations and highlight them in the executive summary.

## **9.3 Return visit and release of the final report**

The EU EOM returns to the host country to deliver the final report and its recommendations. The standard composition of the return visit includes the Chief Observer, the Deputy Chief Observer, and several relevant core team members. The return visit has a duration of around ten days. The EU EOM presents the report to the State and electoral authorities, political parties and CSOs. At these meetings, the CO and team should be prepared to explain the basis of the assessment contained in the report and to discuss practical steps for the implementation of the recommendations.

After sharing the findings of the final report with key interlocutors, the CO officially releases the final report at a press conference to the media and the wider public. A press release is issued to accompany the publication of the final report. The report is also published on the EU EOM and EEAS websites and social media accounts. Visibility actions may also include CO or DCO interviews in the local media.

The return visit should also include a briefing for the EU Delegation (EUD) and Member States and a roundtable for election stakeholders where the findings, conclusions and recommendations can be discussed. The diplomatic briefing is important to establish a shared understanding regarding the

recommendations in particular. At the same time, the election stakeholder roundtable aims to foster local ownership of the EU EOM recommendations, as well as providing an opportunity to consider possibilities for implementation. The roundtable should be organised 3-4 days after the presentation of the final report so as to give stakeholders the opportunity the familiarise themselves with the findings and recommendations.

The return visit, including the briefing for EU actors on the ground and stakeholder roundtable, is organised with the support of, and in close cooperation with, the EU Delegation. During the return visit, the EU EOM and the Delegation meet on regular basis to discuss organisational aspects of the visit and, more importantly, to develop the follow-up plan for the EU EOM recommendations.

The EU EOM implementing partner facilitates the return visit and normally deploys the project manager to ensure that logistical and administrative arrangements are carried out. Some EU EOM national staff is also hired for the duration of the visit to support the CO and the core team members.

Indicative agenda of an EU EOM return visit:

DAY ONE
Arrival of CO, DCO and core team analysts (possible meetings)
DAY TWO
Meetings with political and electoral authorities
DAY THREE
Meeting with EU Member States Press Conference
Distribution of the final report
DAY FOUR
Chief Observer departs DCO and analysts brief the EU Delegation on information needed for the development of the follow-up plan
DAY FIVE
Meeting with international election / democracy support providers
DAY SIX
Preparation for the roundtable event

<b>DAY SEVEN</b>
Roundtable event
<b>DAY EIGHT</b>
Final meeting with EUD to give input for the EOM Follow-up Plan based on the outcome of the roundtable.
<b>DAY NINE</b>
Reporting
<b>DAY TEN</b>
DCO and analysts depart

In addition to presenting the final report and initiating a discussion of possible election reforms, the return visit provides an opportunity to link the work of the EU EOM to the subsequent work of the EU Delegation during the electoral cycle. Throughout the return visit, the DCO and the core team members assist the EU Delegation in preparing a plan for follow-up action aimed at promoting the consideration of EOM recommendations by the national stakeholders and the steps necessary for their implementation. The follow-up plan identifies the relevant EU political and operational tools that can support the implementation of each EU EOM recommendation.

### Guiding principles & rationale for follow-up process

The main objective for follow-up is to ensure that EU EOM recommendations are considered by the host authorities and other national stakeholders and that they remain 'on the reform agenda'. In this regard, EU EOMs and their outcome are an integral component of EU support to democratisation in the world. The EU's Agenda for Action on Democracy Support (2009) provides the framework for EU EOM follow-up and implementation of recommendations, including the need to:

- Take a country-specific approach in developing a strategy for EOM follow-up;
- Ensure national ownership of the EOM recommendations;
- Work through the electoral cycle;
- Ensure coherence of actions and coordination;
- Engage in international cooperation;
- Conduct meaningful dialogues on EOM recommendations and reforms that may be required to conduct democratic elections;
- Build durable partnership with civil society;
- Mainstream EOM follow-up activities using the full range of EU instruments;
- Give visibility to EOM follow-up work.

EOM follow-up should be regarded as a process that takes place throughout the whole election cycle, starting from the point that recommendations are drafted and ending with the arrival of the next EU EOM.



## 9.4 EU Election Follow-up Missions

EU Election Follow-up Missions (EFMs) are a demonstration of the EU's continuing support for electoral and democratic reforms in the inter-election period. Their main purpose is to assess the degree to which EU EOM recommendations have been implemented and electoral reforms undertaken since the EU EOM return visit. EFMs also suggest how further progress can be achieved and raise awareness and understanding of the EU EOM recommendations and technical issues related to their implementation.

EFMs produce a public final report providing an assessment of the implementation of EU EOM recommendations and electoral reforms in the host country, including identifying how certain recommendations can be taken forward. The EFM also provides support to the EU Delegation in reviewing the EU EOM Follow-up Plan, drafted during the EOM return visit. The aim of the review is to update any progress made as well as possible additional follow-up actions (but not new recommendations) that may be taken by the Delegation, the EEAS and the European Commission.

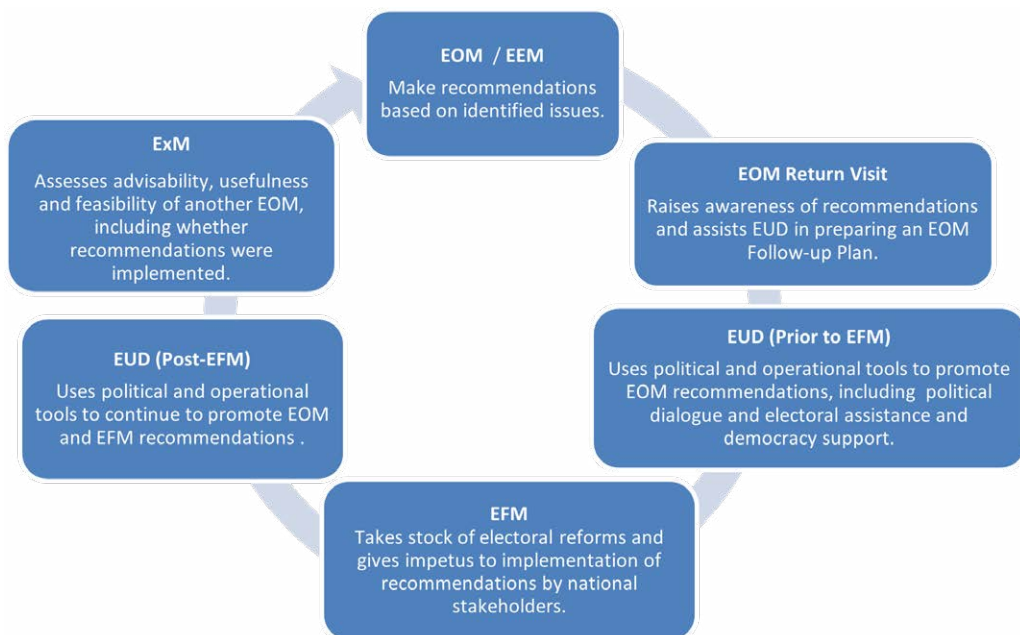
EFMs are usually composed of the former EU EOM Chief Observer, externally recruited electoral experts and EEAS officials. The EFM methodology is adapted to the country context, but includes a review of recommendations to assess their continued relevance and prioritisation. Moreover, it comprises meetings with all relevant election stakeholders, a roundtable discussion with key election stakeholders and a press conference to highlight the findings of the mission.

The timing and scope of the deployment of an EFM deserves special consideration. In general, EFMs are deployed for approximately four weeks at a suitable time between elections, meaning that they are usually scheduled no earlier than 12 months after the issuance of an EOM final report and no later than 18 months before the next elections, when there is still enough time for implementing reforms well ahead of the next election cycle.

As the EFM needs to be deployed at a moment most conducive to fulfil the mission's objectives, the timing needs to be adjusted to specific circumstances and needs of the country – e.g. ongoing national debate on electoral reforms, renewed political will, etc.

## 9.5 Closing the circle. Follow-up to recommendations during the whole electoral cycle

Follow-up to EU election observation missions is a process that takes place throughout the whole election cycle, starting from the point that recommendations are drafted and ending with the arrival of the ExM to assess the advisability, usefulness and feasibility of deploying a subsequent EU EOM.



*Graphic representation of EU activity during the election cycle*

ExMs also review the degree to which the previous EU election mission recommendations have been implemented. The analysis of implementation of recommendations is also an important element in the decision by the HR/VP on whether to send a new EOM to a country where past elections have already been observed.

At the same time, the EU can encourage the implementation of recommendations through technical assistance to national actors involved in the electoral reform process. The European Parliament and EU Member States can also help foster the necessary political will through political dialogue, to encourage authorities to address issues that are detailed in the EU EOM recommendations.





**Annex 1** Declaration of principles for international election observers

Code of Conduct for international election observers

Pledge to accompany the code of conduct for international election observer

**Annex 2** Observation forms templates

**Annex 3** Glossary

**Annex 4** Acronyms & Abbreviations

## DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

October 27, 2005

Genuine democratic elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine democratic elections are internationally recognized human rights. Genuine democratic elections serve to resolve peacefully the competition for political power within a country and thus are central to the maintenance of peace and stability. Where governments are legitimized through genuine democratic elections, the scope for non-democratic challenges to power is reduced.

Genuine democratic elections are a requisite condition for democratic governance, because they are the vehicle through which the people of a country freely express their will, on a basis established by law, as to who shall have the legitimacy to govern in their name and in their interests. Achieving genuine democratic elections is a part of establishing broader processes and institutions of democratic governance. Therefore, while all election processes should reflect universal principles for genuine democratic elections, no election can be separated from the political, cultural and historical context in which it takes place.

Genuine democratic elections cannot be achieved unless a wide range of other human rights and fundamental freedoms can be exercised on an ongoing basis without discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, including among others disabilities, and without arbitrary and unreasonable restrictions. They, like other human rights and democracy more broadly, cannot be achieved without the protections of the rule of law. These precepts are recognized by human rights and other international instruments and by the documents of numerous intergovernmental organizations. Achieving genuine democratic elections therefore has become a matter of concern for international organizations, just as it is the concern of national institutions, political competitors, citizens and their civic organizations.

International election observation expresses the interest of the international community in the achievement of democratic elections, as part of democratic development, including respect for human rights and the rule of law. International election observation, which focuses on civil and political rights, is part of international human rights monitoring and must be conducted on the basis of the highest standards for impartiality concerning national political competitors and must be free from any bilateral or multilateral considerations that could conflict with impartiality. It assesses election processes in accordance with international principles for genuine democratic elections and domestic law, while recognizing that it is the people of a country who ultimately determine credibility and legitimacy of an election process.

International election observation has the potential to enhance the integrity of election processes, by deterring and exposing irregularities and fraud and by providing recommendations for improving electoral processes. It can promote public confidence, as warranted, promote electoral participation and mitigate the potential for election-related conflict. It also serves to enhance international understanding through the sharing of experiences and information about democratic development.

International election observation has become widely accepted around the world and plays an important role in providing accurate and impartial assessments about the nature of electoral processes. Accurate and impartial international election observation requires credible methodologies and cooperation with national authorities, the national political competitors (political parties, candidates and supporters of positions on referenda), domestic election monitoring organizations and other credible international election observer organizations, among others.

The intergovernmental and international nongovernmental organizations endorsing this Declaration and the accompanying Code of Conduct for International Election Observers therefore have joined to declare:

1. Genuine democratic elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The

rights of citizens to vote and to be elected at periodic, genuine democratic elections are internationally recognized human rights. Genuine democratic elections are central for maintaining peace and stability, and they provide the mandate for democratic governance.

2. In accordance with the Universal Declaration of Human Rights, the International Covenant for Civil and Political Rights and other international instruments, everyone has the right and must be provided with the opportunity to participate in the government and public affairs of his or her country, without any discrimination prohibited by international human rights principles and without any unreasonable restrictions. This right can be exercised directly, by participating in referenda, standing for elected office and by other means, or can be exercised through freely chosen representatives.
3. The will of the people of a country is the basis for the authority of government, and that will must be determined through genuine periodic elections, which guarantee the right and opportunity to vote freely and to be elected fairly through universal and equal suffrage by secret balloting or equivalent free voting procedures, the results of which are accurately counted, announced and respected. A significant number of rights and freedoms, processes, laws and institutions are therefore involved in achieving genuine democratic elections.
4. International election observation is: the systematic, comprehensive and accurate gathering of information concerning the laws, processes and institutions related to the conduct of elections and other factors concerning the overall electoral environment; the impartial and professional analysis of such information; and the drawing of conclusions about the character of electoral processes based on the highest standards for accuracy of information and impartiality of analysis. International election observation should, when possible, offer recommendations for improving the integrity and effectiveness of electoral and related processes, while not interfering in and thus hindering such processes. International election observation missions are: organized efforts of intergovernmental and international nongovernmental organizations and associations to conduct international election observation.
5. International election observation evaluates pre-election, election-day and post-election periods through comprehensive, long-term observation, employing a variety of techniques. As part of these efforts, specialized observation missions may examine limited pre-election or post-election issues and specific processes (such as, delimitation of election districts, voter registration, use of electronic technologies and functioning of electoral complaint mechanisms). Stand-alone, specialized observation missions may also be employed, as long as such missions make clear public statements that their activities and conclusions are limited in scope and that they draw no conclusions about the overall election process based on such limited activities. All observer missions must make concerted efforts to place the election day into its context and not to over-emphasize the importance of election day observations. International election observation examines conditions relating to the right to vote and to be elected, including, among other things, discrimination or other obstacles that hinder participation in electoral processes based on political or other opinion, gender, race, colour, ethnicity, language, religion, national or social origin, property, birth or other status, such as physical disabilities. The findings of international election observation missions provide a factual common point of reference for all persons interested in the elections, including the political competitors. This can be particularly valuable in the context of disputed elections, where impartial and accurate findings can help to mitigate the potential for conflicts.
6. International election observation is conducted for the benefit of the people of the country holding the elections and for the benefit of the international community. It is process oriented, not concerned with any particular electoral result, and is concerned with results only to the degree that they are reported honestly and accurately in a transparent and timely manner. No one should be allowed to be a member of an international election observer mission unless that person is free from any political, economic or other conflicts of interest that would interfere with conducting observations accurately and impartially and/or drawing conclusions about the character of the election process accurately and impartially. These criteria must be met effectively over extended periods by long-term observers, as well as during the more limited periods of election day observation, each of which periods present specific challenges for independent and impartial analysis. International election observation missions should not accept funding or infrastructural support from the government whose elections are being observed, as it may raise a significant conflict of interest and undermine confidence in the integrity of the mission's findings. International election observation delegations should be prepared to disclose the sources of their funding upon appropriate and reasonable requests.
7. International election observation missions are expected to issue timely, accurate and impartial statements to the public (including providing copies to electoral authorities and other appropriate national entities), presenting their findings, conclusions and any appropriate recommendations they determine could help improve election related processes. Missions should announce publicly their presence in a country, including the mission's mandate, composition and duration, make periodic reports as warranted and issue a

preliminary post- election statement of findings and a final report upon the conclusion of the election process. International election observation missions may also conduct private meetings with those concerned with organizing genuine democratic elections in a country to discuss the mission's findings, conclusions and recommendations. International election observation missions may also report to their respective intergovernmental or international nongovernmental organizations.

8. The organizations that endorse this Declaration and the accompanying Code of Conduct for International Election Observers pledge to cooperate with each other in conducting international election observation missions. International election observation can be conducted, for example, by: individual international election observer missions; ad hoc joint international election observation missions; or coordinated international election observation missions. In all circumstances, the endorsing organizations pledge to work together to maximize the contribution of their international election observation missions.
9. International election observation must be conducted with respect for the sovereignty of the country holding elections and with respect for the human rights of the people of the country. International election observation missions must respect the laws of the host country, as well as national authorities, including electoral bodies, and act in a manner that is consistent with respecting and promoting human rights and fundamental freedoms.
10. International election observation missions must actively seek cooperation with host country electoral authorities and must not obstruct the election process.
11. A decision by any organization to organize an international election observation mission or to explore the possibility of organizing an observation mission does not imply that the organization necessarily deems the election process in the country holding the elections to be credible. An organization should not send an international election observation mission to a country under conditions that make it likely that its presence will be interpreted as giving legitimacy to a clearly undemocratic electoral process, and international election observation missions in any such circumstance should make public statements to ensure that their presence does not imply such legitimacy.
12. In order for an international election observation mission to effectively and credibly conduct its work basic conditions must be met. An international election observation mission therefore should not be organized unless the country holding the election takes the following actions:
  - a. Issues an invitation or otherwise indicates its willingness to accept international election observation missions in accordance with each organization's requirements sufficiently in advance of elections to allow analysis of all of the processes that are important to organizing genuine democratic elections;
  - b. Guarantees unimpeded access of the international election observer mission to all stages of the election process and all election technologies, including electronic technologies and the certification processes for electronic voting and other technologies, without requiring election observation missions to enter into confidentiality or other nondisclosure agreements concerning technologies or election processes, and recognizes that international election observation missions may not certify technologies as acceptable;
  - c. Guarantees unimpeded access to all persons concerned with election processes, including:
    - i. electoral officials at all levels, upon reasonable requests,
    - ii. members of legislative bodies and government and security officials whose functions are relevant to organizing genuine democratic elections,
  - d. all of the political parties, organizations and persons that have sought to compete in the elections (including those that qualified, those that were disqualified and those that withdrew from participating) and those that abstained from participating,
    - i. news media personnel, and
    - ii. all organizations and persons that are interested in achieving genuine democratic elections in the country;
  - e. Guarantees freedom of movement around the country for all members of the international election observer mission;
  - f. Guarantees the international election observer mission's freedom to issue without interference public statements and reports concerning its findings and recommendations about election related processes and developments;

- g. Guarantees that no governmental, security or electoral authority will interfere in the selection of individual observers or other members of the international election observation mission or attempt to limit its numbers;
- h. Guarantees full, country-wide accreditation (that is, the issuing of any identification or document required to conduct election observation) for all persons selected to be observers or other participants by the international election observation mission as long as the mission complies with clearly defined, reasonable and non-discriminatory requirements for accreditation;
- i. Guarantees that no governmental, security or electoral authority will interfere in the activities of the international election observation mission; and
- j. Guarantees that no governmental authority will pressure, threaten action against or take any reprisal against any national or foreign citizen who works for, assists or provides information to the international election observation mission in accordance with international principles for election observation.

As a prerequisite to organizing an international election observation mission, intergovernmental and international nongovernmental organizations may require that such guarantees are set forth in a memorandum of understanding or similar document agreed upon by governmental and/or electoral authorities. Election observation is a civilian activity, and its utility is questionable incircumstances that present severe security risks, limit safe deployments of observers or otherwise would negate employing credible election observation methodologies.

13. International election observation missions should seek and may require acceptance of their presence by all major political competitors.
14. Political contestants (parties, candidates and supporters of positions on referenda) have vested interests in the electoral process through their rights to be elected and to participate directly in government. They therefore should be allowed to monitor all processes related to elections and observe procedures, including among other things the functioning of electronic and other electoral technologies inside polling stations, counting centers and other electoral facilities, as well as the transport of ballots and other sensitive materials.
15. International election observation missions should:
  - a. establish communications with all political competitors in the election process, including representatives of political parties and candidates who may have information concerning the integrity of the election process;
  - b. welcome information provided by them concerning the nature of the process;
  - c. independently and impartially evaluate such information; and
  - d. should evaluate as an important aspect of international election observation whether the political contestants are, on a nondiscriminatory basis, afforded access to verify the integrity of all elements and stages of the election process. International election observation missions should in their recommendations, which may be issued in writing or otherwise be presented at various stages of the election process, advocate for removing any undue restrictions or interference against activities by the political competitors to safeguard the integrity of electoral processes.
16. Citizens have an internationally recognized right to associate and a right to participate in governmental and public affairs in their country. These rights may be exercised through nongovernmental organizations monitoring all processes related to elections and observing procedures, including among other things the functioning of electronic and other electoral technologies inside polling stations, counting centers and other electoral facilities, as well as the transport of ballots and other sensitive materials. International election observation missions should evaluate and report on whether domestic nonpartisan election monitoring and observation organizations are able, on a nondiscriminatory basis, to conduct their activities without undue restrictions or interference. International election observation missions should advocate for the right of citizens to conduct domestic nonpartisan election observation without any undue restrictions or interference and should in their recommendations address removing any such undue restrictions or interference.
17. International election observation missions should identify, establish regular communications with and cooperate as appropriate with credible domestic nonpartisan election monitoring organizations. International election observation missions should welcome information provided by such organizations concerning the nature of the election process. Upon independent evaluation of information provided by such organizations, their findings can provide an important complement to the findings of international election observation



missions, although international election observation missions must remain independent. International election observation missions therefore should make every reasonable effort to consult with such organizations before issuing any statements.

18. The intergovernmental and international nongovernmental organizations endorsing this Declaration recognize that substantial progress has been made in establishing standards, principles and commitments concerning genuine democratic elections and commit themselves to use a statement of such principles in making observations, judgments and conclusions about the character of election processes and pledge to be transparent about the principles and observation methodologies they employ.
19. The intergovernmental and nongovernmental organizations endorsing this Declaration recognize that there are a variety of credible methodologies for observing election processes and commit to sharing approaches and harmonizing methodologies as appropriate. They also recognize that international election observation missions must be of sufficient size to determine independently and impartially the character of election processes in a country and must be of sufficient duration to determine the character of all of the critical elements of the election process in the pre-election, election-day and post-election periods – unless an observation activity is focused on and therefore only comments on one or a limited number of elements of the election process. They further recognize that it is necessary not to isolate or over-emphasize election day observations, and that such observations must be placed into the context of the overall electoral process.
20. The intergovernmental and international nongovernmental organizations endorsing this Declaration recognize that international election observation missions should include persons of sufficiently diverse political and professional skills, standing and proven integrity to observe and judge processes in light of: expertise in electoral processes and established electoral principles; international human rights; comparative election law and administration practices (including use of computer and other election technology); comparative political processes and country specific considerations. The endorsing organizations also recognize the importance of balanced gender diversity in the composition of participants and leadership of international election observation missions, as well as diversity of citizenship in such missions.
21. The intergovernmental and international nongovernmental organizations endorsing this Declaration commit to:
  - a. familiarize all participants in their international election observation missions concerning the principles of accuracy of information and political impartiality in making judgments and conclusions;
  - b. provide a terms of reference or similar document, explaining the purposes of the mission;
  - c. provide information concerning relevant national laws and regulations, the general political environment and other matters, including those that relate to the security and well being of observers;
  - d. instruct all participants in the election observation mission concerning the methodologies to be employed; and
  - e. require all participants in the election observation mission to read and pledge to abide by the Code of Conduct for International Election Observers, which accompanies this Declaration and which may be modified without changing its substance slightly to fit requirements of the organization, or pledge to abide by a pre-existing code of conduct of the organization that is substantially the same as the accompanying Code of Conduct.
22. The intergovernmental and international nongovernmental organizations endorsing this Declaration commit to use every effort to comply with the terms of the Declaration and the accompanying Code of Conduct for International Election Observers. Any time that an endorsing organization deems it necessary to depart from any of terms of the Declaration or the Accompanying Code of Conduct in order to conduct election observation in keeping with the spirit of the Declaration, the organization will explain in its public statements and will be prepared to answer appropriate questions from other endorsing organizations concerning why it was necessary to do so.
23. The endorsing organizations recognize that governments send observer delegations to elections in other countries and that others also observe elections. The endorsing organizations welcome any such observers agreeing on an ad hoc basis to this declaration and abiding by the accompanying Code of Conduct for International Election Observers.
24. This Declaration and the accompanying Code of Conduct for International Election Observers are intended to be technical documents that do not require action by the political bodies of endorsing organizations (such as assemblies, councils or boards of directors), though such actions are welcome. This Declaration and the accompanying Code of Conduct for International Election Observers remain open for endorsement by other intergovernmental and international nongovernmental organizations. Endorsements should be recorded with the United Nations Electoral Assistance Division.

# CODE OF CONDUCT FOR INTERNATIONAL ELECTION OBSERVERS

International election observation is widely accepted around the world. It is conducted by inter-governmental and international nongovernmental organizations and associations in order to provide an impartial and accurate assessment of the nature of election processes for the benefit of the population of the country where the election is held and for the benefit of the international community. Much therefore depends on ensuring the integrity of international election observation, and all who are part of this international election observation mission, including long-term and short-term observers, members of assessment delegations, specialized observation teams and leaders of the mission, must subscribe to and follow this Code of Conduct.

## **Respect Sovereignty and International Human Rights**

Elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine elections are internationally recognized human rights, and they require the exercise of a number of fundamental rights and freedoms. Election observers must respect the sovereignty of the host country, as well as the human rights and fundamental freedoms of its people.

## **Respect the Laws of the Country and the Authority of Electoral Bodies**

Observers must respect the laws of the host country and the authority of the bodies charged with administering the electoral process. Observers must follow any lawful instruction from the country's governmental, security and electoral authorities. Observers also must maintain a respectful attitude toward electoral officials and other national authorities. Observers must note if laws, regulations or the actions of state and/or electoral officials unduly burden or obstruct the exercise of election-related rights guaranteed by law, constitution or applicable international instruments.

## **Respect the Integrity of the International Election Observation Mission**

Observers must respect and protect the integrity of the international election observation mission. This includes following this Code of Conduct, any written instructions (such as a terms of reference, directives and guidelines) and any verbal instructions from the observation mission's leadership. Observers must: attend all of the observation mission's required briefings, trainings and debriefings; become familiar with the election law, regulations and other relevant laws as directed by the observation mission; and carefully adhere to the methodologies employed by the observation mission. Observers also must report to the leadership of the observation mission any conflicts of interest they may have and any improper behavior they see conducted by other observers that are part of the mission.

## **Maintain Strict Political Impartiality at All Times**

Observers must maintain strict political impartiality at all times, including leisure time in the host country. They must not express or exhibit any bias or preference in relation to national authorities, political parties, candidates, referenda issues or in relation to any contentious issues in the election process. Observers also must not conduct any activity that could be reasonably perceived as favoring or providing partisan gain for any political competitor in the host country, such as wearing or displaying any partisan symbols, colors, banners or accepting anything of value from political competitors.

### **Do Not Obstruct Election Processes**

Observers must not obstruct any element of the election process, including pre-election processes, voting, counting and tabulation of results and processes transpiring after election day. Observers may bring irregularities, fraud or significant problems to the attention of election officials on the spot, unless this is prohibited by law, and must do so in a non-obstructive manner. Observers may ask questions of election officials, political party representatives and other observers inside polling stations and may answer questions about their own activities, as long as observers do not obstruct the election process. In answering questions observers should not seek to direct the election process. Observers may ask and answer questions of voters but may not ask them to tell for whom or what party or referendum position they voted.

### **Provide Appropriate Identification**

Observers must display identification provided by the election observation mission, as well as identification required by national authorities, and must present it to electoral officials and other interested national authorities when requested.

### **Maintain Accuracy of Observations and Professionalism in Drawing Conclusions**

Observers must ensure that all of their observations are accurate. Observations must be comprehensive, noting positive as well as negative factors, distinguishing between significant and insignificant factors and identifying patterns that could have an important impact on the integrity of the election process. Observers' judgments must be based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence. Observers must base all conclusions on factual and verifiable evidence and not draw conclusions prematurely. Observers also must keep a well documented record of where they observed, the observations made and other relevant information as required by the election observation mission and must turn in such documentation to the mission.

### **Refrain from Making Comments to the Public or the Media before the Mission Speaks**

Observers must refrain from making any personal comments about their observations or conclusions to the news media or members of the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership. Observers may explain the nature of the observation mission, its activities and other matters deemed appropriate by the observation mission and should refer the media or other interested persons to the those individuals designated by the observation mission.

### **Cooperate with Other Election Observers**

Observers must be aware of other election observation missions, both international and domestic, and cooperate with them as instructed by the leadership of the election observation mission.

### **Maintain Proper Personal Behavior**

Observers must maintain proper personal behavior and respect others, including exhibiting sensitivity for host-country cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.

### **Violations of This Code of Conduct**

In a case of concern about the violation of this Code of Conduct, the election observation mission shall conduct an inquiry into the matter. If a serious violation is found to have occurred, the observer concerned may have their observer accreditation withdrawn or be dismissed from the election observation mission. The authority for such determinations rests solely with the leadership of the election observation mission.

### **Pledge to Follow This Code of Conduct**



Every person who participates in this election observation mission must read and understand this Code of Conduct and must sign a pledge to follow it.

## PLEDGE TO ACCOMPANY THE CODE OF CONDUCT FOR INTERNATIONAL ELECTION OBSERVERS

***I have read and understand the Code of Conduct for International Election Observers*** that was provided to me by the international election observation mission. I hereby pledge that I will follow the Code of Conduct and that all of my activities as an election observer will be conducted completely in accordance with it. I have no conflicts of interest, political, economic nor other, that will interfere with my ability to be an impartial election observer and to follow the Code of Conduct.

***I will maintain strict political impartiality at all times. I will make my judgments*** based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence, and I will base all of my conclusions on factual and verifiable evidence.

***I will not obstruct the election process. I will respect national laws and the*** authority of election officials and will maintain a respectful attitude toward electoral and other national authorities. I will respect and promote the human rights and fundamental freedoms of the people of the country. I will maintain proper personal behavior and respect others, including exhibiting sensitivity for host-country cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.

***I will protect the integrity of the international election observation mission and*** will follow the instructions of the observation mission. I will attend all briefings, trainings and debriefings required by the election observation mission and will cooperate in the production of its statements and reports as requested. I will refrain from making personal comments, observations or conclusions to the news media or the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership.



**European Union**  
**Election Observation Mission**  
Country YYYY

**Form A Opening**

**Section A: Observer team**

A.1 Team number	<input type="text"/>
A.2 Time of arrival	<input type="text"/>
A.3 Time of departure	<input type="text"/>

**SECTION B: Polling station identification**

B.1 Polling station region	<input type="text"/>
B.2 Polling station district	<input type="text"/>
B.3 Polling station number	<input type="text"/>
B.4 Polling station type	<input type="radio"/> Rural <input type="radio"/> Urban <input type="radio"/> Special
B.5 Does this polling station belong to the preselected sample?	<input type="radio"/> Yes <input type="radio"/> No

**SECTION C: Circumstances outside the polling station**

C.1 Is the polling station accessible for voters with reduced mobility?	<input type="radio"/> Yes	<input type="radio"/> No
C.2 Is there a long queue of voters waiting to vote outside the polling station?	<input type="radio"/> Yes	<input type="radio"/> No
C.3 Did you observe any particular problem in the vicinity of the polling station?	<input type="radio"/> Yes	<input type="radio"/> No
C.3.1 If Yes, please specify		
<input type="checkbox"/> Bussing activities	<input type="checkbox"/> Campaign activities	<input type="checkbox"/> Campaign material
<input type="checkbox"/> Indication of vote buying	<input type="checkbox"/> Intimidation	<input type="checkbox"/> Unauthorised presence of security forces
<input type="checkbox"/> Unrest	<input type="checkbox"/> Violence	<input type="checkbox"/> Other

**SECTION D: Opening**

D.1 Did the PS open for voting at hh:mm?	<input type="radio"/> Yes	<input type="radio"/> No
D.1.1 If No to D.1 the delay was:		
<input type="radio"/> Between 1-10 minutes	<input type="radio"/> Between 11-30 minutes	<input type="radio"/> Between 31-60 minutes
<input type="radio"/> Over 60 minutes	<input type="radio"/> Did not open	
<small>*If over 60 minutes delay, please fill in the "Comments" box</small>		
D.1.2 If No to D.1, what was the reason for the delay?		
<input type="checkbox"/> Insufficient PS staff	<input type="checkbox"/> Issue with PS premises	<input type="checkbox"/> Lack of essential material
<input type="checkbox"/> Security problems	<input type="checkbox"/> Unpreparedness of polling station staff	<input type="checkbox"/> Unrest
<input type="checkbox"/> Other		
D.2 Was the PS layout suitable for voting? (Enough space, light, etc.)	<input type="radio"/> Yes	<input type="radio"/> No
D.3 Was any of the essential election materials missing?	<input type="radio"/> Yes	<input type="radio"/> No
D.3.1 If Yes to D.3, please specify		
<input type="checkbox"/> Ballot boxes	<input type="checkbox"/> Ballot papers in sufficient number	<input type="checkbox"/> Envelopes (for material)
<input type="checkbox"/> Indelible/invisible ink	<input type="checkbox"/> Mobile ballot boxes	<input type="checkbox"/> Polling booth(s)
<input type="checkbox"/> Protocols	<input type="checkbox"/> Seals	<input type="checkbox"/> (Tamper-evident) bags
<input type="checkbox"/> Voter list	<input type="checkbox"/> Voting envelopes	<input type="checkbox"/> Other
D.4 Was/were the ballot box/es shown to be empty?	<input type="radio"/> Yes	<input type="radio"/> No
D.5 Was/were the ballot box/es shown to be sealed securely?	<input type="radio"/> Yes	<input type="radio"/> No
D.6 What was the total number of voter registered on the "main" voter list?	<input type="text"/>	
D.7 Were ballot papers received counted before voting started?	<input type="radio"/> Yes	<input type="radio"/> No
D.7.1 If yes, What was the total number of ballot papers received by the PS?		
<input type="text"/>		
D.8 Was the number of ballot papers received recorded before voting started?	<input type="radio"/> Yes	<input type="radio"/> No
	<input type="radio"/> NA	
D.9 Opening procedures were followed	<input type="radio"/> Completely <input type="radio"/> Mostly <input type="radio"/> Partly <input type="radio"/> Not at all	

## SECTION E: People present

### E.1 Polling staff members present

	Male	Female	Absent
Chair person	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Deputy chair	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Secretary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Member 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### E.2 Party/candidate representatives present

	Male	Female	M & F	No representative
Party 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Party 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Party 3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### E.3 Citizen observers present

	Male	Female	M & F	No observer
Group 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Group 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Group 3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

E.4 Was/were any unauthorised person(s) present inside the PS? ☐ Yes ☐ No

#### E.4.1 If Yes to E.4, please specify

- ☐ Army ☐ Local officials ☐ Party official(s)/Candidates  
☐ Police (uninvited) ☐ Religious, traditional leaders/authorities ☐ Other

E.4.2 If Yes to E.4, did the PS staff request the unauthorised people to leave the PS? ☐ Yes ☐ No ☐ NA

E.5 Was any of the people present unduly interfering with the work of the PS staff? ☐ Yes ☐ No

#### E.5.1 If Yes, please specify

- ☐ Army ☐ Citizen observer(s) ☐ Local officials  
☐ Party/candidate representatives ☐ Party officials/Candidate(s) ☐ Police  
☐ Religious, traditional leaders/authorities ☐ Voter(s) ☐ Other

## SECTION F: Transparency of the opening process

F.1 Did all people present have a clear view of the opening procedures? ☐ Yes ☐ No

F.2 Were you able to observe the opening process without undue restriction? ☐ Yes ☐ No

F.3 Were party/candidate representatives and citizen observers able to observe the voting process without undue restriction? ☐ Yes ☐ No ☐ NA

F.4 Was any formal complaint lodged during the opening? ☐ Yes ☐ No

F.4.1 If Yes, did the counting polling station staff handle the complaint according to procedures? ☐ Yes ☐ No

## SECTION G: Overall assessment

4=Very good 3=Good 2=Bad 1=Very Bad

	4	3	2	1
G.1 The overall conduct of the opening in this PS was	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### Comments

Please specify the question number at the start of each comment



**European Union**  
**Election Observation Mission**  
Country YYYY

**Form B Voting**

**SECTION A: Observer team**

A.1 Team number	<input type="text"/>
A.2 Time of arrival	<input type="text"/>

**SECTION B: Polling station identification**

B.1 Polling station region	<input type="text"/>
B.2 Polling station district	<input type="text"/>
B.3 Polling station number	<input type="text"/>
B.4 Polling station type	<input type="radio"/> Rural <input type="radio"/> Urban <input type="radio"/> Special
B.5 Does this polling station belong to the preselected sample?	<input type="radio"/> Yes <input type="radio"/> No

**SECTION C: Circumstances outside the polling station**

C.1 Is the PS accessible for voters with reduced mobility?	<input type="radio"/> Yes <input type="radio"/> No
C.2 Is there a long queue of voters waiting to vote outside the PS?	<input type="radio"/> Yes <input type="radio"/> No
C.3 Did you observe any particular problem in the vicinity of the PS?	<input type="radio"/> Yes <input type="radio"/> No
C.3.1 If Yes, please specify:	
<input type="checkbox"/> Bussing activities	<input type="checkbox"/> Campaign activities
<input type="checkbox"/> Indication of vote buying	<input type="checkbox"/> Intimidation
<input type="checkbox"/> Unrest	<input type="checkbox"/> Violence
	<input type="checkbox"/> Campaign material
	<input type="checkbox"/> Unauthorised presence of security forces
	<input type="checkbox"/> Other

**SECTION D: Registered voters**

D.1 Total number of voters registered on the "main" voter list	<input type="text"/>
D.2 Total number of voters who had already voted at the time of your arrival	<input type="text"/>

**SECTION E: People present**

E.1 Polling staff members present				
	Male	Female	Absent	
Chair person	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Deputy chair	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Secretary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Member 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
E.2 Party/candidate representatives present				
	Male	Female	M & F	No representative
Party 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Party 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Party 3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
E.3 Citizen observers present				
	Male	Female	M & F	No observer
Group 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Group 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Group 3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
E.4 Was/were any unauthorised person(s) present inside the PS during your observation?				
<input type="radio"/> Yes <input type="radio"/> No				
E.4.1 If Yes to E.4, please specify				
<input type="checkbox"/> Army	<input type="checkbox"/> Local officials	<input type="checkbox"/> Party officials/Candidates		
<input type="checkbox"/> Police (univited)	<input type="checkbox"/> Religious, traditional leaders/authorities	<input type="checkbox"/> Other		
E.4.2 If Yes to E.4, did the PS staff request the unauthorised people to leave the PS?				
<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA				
E.5 Was any of the people present unduly interfering with the work of the PS staff?				
<input type="radio"/> Yes <input type="radio"/> No				
E.5.1 If Yes, please specify:				
<input type="checkbox"/> Army	<input type="checkbox"/> Citizen observer(s)	<input type="checkbox"/> Local officials		
<input type="checkbox"/> Party/candidate representatives	<input type="checkbox"/> Party official(s)/Candidate(s)	<input type="checkbox"/> Police		
<input type="checkbox"/> Religious, traditional leaders/authorities	<input type="checkbox"/> Voter(s)	<input type="checkbox"/> Other		

## SECTION F: Inside the polling station

F.1 Is the PS layout adequate for the conduct of polling? (Sufficient space/light,...)	<input type="radio"/> Yes	<input type="radio"/> No
F.2 Does the PS layout sufficiently protect the secrecy of the ballot?	<input type="radio"/> Yes	<input type="radio"/> No
F.3 Is/are the ballot box(es) in plain view?	<input type="radio"/> Yes	<input type="radio"/> No
F.4 Is the PS layout suitable to voters with reduced mobility? (Doorways, corridors, booths)	<input type="radio"/> Yes	<input type="radio"/> No
F.5 Is the PS overcrowded?	<input type="radio"/> Yes	<input type="radio"/> No
F.6 Is there unrest inside the PS?	<input type="radio"/> Yes	<input type="radio"/> No
If Yes, please comment		
F.7 Is there tension inside the PS?	<input type="radio"/> Yes	<input type="radio"/> No
F.8 Is there any campaign material inside the PS?	<input type="radio"/> Yes	<input type="radio"/> No
F.9 Is there any campaign activity inside the PS?	<input type="radio"/> Yes	<input type="radio"/> No
F.10 Is any of the essential material missing?	<input type="radio"/> Yes	<input type="radio"/> No

F.10.1 If Yes, please specify:

<input type="checkbox"/> Ballot boxes	<input type="checkbox"/> Ballot papers in sufficient numbers	<input type="checkbox"/> Envelopes for material
<input type="checkbox"/> Indelible/Invisible ink	<input type="checkbox"/> Mobile ballot box	<input type="checkbox"/> Protocols
<input type="checkbox"/> Seals	<input type="checkbox"/> Stamps	<input type="checkbox"/> (Tamper-evident) bags
<input type="checkbox"/> Voter list	<input type="checkbox"/> Voting envelopes	<input type="checkbox"/> Other

F.11 Did the PS staff record the number of ballots papers received? ☐ Yes ☐ No ☐ N/A

F.11.1 If Yes, what was the number of ballots papers received in the PS?

## SECTION G: Voting procedures

	Always	Mostly	Sometimes	Never
G.1 Did the polling staff check the voters' IDs?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
G.2 Did the polling staff check for traces of ink upon entering the PS?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
G.3 Did the voters sign/mark the voter list/the counterfoil?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
G.4 Were voters fingers marked with ink before/upon/after voting?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
G.5 Did the voters mark/choose their ballot in secrecy?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If not "Always", please comment

G.6 Did you see any voter being turned away for a lawful reason? ☐ Yes ☐ No

G.6.1 If Yes, please specify the reason:

<input type="checkbox"/> Already voted	<input type="checkbox"/> Inked finger	<input type="checkbox"/> No proper ID
<input type="checkbox"/> Not on the voters list	<input type="checkbox"/> Out-of-date ID	<input type="checkbox"/> Other lawful reason

G.7 Did you see any voter being turned away with no lawful ground? ☐ Yes ☐ No

\*If yes, please comment

G.8 Did you see any voter without proper ID/passport being allowed to vote? ☐ Yes ☐ No

G.9 Did you see anyone attempting to influence voters on who to vote for? ☐ Yes ☐ No

G.10 Did you see voters voting together in the same polling booth? ☐ Yes ☐ No

G.11 Did you see any indication of ballot box stuffing? ☐ Yes ☐ No

G.12 Did you see any voter voting on behalf of another one? ☐ Yes ☐ No

G.13 Did you see any underage person being allowed to vote? ☐ Yes ☐ No

G.14 Did you see any other significant procedural problem? ☐ Yes ☐ No

If Yes, please comment

## SECTION H: Transparency of the voting process

H.1 Were you able to observe the voting process without undue restriction? ☐ Yes ☐ No

H.2 Were party/candidate representatives and citizen observers able to observe the voting process without undue restriction? ☐ Yes ☐ No ☐ NA

H.3 Did anyone present inform you of problems at this PS? ☐ Yes ☐ No

If Yes, please comment

H.4 Have any formal complaints been lodged at this polling station since the opening? ☐ Yes ☐ No

H.4.1 If Yes, did the PS staff handle the complaint according to procedures? ☐ Yes ☐ No

## SECTION I: Turnout

I.1 Time of departure

I.2 Total number of voters who had voted at the time of your departure

SECTION J: Overall assessment

4=Very good 3=Good 2=Bad 1=Very bad

	4	3	2	1
J.1 The overall conduct of the voting in this PS was	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5=Very good 4=Good 3=Not good/Not bad 2=Bad 1=Very bad

	5	4	3	2	1	D/K
J.2 General environment/circumstances	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
J.3 Voters' understanding of the voting procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
J.4 Polling staff overall performance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
J.5 Level of confidence that voters cast their ballot freely	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
J.6 Transparency of the voting process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments

Please specify the question number at the start of each comment



**European Union**  
**Election Observation Mission**  
Country YYYY

**Form C Closing and counting**

**SECTION A: Observer team**

A.1 Team number	<input type="text"/>
A.2 Time of arrival	<input type="text"/>
A.3 Time of departure	<input type="text"/>
A.4 At what time did the counting process start?	<input type="text"/>
A.5 At what time did the counting process end?	<input type="text"/>

**SECTION B: Polling station identification**

B.1 Polling station region	<input type="text"/>
B.2 Polling station district	<input type="text"/>
B.3 Polling station number	<input type="text"/>
B.4 Polling station type	<input type="radio"/> Urban <input type="radio"/> Rural <input type="radio"/> Special
B.5 Does this polling station belong to the preselected sample?	<input type="radio"/> Yes <input type="radio"/> No

**SECTION C: Circumstances outside the polling station**

C.1 Is there a large crowd of voters outside the PS?	<input type="radio"/> Yes <input type="radio"/> No	
C.2 Did you observe any other problems in the vicinity of the PS?	<input type="radio"/> Yes <input type="radio"/> No	
C.2.1 If Yes, please specify		
<input type="checkbox"/> Bussing activities	<input type="checkbox"/> Campaign activities	<input type="checkbox"/> Campaign material
<input type="checkbox"/> Indication of vote buying	<input type="checkbox"/> Intimidation	<input type="checkbox"/> Unauthorised presence of security forces
<input type="checkbox"/> Unrest	<input type="checkbox"/> Violence	<input type="checkbox"/> Other

**SECTION D: Closing of the polling station**

D.1 Were there voters waiting in line at the time of closing?	<input type="radio"/> Yes <input type="radio"/> No	
D.1.1 If Yes, how many approximately?		
<input type="text"/>		
D.1.2 If Yes, were they allowed to vote?	<input type="radio"/> Yes <input type="radio"/> No <small>If No, please comment</small>	
D.2 Were voters arriving after the time of closing allowed to vote?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA <small>If Yes, please comment</small>	
D.3 Did the PS close on time?	<input type="radio"/> Yes <input type="radio"/> No	
D.3.1 If No to D.3, please specify		
<input type="radio"/> Before closing time	<input type="radio"/> Between 1-10 minutes late	<input type="radio"/> Between 11-30 minutes late
<input type="radio"/> Between 31-60 minutes late	<input type="radio"/> Over 60 minutes late	
<small>*If delay its over 60 minutes, please comment</small>		
D.3.1.1 If late closing, what was/were the reason/s?		
<input type="checkbox"/> Late opening	<input type="checkbox"/> Queue of voters	<input type="checkbox"/> Unrest
<input type="checkbox"/> Other		
<small>If "Other", please specify in comments</small>		
D.3.1.2 If early closing, what was/were the reason/s?		
<input type="checkbox"/> All voters voted	<input type="checkbox"/> Lack of material	<input type="checkbox"/> Unrest
<input type="checkbox"/> Other		
<small>If "Other", please specify in comments</small>		

**SECTION E: People present**

E.1 Polling staff members present				
	Male	Female	Absent	
Chair person	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Deputy chair	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Secretary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Member 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
E.2 Party/candidate representatives present				
	Male	Female	M & F	No representative

	Male	Female	M & F	No representative
Party 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Party 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Party 3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### E.3 Citizen observers present

	Male	Female	M & F	No observer
Group 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Group 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Group 3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

E.4 Was/were any unauthorised person(s) present inside the PS during your observation? ☐ Yes ☐ No

E.4.1 If Yes to E.4, please specify:

- ☐ Army ☐ Local officials ☐ Party officials/Candidates  
☐ Police (uninvited) ☐ Religious, traditional leaders/authorities ☐ Other

E.4.2 If Yes to E.4, did the PS staff request the unauthorised people to leave the PS?

☐ Yes ☐ No ☐ NA

E.5 Was any of the people present in the PS unduly interfering with the work of the PS staff? ☐ Yes ☐ No

E.5.1 If Yes, please specify:

- ☐ Army ☐ Citizen observer(s) ☐ Local officials  
☐ Party/Candidate representatives ☐ Party official(s)/Candidate(s) ☐ Police  
☐ Religious, traditional leaders/authorities ☐ Voter(s) ☐ Other

## SECTION F: Before the ballot box/es is/are opened

F.1 Did the PS staff lock/seal the ballot box slot?	<input type="radio"/> Yes	<input type="radio"/> No
F.2 Did the process start immediately after the closing of the PS?	<input type="radio"/> Yes	<input type="radio"/> No
F.3 Did the polling staff count the number of signatures/marks on the voter list?	<input type="radio"/> Yes	<input type="radio"/> No
F.4 Did the polling staff record the number of signatures/marks in the (closing) protocol?	<input type="radio"/> Yes	<input type="radio"/> No
F.5 Did the polling staff count the number of unused ballots and pack them in the official envelope/bag?	<input type="radio"/> Yes	<input type="radio"/> No
F.6 Did the polling staff record the number of unused ballots in the closing protocol?	<input type="radio"/> Yes	<input type="radio"/> No
F.7 Did the polling staff count the spoiled ballots and pack them in the official envelope/bag?	<input type="radio"/> Yes	<input type="radio"/> No
F.8 Did the polling staff record the number of spoiled ballots in the closing protocol?	<input type="radio"/> Yes	<input type="radio"/> No
F.9 Did all election material remain in plain view of observers and party/candidate representatives during the count?	<input type="radio"/> Yes	<input type="radio"/> No
F.10 Were the seals of the ballot box/es intact/undamaged before opening?	<input type="radio"/> Yes	<input type="radio"/> No
F.11 Are there indications of ballot box stuffing?	<input type="radio"/> Yes	<input type="radio"/> No

## SECTION G: Counting of ballots

G.1 Did the polling staff cross-check the number of ballots cast against the number of signatures in the voter list?	<input type="radio"/> Yes	<input type="radio"/> No
G.2 Was the number of ballots in the ballot box higher than the number of signatures/marks on the voter list?	<input type="radio"/> Yes	<input type="radio"/> No
G.2.1 If Yes, how did the PS staff handle the discrepancy?	<input type="checkbox"/> Changed figures not in line with procedures <input type="checkbox"/> Stopped counting and referred to upper commission	
	<input type="checkbox"/> Deliberated and resumed <input type="checkbox"/> Made note in the protocol	
G.3 Was the total number of ballots in the ballot box counted before being sorted by candidate/party?	<input type="radio"/> Yes	<input type="radio"/> No <input type="radio"/> NA
G.4 Was the total number of ballots in the ballot box recorded?	<input type="radio"/> Yes	<input type="radio"/> No <input type="radio"/> NA
G.5 Was the choice on every ballot announced aloud?	<input type="radio"/> Always	<input type="radio"/> Mostly <input type="radio"/> Sometimes <input type="radio"/> Never
G.6 Was each ballot paper shown for all present to see the choice of the voter?	<input type="radio"/>	<input type="radio"/>
G.7 Were ballots cast for each candidate/party and invalid ballots correctly separated and counted?	<input type="radio"/>	<input type="radio"/>
G.8 Were valid/invalid ballots determined in accordance with the rules?	<input type="radio"/>	<input type="radio"/>
G.9 Before declaring any ballot invalid, did the chairperson show it to the polling staff and observers?	<input type="radio"/>	<input type="radio"/>
G.10 Were the votes counted for the correct candidate?	<input type="radio"/>	<input type="radio"/>
G.11 At the end of the count, were all ballots packed according to procedures?	<input type="radio"/> Yes	<input type="radio"/> No



## SECTION H: Completion of the protocol/s

H.1 Did the polling staff perform crosschecks of the data for mathematical consistency?	<input type="radio"/> Yes	<input type="radio"/> No
H.2 Did polling staff appear to be having difficulties completing the protocols?	<input type="radio"/> Yes	<input type="radio"/> No
H.3 Did all polling staff agree on the figures entered in the protocols?	<input type="radio"/> Yes	<input type="radio"/> No
H.4 Was the results protocol filled out completely?	<input type="radio"/> Yes	<input type="radio"/> No
H.5 Did the figures in the results protocol reconcile?	<input type="radio"/> Yes	<input type="radio"/> No
H.6 Were the protocol/s and other election materials transferred directly to the higher election commission after counting?	<input type="radio"/> Yes	<input type="radio"/> No

## SECTION I: Possible problems and irregularities

I.1 Is the counting process seriously hampered by overcrowding?	<input type="radio"/> Yes	<input type="radio"/> No
I.2 Is the counting process seriously hampered by disorganisation?	<input type="radio"/> Yes	<input type="radio"/> No
I.3 Did you observe any evidence of falsification of voter lists entries, results or protocol?	<input type="radio"/> Yes	<input type="radio"/> No
I.4 Did you observe any significant procedural errors or omissions?	<input type="radio"/> Yes	<input type="radio"/> No

I.4.1 If Yes, errors or omissions were related to:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Allocating ballots to candidates/party | <input type="checkbox"/> Ballot reconciliation                      | <input type="checkbox"/> Closing procedures |
| <input type="checkbox"/> Counting-recounting of ballots         | <input type="checkbox"/> Determination of valid and invalid ballots | <input type="checkbox"/> Other              |

I.5 Did you observe any intimidation of polling staff during the count?	<input type="radio"/> Yes	<input type="radio"/> No
If Yes, please comment		

## SECTION J: Transparency of the counting process

J.1 Were you able to observe the voting process without undue restriction?		<input type="radio"/> Yes	<input type="radio"/> No
J.2 Were party/candidate representatives and citizen observers able to observe the counting process without undue restriction?	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> NA
J.3 Did anyone present inform you of problems at this PS?		<input type="radio"/> Yes	<input type="radio"/> No
		If Yes, please comment	
J.4 Was any official complaint filed at this PS during your stay?		<input type="radio"/> Yes	<input type="radio"/> No
J.4.1 If Yes, did the PS staff handle the complaint according to procedures?		<input type="radio"/> Yes	<input type="radio"/> No
J.5 Were the polling station (PS) results posted outside the PS?		<input type="radio"/> Yes	<input type="radio"/> No
J.6 Did party/candidates agents receive copies of the polling station results?	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> NA

## SECTION K: Turnout and results

K.1 Total number of voters in the voters list/s	<input type="text"/>
K.2 Total number of signatures/marks in the voters list/s	<input type="text"/>
K.3 Number of ballots received by the PS	<input type="text"/>
K.4 Number of unused ballots	<input type="text"/>
K.5 Number of spoiled ballots	<input type="text"/>
K.6 Number of ballots in the ballot box/es	<input type="text"/>
K.7 Number of valid ballots	<input type="text"/>
K.8 Number of invalid ballots	<input type="text"/>
K.9 Number of blank ballots	<input type="text"/>
K.10 Candidate A / Party A	<input type="text"/>
K.11 Candidate B / Party B	<input type="text"/>

## SECTION L: Overall assessment

4=Very good 3=Good 2=Bad 1=Very bad

	4	3	2	1
L.1 The overall conduct of the counting in this PS was	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5=Very good 4=Good 3=Not good/Not bad 2=Bad 1=Very bad

	5	4	3	2	1	D/K
L.2 General environment/circumstances	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
L.3 Polling staff overall performance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
L.4 Transparency of the counting process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Comments

Please specify the question number at the start of each comment

# ANNEX 3

## GLOSSARY

### **Accreditation**

Document(s) providing authorisation for presence in an electoral site (polling station, tabulation centre etc.).

### **Administrative Arrangement (AA)**

The written agreement between the host country and the European Commission which defines the roles and responsibilities of both parties during deployment of an EU EOM. This is not legally binding.

### **Agent (for a party or candidate)**

A person who represents a political party or candidate during different aspects of an electoral process, e.g., as an observer of the voting or counting processes in polling stations. An agent may have authority to act and take decisions on behalf of the party or candidate.

### **Aggregation**

Aggregation is the process of collecting and adding the totals of election results following the counting of votes.

### **Appeal**

A legal submission to a higher authority that seeks to challenge or overturn the decision of a lower body.

### **Ballot box**

A container into which a voter places his or her marked ballot paper. The ballot box is usually sealed while polling is taking place.

### **Ballot paper**

A sheet of paper or card upon which a voter can mark his/her choice.

### **Booth (polling)**

An area where ballot papers can be marked in secret and alone.

### **Bribery**

An offering of money, gift or favour that allows a person to gain unfair and/or illegal advantage.

### **By-election**

An election to fill a vacant seat in an elected assembly held at any time other than at a general election, for example due to the death of the incumbent.

### **Campaign**

Political activity, including meetings, speeches, rallies, parades, broadcasts, debates and other media events designed to inform the electorate and gather support for the platform of a particular candidate

or political party in an election. Includes also online campaign activity.

### **Canvassing**

Activity undertaken by a candidate to find out the views of voters and ask for their votes.

### **Chief observer**

Holds overall responsibility for an EU EOM, usually a Member of the European Parliament (MEP).

### **Civic education**

Methods by which citizens can acquire knowledge, skills and awareness on democratic issues. This normally takes place via education programmes, workshops, seminars, information campaigns and other outreach activities.

### **Code of conduct**

A set of principles and/or expectations that are considered binding on any person who is a member of a group of election actors, such as a political party, election management body, media outlet or an election observation mission (national or international).

### **Complaint**

An expression of dissatisfaction, for example with the actions of an electoral management body, which may be made informally or formally through an official complaints procedure.

### **Constituency**

The body of voters who elect a representative(s) for their area. Also, the area itself.

### **Constitution**

Law determining the fundamental political principles, nature, function and limits of a government.

### **Core team**

A group of independent specialists recruited specifically for an EOM who provide the main analytical frameworks and substance of the mission.

### **Council of Ministers of the EU**

The Council is the main decision-making body of the European Union usually legislating jointly with the European Parliament. The Member States meet within the Council of Ministers where the Commission also participates.

### **Counterfoil**

Complementary part of a voting paper (a ballot) retained by the issuer which shows the details of a transaction.

### **Debriefing**

Meeting for two-way exchange of information, analytical discussion, feedback and lessons learned.

### **Delimitation**

Demarcation of the boundaries of electoral units, a process also sometimes referred to as 'districting'.

### **Deputy chief observer**

The principal political and technical advisor to the chief observer who deputises for the chief observer in his/her absence. Has management responsibility for the political, analytical, methodological, operational and security aspects of the EU EOM and for the coordination of the activities of all mission members and the implementing partner.

## **Directorate-General for International Partnerships (DG-INTPA)**

The Commission's Directorate-General for International Partnerships (DG INTPA) is responsible for formulating the EU's international partnership and development policy, with the ultimate goal to reduce poverty, ensure sustainable development, and promote democracy, human rights, and the rule of law across the world.

## **Disenfranchise**

To deprive a citizen of a right of citizenship, in particular, the right to vote.

## **Citizen (or national) observer**

An election observer who is based in the country in which elections are taking place.

## **Early voting**

Polling, usually for special categories of voters, that takes place before election day. May also include postal voting.

## **Election day**

The day on which voting in an election takes place.

## **Election Management Body (EMB)**

An institution which is legally responsible for managing some or all of the essential elements for the conduct of elections, including determining who is eligible to vote, receiving and validating nominations, conducting balloting, counting votes, and tabulation of results.

## **Election Management Body (EMB) commissioners**

Election administrators, persons comprising the highest level of the EMB who are responsible for conducting the elec-

toral process in line with electoral laws and regulations.

## **Election Management Body (EMB) secretariat**

An administrative unit responsible for the planning and administration of the election under direction from EMB commissioners.

## **Election offence**

Breach of any law or regulation governing the conduct of elections.

## **Election regulations**

Rules subsidiary to legislation, often made by the EMB, under powers contained in the electoral law which govern aspects of the organisation and administration of an election.

## **Election technology**

Any digital process that substitutes manual electoral processes. Election technology includes biometric voter registration and identification systems, electronic voting and election results management systems.

## **Electoral district**

One of the geographic areas into which a country or region may be divided for electoral purposes.

## **Electoral law**

One or more pieces of legislation governing aspects of the process for electing the political institutions defined in a country's constitution or institutional framework.

## **Electorate**

Those entitled to vote, the body of enfranchised citizens.

### **Enumerator**

A person who collects voter data to establish or maintain the voter register.

### **European Commission**

The executive body of the European Union, responsible for proposing legislation, implementing decisions, upholding the Union's treaties and the general day-to-day running of the Union.

### **European External Action Service (EEAS)**

The EEAS is the European Union's diplomatic service. It helps the EU's foreign affairs chief – the High Representative for Foreign Affairs and Security Policy – carry out the Union's Common Foreign and Security Policy, including policy aspects of election observation.

### **European Parliament**

Directly-elected body of the European Union with 720 members elected once every five years by voters in the Member States.

### **EU Presidency**

The Presidency of the Council of Ministers is held for six months by each Member State on a rotational basis. It is responsible for presiding over all aspects of the Council of the European Union.

### **Exit poll**

An informal poll taken as people leave the voting station used to predict the outcome of the election before voting ends.

### **Exploratory mission**

A team of European Union officials and external experts who visit the host country four to six months ahead of an anti-

pated election to assess the usefulness, feasibility and advisability of sending an EU EOM to that country.

### **FPI (Service for Foreign Policy Instruments)**

The Service for Foreign Policy Instruments is a service of the European Commission which manages the operational aspects of a number of EU foreign policy actions, including election observation missions.

### **Franchise**

The right to be able to vote in an election.

### **Fraud**

Intentional deception to gain unjust advantage.

### **Gerrymandering**

Shaping the physical boundaries of a voting district in order to increase one candidate or political party's chances of winning an election.

### **Host country**

A country where elections is taking place, which issues an invitation for an EOM to observe.

### **Human rights**

The rights and freedoms to which all human beings are entitled and without which it is impossible to live in dignity.

### **Impartial**

Not biased or prejudiced towards any side in a contest or dispute.

### **Implementing Partner (IP)**

An organisation that manages operational aspects of the mission on re-

quest of FPI and is responsible, through a team of experts, for the administrative, logistical, security and financial implementation of an EU EOM.

### **Indelible ink**

Ink which cannot be removed, erased or washed away.

### **Independent candidate**

A candidate for an elected position who is not nominated by a political party and does not wish to affiliate with one.

### **Internally Displaced Person(s) (IDPs)**

Persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, who have not crossed an internationally recognised state border. In particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights, or natural or human-made disasters.

### **International standards**

International election standards include the general principles defined in international treaties and other instruments, including political declarations, and the criteria that have developed over the last decades to specify the scope of application of these principles, most notably the comments and interpretations provided by human rights monitoring bodies and regional courts.

### **Invalid ballot**

Ballots which cannot be counted in favour of any entity in an election due to accidental or deliberate errors of marking by the voter or incorrect issuing by the polling officials.

### **Long-term observer (LTO)**

Member of an EOM who is deployed, with a partner observer, to a region of the host country to assess and report to the core team on pre-election and post-election processes, including election preparations and campaign events.

### **Media monitoring**

Qualitative and quantitative analysis of media coverage of the election including: time and space allocated to each political contestant, the tone of coverage, compliance of media with relevant legislation and analysis of the legislation itself and the degree to which it allows for compliance with international standards.

### **Military voting**

Where members of the armed forces vote at designated local civilian polling stations or in their barracks. Military voting may take place on a different day from civilian voting.

### **Mobile ballot box**

A ballot box transported by polling officials to voters unable to leave their place of residence (e.g., the elderly or ill) on election day, in order that they may enjoy their right to vote.

### **Nomination**

Putting forward name(s) for candidacy, selection or appointment to another body or to a position.

### **Null (and void)**

No longer valid or enforceable.

### **Observation (election)**

Witnessing and assessing, but not intervening in, the proceedings of an electoral process.

### **Parallel Vote Tabulation (PVT)**

Observers record the counting results from a random statistically representative sample of polling stations to independently verify the accuracy of official election results within a statistical margin. Also known as “Process and Results Verification for Transparency (PRVT)”

### **Partisan**

Biased in support of a particular political party, candidate or position.

### **Party (political)**

An organised group of people with at least roughly similar political aims and opinions that seeks to influence public policy by getting its candidates elected to public office.

### **Petition**

A formal written request that is submitted to an authority.

### **Poll**

An enquiry into public opinion, e.g., by voting at an election.

### **Polling official**

A person who participates in the administration of a polling station. Polling officials are generally appointed only for the purpose of working on election day and may or may not be staff of the EMB.

### **Protocol**

A standardised documentation format containing election results data. Or a diplomatic document, often terms of a treaty.

### **Reconciliation (of results)**

Checking that the number of ballot papers issued to a polling station corresponds with the combined numbers of used, unused and spoiled ballot papers

recorded for that polling station, and comparing these figures to the number of people who have voted as indicated in the voter list. A key verification mechanism.

### **Referendum**

A vote of the electorate on an issue of public policy such as a constitutional amendment or a bill. The results of the vote may be either binding or consultative.

### **Registration (of political parties and candidates)**

Acceptance of applications by political parties and candidates that meet defined criteria, to participate and stand in an election.

### **Registration (of voters)**

The act of entering the names of eligible voters, and other relevant information, in a register or list of electors.

### **Results**

Partial results may be announced during the course of the tabulation process. If released, they must always be clearly referred to as representing only a proportion of the votes cast. Preliminary results should be announced as soon as the tabulation of results is completed at a regional or countrywide level. Final results should be declared after the deadline for the submission of any challenges to the preliminary results has passed.

### **Seal**

The wax or plastic fastening over a ballot box opening or other sensitive election materials.

### **Sensitive material**

Election materials that are critical to a secure and accurate voting process, e.g., ballot papers (marked and unmarked)

and a voter list that has been signed by voters when casting their ballots.

### **Short-term observer (STO)**

Member of an EOM who is deployed, with a partner observer, to a particular region of the host country to observe, assess and report on election day processes.

### **Social media monitoring**

Qualitative and quantitative analysis of online election related content in the social media, with the aim to identify episodes of disinformation, dangerous/hate speech, efforts to suppress voter participation, lack of transparency and misuse of administrative resources; as well as practices that enhance transparency, voter awareness and mobilisation.

### **Spoiled ballot**

A spoiled ballot is generally one that a voter has inadvertently marked (and invalidated) in an incorrect manner. It is handed back to the polling officials in exchange for a new blank ballot paper that is then marked by the voter and placed in the ballot box.

### **Tabulation**

Tabulation is the process of putting the results data into a table format so that each subtotal of the aggregated results can be shown (e.g., by party/candidate, by polling station, by district etc.).

### **Tally**

The results of an election.

### **Tamper-proof**

Designed to prevent, or provide evidence of, interference.

### **Transparency**

Openness of a process or event, so that the public can trust that it is fair and honest.

### **Treaty**

A written contract or agreement between States or between an international organisation and its States. Treaties are legally binding instruments in the context of international law.

### **Treaty bodies**

Expert groups which monitor implementation of UN human rights treaties. Each treaty has its own treaty body which receives and comments on implementation reports submitted by countries which are bound by the treaty.

### **Turnout**

The proportion of registered voters who voted.

### **Valid (ballot)**

An official ballot paper that clearly shows the intention of the voter and does not reveal the identity of the voter.

### **Voter education**

Activities that aim to ensure people are aware of the electoral process, including the procedures for registering to vote and for voting, as well as why it is important to participate and the bodies being elected.

### **Voter register/list**

The list of persons registered as qualified to vote. Sometimes known as the electoral roll.

### **Voting**

Casting a ballot paper in order to make a choice of a party or candidate in an election.



# ANNEX 4

## ACRONYMS & ABBREVIATIONS

<b>AA</b>	Administrative Arrangement
<b>AoR</b>	Area of responsibility
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>AU</b>	African Union
<b>AV</b>	Alternative Vote
<b>BV</b>	Block Vote
<b>BVR</b>	Biometric Voter Registration
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>CoE</b>	Council of Europe
<b>CO</b>	Chief Observer
<b>CoE</b>	Council of Europe
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>CSO</b>	Civil society organisation
<b>DCO</b>	Deputy Chief Observer
<b>DdoS</b>	Distributed denial of service
<b>DEG</b>	Democracy Support and Election Coordination Group
<b>DRE</b>	Direct Recording Electronic
<b>EAT</b>	Election Assessment Team
<b>ECOWAS</b>	Economic Community of West African States
<b>E-day</b>	Election day
<b>EEAS</b>	European External Action Service
<b>EEM</b>	Election Expert Mission
<b>EMB</b>	Election Management Body
<b>EODS</b>	Election Observation and Democracy Support
<b>EFM</b>	Election Follow-up Mission
<b>EP</b>	European Parliament
<b>EU</b>	European Union

<b>EUD</b>	EU Delegation
<b>EU DPR</b>	EU Data Protection Regulation
<b>ExM</b>	Exploratory Mission
<b>FPI</b>	European Commission Service for Foreign Policy Instruments
<b>FPTP</b>	First Past the Post
<b>GNDEM</b>	Global Network of Domestic Election Monitors
<b>HR/VP</b>	High Representative for Foreign Affairs and Security Policy and Vice President of the Commission
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICERD</b>	International Covenant on the Elimination of Racial Discrimination
<b>ICESC</b>	International Covenant on Economic, Social and Cultural Rights
<b>IDP</b>	Internally displaced person
<b>INTPA</b>	Directorate-General for International Partnerships
<b>IP</b>	Implementing Partner
<b>LAS</b>	League of Arab States
<b>LTO</b>	Long-term observer
<b>LV</b>	Limited Vote
<b>MEP</b>	Member of the European Parliament
<b>MMP</b>	Mixed Member Proportional
<b>MSP</b>	Mission Security Plan
<b>NDICI</b>	Neighbourhood, Development and International Cooperation Instrument
<b>OAS</b>	Organization of American States
<b>OCV</b>	Out-of-country voting
<b>OSCE/ODIHR</b>	Organization of Security and Co-operation in Europe/Office of Democratic Institutions and Human Rights
<b>PR</b>	Proportional Representation
<b>RMS</b>	Results Management System
<b>SADC</b>	Southern African Development Community
<b>SNTV</b>	Single Non-Transferable Vote
<b>SMM</b>	Social media monitoring
<b>SOP</b>	Standard operating procedure
<b>SRM</b>	Security Risk Management
<b>STO</b>	Short-term observer
<b>TRS</b>	Two-Round System
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UNGA</b>	United Nations General Assembly
<b>UN HRC</b>	UN Human Rights Council
<b>UPR</b>	Universal Periodic Review
<b>VVPAT</b>	Voter-Verified Paper Audit Trail

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This fourth edition of the EU Handbook is an update of the previous one from 2016, demonstrating the continued relevance of the development of the EU observation methodology over time. It represents the collective work of a significant number of experts from the EU election observation community, including those involved in drafting previous editions, as well as all those involved in the updating, peer review, proofreading and translation of this one. Thank you to all those who have been involved in the various iterations of updating this handbook for your contributions.

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