

**DEPARTMENT FOR INTERNATIONAL DEVELOPMENT
FOREIGN & COMMONWEALTH OFFICE**

**ELECTIONS AND THE ELECTORAL PROCESS: A GUIDE
TO ASSISTANCE**

**Governance Department
Department for International
Development**

**United Nations Department
Foreign & Commonwealth Office**

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***Elections are important in the context of good government,
human rights, and poverty elimination***

**The overall purpose of this
guidance paper is to
improve the quality and
impact of UK assistance in
the running of elections**

Colin Roth, working with Anna Wilde, has produced, for the Governance Department of the Department for International Development and the United Nations Department of the Foreign & Commonwealth Office, this updated version of the document he prepared in 1998 in conjunction with Geoffrey Lawler of Democracy International. Details on individual specialists and resource institutions were correct at time of going to press, but can obviously change.

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1. INTRODUCTION

The purpose of this Guide is to help DFID and FCO staff to decide whether to offer assistance to a government running an election, and if so what assistance to offer and when. The main context is national elections, but the guidance should also be applicable to regional and local elections.

The Guide also looks at the criteria for judging how free and fair an election was, and at what further assistance and encouragement might be offered after an election, to improve the democratic process for the future. Some reforms may be better tackled alongside reform of the elected body. See "Helping Parliaments and Legislative Bodies to work for the Poor", due to be published by DFID later in 2003.

1.1 Why get involved?

1.1.1 To help all people achieve their right to participate in government, through a freer and more efficient electoral process, which will produce a fair reflection of the wishes of all people, and enhance the elected authority's claim to legitimacy.

1.1.2 A successful election can also help strengthen democratic institutions and encourage greater political participation. Elections are an important part of restoring and maintaining the democratic political process.

1.1.3 Elections which give legitimacy to the government and which contribute to a perception of political stability can enhance investor confidence and bring greater access to the support of the international community, including development assistance.

1.1.4 Assistance with elections puts into practice UK government policy on good governance and human rights, as outlined in the White Paper on International Development¹ which says (page 30) "We will support measures to build sound and accountable government which is the foundation of economic growth and poverty elimination allowing poor and disadvantaged people to achieve their civil, political, economic social and cultural rights. This will include encouraging democratic structures which can hold government accountable and give the poor a voice".

1.1.5 Electoral assistance can also provide direct contact with current and future political leaders and opinion-formers, as well as promoting partnership with British expertise in a field where the UK is a world leader. The UK is still seen as the originator of modern Parliament, and respected for this.

1.1.6 In the wider context, proper democratic elections can enhance political stability, reducing the risk of internal or international conflict. The greater the confidence in the process, the greater the likelihood that all parties, including the losers, will accept the result.

1.2 How can the UK help?

¹ "Eliminating World Poverty: a challenge for the 21st century" Cm3789 November 1997

1.2.1 In a number of ways, including:

- (a) helping to identify and rectify deficiencies in existing electoral structures or procedures;
- (b) educating people about the role and importance of elections and their part in them;
- (c) helping people, especially the poor and disadvantaged, to be aware of their rights and enabling them to exercise those rights;
- (d) training journalists in the skills of analytical reporting;
- (e) building internal democratic capacity through assistance to local election observers/monitors; and
- (f) contributing to a judgement on the conduct of the election and any consequential activities, taking account of the wider political development trends in the country.

1.3 This Guide

1.3.1 It may not always be appropriate or desirable to assist with an election. The Guide begins (section 2) with a summary of the issues to be addressed in considering whether or not to offer support. This may require calling on the services of experts to make an assessment, which can also look at how any assistance might be targeted (section 3). Section 4 provides more detailed guidance on assistance at various stages of the process, including between elections. Section 5 looks at monitoring and observing, the most high profile though not always the most useful way in which the UK can become involved in the electoral process. Section 6 looks at what happens after the election. Annex A describes the main electoral systems and their advantages and disadvantages. Annex B describes how electoral assistance is managed within DFID and the FCO; Annex C gives details of sources of funding and how to access them. Annex D deals with in-country co-ordination, and Annex E lists a number of specialist consultancy resources in the electoral field, and discusses the role of NGOs.

1.4 Human rights

1.4.1 Democratic development and respect for human rights go together. Everyone should, at minimum, enjoy the basic human rights set out in the Universal Declaration on Human Rights. These rights include religious, racial and gender equality, freedom of assembly, freedom of association and the right to participate in the government of the country. The will of the people is the basis of the authority of a government. This will should be expressed in periodic and genuine elections - ones that are secret and by universal and equal suffrage. Those least likely to enjoy their rights are the poor, the uneducated, women, and members of religious, ethnic or caste minorities.

1.5 Political process

1.5.1 Elections are only one part of the democratic process, and are not necessarily representative of trends in the overall political development of a country. A fair and effective electoral system must be founded in an adequate democratic infrastructure. Help before and

between elections in developing this infrastructure - building political parties, training the media, educating civil society, and so on - whilst not the immediate subject of this guide, may be an essential condition for successful elections.

1.6 Start early!

1.6.1 Finally, please note that the planning of electoral assistance is greatly enhanced by starting as early as possible - and usually the fact that an election is to be held will be known well in advance, even if the exact timing has not been decided.

2. TO ASSIST OR NOT TO ASSIST?

2.1 Free and fair elections are an essential part of good and accountable government, and in principle the UK should be favourably disposed towards assisting, often as part of a multi-donor effort. But donors must beware of supporting, and thus seeming to condone, flawed processes which can leave undemocratic regimes more firmly ensconced, or produce otherwise unsatisfactory results because of bad planning, disorganisation, fraud, manipulation etc, leading to popular disillusionment with the democratic process.

2.2 In developing countries and countries in transition conditions for holding elections are often not ideal, and the judgement whether to support a particular process can be difficult. The key question is whether prospects for good and accountable government are best encouraged by holding the elections as planned, or by waiting. The answer requires a realistic assessment of risk: the timing may not be ideal, but is there likely to be a better opportunity in the foreseeable future? If there is a risk of the elections being rigged, could donor interventions help to thwart this? If in doubt it is usually best to make an on the spot assessment, preferably in conjunction with others in the donor community.

Box 1 - Do conditions exist for a free and fair election?

NO

It may be patently obvious that conditions do not exist for a free election to take place, for example because those in power are intent on subverting the process:

- legitimate political parties or candidates are barred²
- the franchise has been removed from sections of the population
- parties/candidates do not have equal access to the media
- there is no freedom of speech or right of free assembly; criticism of the incumbent government is banned or limited

or because although the powers that be are well-intentioned, there are insurmountable practical impediments:

- there is no independent electoral commission³, with the resources and the authority to run elections
- war, civil strife, large numbers of refugees
- constitutional, legal and administrative frameworks not in place and insufficient time being allowed to put them in place

If the basic conditions do not exist for free and fair elections to take place, the international community should steer clear of assistance which risks legitimising a flawed process and lending credibility to a flawed result. A decision not to assist does not necessarily preclude monitoring, however (see Section 5).

MAYBE

In other cases the situation may not be as clear. Even if the situation is not ideal and the procedures adopted are not totally adequate to permit an efficient election and to prevent malpractice, it may still be that, taking account of local conditions and traditions, it will be possible to secure a result which allows the wishes of the population to prevail. In such a situation an imperfect election may nonetheless provide an authority which will then develop or stabilise democratic institutions leading to improved processes in the future. In the past even a continuing civil war has not prevented a satisfactory electoral process from taking place. Remember that well-targeted technical cooperation can improve the process. Assistance can be made conditional on specified improvements.

YES

²But note that although political parties and an opposition would usually be expected to feature in a free and fair election, there have been cases where this was not so, but where, notwithstanding, it was felt that the freedoms and rights provided by the Universal Declaration of Human Rights were protected (eg the "no-party" 2001 Ugandan election, or elections boycotted by the opposition)

³ The independence of the election body is derived from the laws and terms of reference given to it and the freedom of operation it is allowed in practice. For an environment for free and fair elections to exist, election body members need to have security of tenure and financial independence from any party involved in the contest. The legitimacy of the election in the eyes of the voters will depend very much on their perception of the Election Authority's independence and impartiality.

Where it is clear that the conditions do exist for an election, we need to consider what help would be most appropriate and to target that help to the best effect. A multi-donor assessment will need to think about the division of labour among donors.

3. SPECIALIST ASSESSMENT

SUMMARY

Purpose of assistance

To enable donors to take informed decisions on whether conditions are right for a reasonably free and fair election to take place, and if so whether to assist and how best to target assistance.

Method

A consultant or a team of consultants (possibly multi-donor) to visit the country to:

- meet the electoral body, electoral administrators, political party/candidate representatives, journalists, local and national government, independent NGOs, representatives of the international community
- recommend whether or not to support the elections and if so on what conditions

Timing

As soon as an election is first indicated or timetable announced.

3.1 Are conditions right for holding a free and fair election?

3.1.1 The main factors to be weighed concern the *bona fides* of those currently in power, and the practicalities - see Box 1 above. The governance review framework, available on the Governance Resource Centre website (www.grc-dfid.org.uk) provides some detailed guidance on diagnostic procedure. If there has been a governance review some of the diagnosis may already have been done.

3.1.2 There is more to elections than the constitution, the law, and the logistics: if elections are to be free and fair, laws designed to that end must not just exist, they must be operated in practice and be enforced – and should not be subject to significant changes just before elections; there must be freedom of speech so that voters can be told what the issues are and what are the choices that face them (and in this context special attention should be paid to vulnerable groups - see Section 4.11); political parties must be capable of getting their messages across and winning the interest of the electorate; the media must be able to challenge positions and policies and clarify issues; voters must understand their duties and responsibilities, and the advantages to them of an accountable, democratic system; observers must be able to organise freely.

3.1.3 An assessment might also be expected to make recommendations as to the levels and types of assistance that might be provided (see Section 4).

4. DETAILED GUIDANCE ON TECHNICAL COOPERATION

4.1 Introduction

4.1.1 The nature of the assistance required will vary. A country with no recent experience of elections may need a good deal of technical support and training which may need to start months or even a year or two before the elections are due - for example if a new or amended constitution is required, or a new electoral law; or if an effective independent electoral commission has to be created. On the other hand a country which has gone through one or more elections within a satisfactory constitutional and legal framework may need support mainly with the logistics - vehicles, computers, ballot papers. The aim should be to encourage as much self-reliance as possible, as soon as possible.

4.1.2 Needs may be identified by various sources - the post; a DFID or FCO desk officer; an NGO (UK or local); the overseas government concerned or the electoral body; or an international body. Where assistance requires DFID funding a formal government request will be required. It is open to posts *et al*, with the agreement of the proposed funding source, to let governments/electoral bodies know that funds are available for electoral assistance.

4.1.3 The main areas likely to require assistance, and the key questions, are explained in more detail in the following paragraphs.

4.2 Legal framework and electoral systems

SUMMARY

Purpose of assistance

To ensure a comprehensive and clear legal framework for the election, leading to the minimum amount of legal wrangling; and an appropriate election system which ensures popular satisfaction with the form of representation achieved.

Method

By providing consultants to work alongside and/or provide advice to those responsible for preparing the legislation.

By providing those responsible with written briefings on election law and election systems.

NOTE: the UK has a comparative advantage in these areas in countries whose legal system is based on ours; in other countries we may be at a disadvantage.

Timing

Relevant law should be drafted and approved to allow sufficient time for organisation of elections. The minimum required is three months - longer if constitutional changes are needed.

4.2.1 Elections need to be held within a proper constitutional and legal framework. Without this not only will there be the possibility of abuse, but the process and the result may be open to legal challenge so undermining the stability and authority of the newly elected body or office.

4.2.2 The Constitution may need to be revised or re-written in terms which will allow for democratic government and for democratic elections to proceed. A new Constitution may need to be legitimised by referendum. These can be very lengthy processes and may be outside the coverage of electoral assistance.

4.2.3 The electoral law needs to comply with the Constitution and should cover:

- Establishment of electoral authority
- The franchise
- Voter registration arrangements and criteria
- Registration of political parties
- The electoral system (see below)
- Nomination of candidates
- Legal status of candidates and their agents (eg who is accountable for expenditure? Are pamphlets etc required to bear the name of the candidate/agent as a check on expenditure claims?)
- Campaigning regulations
- Financing of campaigns and expenditure controls
- Media regulations
- Balloting procedures
- Counting procedures
- Legal rights of national and international observers
- Appeals procedure

4.2.4 The electoral system should

- take account of local culture and population structures
- be easily understood by the electorate

The choice of system lies between “first past the post” and various types of proportional representation, or combinations of these systems. The options are described in greater detail in Annex A, with their advantages and disadvantages. In general the fairer one tries to make the system, the harder it is to understand. A balance has to be struck between what is fair and what will work. The system should at the least produce a result that reflects the wishes of the electorate and is recognised as being appropriate and workable.

4.3 Assistance to the Electoral Commission

SUMMARY

Purpose of assistance

To help produce an effective authority that can run the election efficiently, in accordance with the law and regulations, and have the confidence to see off challenges to its authority or to the fairness of the election.

Method

By providing advice on the establishment of an election body, its terms of reference and its powers.

By providing the body, once established, with advice and training for its members and staff, possibly including study visits to see how elections are run in established democracies⁴

By providing drafts of regulations and management guidance.

Timing

The electoral body will be established by the electoral law or by the constitution if it is a standing institution. In either case, help should be provided as soon as an election is called or planned. There may be scope for assistance on a rolling basis outside election periods. Any assistance should be based on a realistic estimate of the electoral body’s capacity and independence; an early assessment may make it possible to limit the potential for improper outside influence and interference.

⁴ If general or local elections are imminent in the UK it may be worth inviting observers from developing countries/countries in transition, even if their own next election is some way off. There can be added benefit in bringing observers from several countries into single visiting teams.

4.3.1 The body established to run elections derives its powers from the Constitution and any separate election laws. The Election Authority, usually a Commission, should comprise people who are independent and who enjoy the confidence of the electorate, politicians and parties. It should have a transparent, sufficient and independent budget from government. Where Commission members are party or government nominees they must be free to take objective decisions without risk of political interference. The electoral body (which may sometimes be a judicial body) should be encouraged to have a transparent decision-making process, developing close working relationships with political parties and politicians. Misunderstandings can be avoided if this open working is encouraged. It is preferable for the Authority to be a permanent body. If not, its independence can be protected by giving members fixed tenure and a right of return to their former employment.

4.3.2 Election bodies will usually need a variety of departments to deliver the election - voter education, legal, finance, logistics, computer/data processing etc. In many cases election bodies require extensive logistical support, including modern technology. The ability to centralise records and to have good quality information readily available enhances the body's independence and ability to respond to questions and complaints.

4.3.3 People must be able to challenge the Authority's decisions. For an effective challenge process, the judicial system eg the Supreme Court will in most cases be appropriate. However, some election laws require the Election Authority itself to adjudicate on all disputes. In either case good legal counsel will be needed, and support in this area may be required.

4.3.4 Electoral authorities may need to depend on ministries or other government bodies in the conduct of their work. Ministries should not take advantage of this to exert undue political influence. Authorities also need to recruit large numbers of temporary staff eg to register voters, run polling stations and count votes. It is important that fair criteria be used to govern this recruitment.

4.3.5 Election authorities are prone to submit unrealistic budgets for assistance, and it may be helpful to offer them technical advice on budget construction and the parameters of aid submissions.

4.4 Electoral districts

SUMMARY

Purpose of assistance

To ensure that the election is based on fairly devised electoral areas.

Method

By working on a medium or long term basis with the government or electoral authority to assist with the establishment of an independent boundary authority and the adoption of appropriate criteria and procedures for determining electoral areas.

By running seminars for those involved in determining electoral areas.

By providing for those involved in determining electoral areas to visit the UK or other suitable countries to meet boundary commissioners and others involved in electoral administration and to attend seminars.

Timing

As soon as election law has been approved and relevant regulations introduced - should be at least three months before polling day and preferably much more.

4.4.1 Except in a very small country where elections may be held on an 'at large' basis (ie where the whole country is the electoral area), electoral districts will need to be created. This

is complex and, even in developed democracies, not without controversy. However, a fair and transparent process for determining electoral boundaries without gerrymandering is clearly essential to the fairness of the election.

4.4.2 A vital requirement is the independence from political control of the authority preparing and deciding the boundaries of the electoral areas. There should be provision for widespread public consultation and for an appeal system. Once completed, the overall structure recommended may be made subject to approval by the government or the legislature, but neither should have the power to amend individual districts.

4.4.3 All factors likely to ensure an even distribution of voters, an equal weight to each vote and a representative outcome should be taken into account. They can include:

- Ethnic and religious groupings
- The electoral system adopted
- The size of the legislature
- Regional and local community identities (including chiefs and traditional authority systems)
- (sometimes) Geography - issues of physical access and coherence, and population density: in sparsely populated areas constituencies may need to have a relatively small number of voters if their areas are not to be so large as to hamper effective campaigning.

4.4.4 Boundaries need to be established well before the election so that voters can be sure of registering in the right constituency.

4.5 Registration of political parties and candidates

SUMMARY

Purpose of assistance

To help establish a fair and equitable system for registering parties and candidates at the outset of the process, to provide a basis for free and fair elections.

Method

By providing advice to the electoral commission and the political parties to ensure a registration system, including a code of conduct, which is acceptable to, and workable by, all participants.

Timing

To be determined by the election timetable. Be prepared to provide the assistance once the election is first announced.

4.5.1 It is essential that the rules laid down for the registration and conduct of political parties are fair and equitable and have the parties' support. The way this is handled by the electoral authority will send important signals to both the electorate and the donor community about the likely quality of the rest of the electoral process. In countries where political parties have been banned, the lifting of that ban and the subsequent registration of parties is a particularly important step in the democratic process.

4.5.2 When considering the requirements of party registration, the following points should be taken into account:

- Clear basic constitution and rules for membership
- Registration fee
- Headquarters and regional office organisation

- National spread of founding members
- Legal qualifications to be a founding member
- Limit of individual contributions
- External funding regulations

Each country will vary in its political party registration requirements, bearing in mind the background to the electoral process and cultural and geographic considerations.

4.5.3 When registering political parties, the electoral authorities should consider including in the registration process a political party code of conduct to ensure responsible behaviour. The purpose of the code should not be to intimidate or constrain the parties, but rather to ensure freedom to campaign, and fairness of opportunity; tolerance of political opponents and the upholding of law and order should be the central themes. Breach of the code should be subject to sanctions, including possible exclusion from the electoral process.

4.5.4 Criteria also need to be developed for the nomination process for candidates either standing individually or on behalf of a party. The key requirements for candidate registration should be:-

- residence or place of birth
- nomination by and membership of the party (unless standing individually)
- freedom from current legal proceedings

Payment of a deposit is sometimes included, but can be discretionary in the case of poor candidates.

4.6 Registration of voters

SUMMARY

Purpose of assistance

To ensure a properly compiled register with an accepted challenge procedure, enabling all those entitled to vote to have the opportunity to do so.

Method

By working with election bodies to organise the compilation of a credible electoral register.

By funding training programmes for enumerators, overseers, data processors and data managers.

By providing equipment for recording of registrations, receipting mechanisms and computer software and hardware.

In some instances, by providing resources for census organisation..

Timing

The register may be compiled on an annual or other regular basis or in advance of an election process, in which case it should be completed (allowing for appeals) at least one month before polling day.

4.6.1 In very rare circumstances (South Africa 1994) a register of voters will not be compiled. However, an orderly election requires a method of identifying who is eligible to vote, to prevent multiple and ineligible voting. There may exist up-to-date population registration records (as in Russia), but, if not, a national election register will ensure that an election conforms to the constitution by identifying all those entitled to vote and determining where within the country (or outside if they are refugees or expatriates) they should vote. Exclusion from the register should be restricted to those who do not meet age, citizenship, or residence requirements, and those deemed ineligible eg through mental incapacity or imprisonment.

Special effort may be needed to ensure the registration of members of vulnerable groups – refugees and internally displaced persons, migrant workers, nomads, women, and newly age-qualified youth. See Section 4.11.

4.6.2 The register is compiled in the following way:

- i. a previous census gives a "base" figure to judge potential numbers. In some countries the holding of a census may form part of the electoral process. (If there has been no census, or none recent enough to be relevant, voter registration has to start from scratch.)
- ii. literate people are recruited as enumerators and provided with appropriate training. They are then either given a specific area to canvass, or if the voters have to come to them are located in one of a network of registration stations. In both systems, the central purpose is to establish who is eligible to vote under the provisions of the constitution and electoral laws. Enumerators should give potential electors some sort of acknowledgement which they can produce if their registration is in question. Sometimes this is done by combining registration with the issue of national ID cards.
- iii. lists are compiled from the enumerators' returns, and collected at a central point for data entry and the compilation of a country-wide master list.
- iv. lists are made available to parties and candidates who should have the right to challenge individual entries. Time must be allowed for challenge and revision. Areas where there is suspicion of under-registration should be re-registered.
- v. the final register should be "signed off" either by an election court, the supreme court or the election body. Once the list is officially "signed off", then it is the basis for campaigning and for the organisation of the polling day operations.
- vi. in some systems a further period of registration is allowed and a "Supplementary Register" is created usually from refugees and internally displaced persons who choose to go back to their homes.
- vii. if refugees in neighbouring countries constitute a large proportion of the potential electorate, it is important to include them in the process; otherwise its whole credibility will be at risk.
- viii. to keep up with movements in particular of refugee and displaced persons, and with newly eligible voters, regular updating is essential.

Where there is no register there must be a system of identification based on identity documentation (passports or ID cards). Voting should in any case involve some form of indelible marking of voters (eg by stamping their hands) to prevent impersonation and multiple voting.

4.7 Election campaigning - getting the message across

SUMMARY

Purpose of assistance

To help ensure an effective campaign, leading to informed and interested voters and a respectable turn-out.

Method

Training seminars conducted on a cross party basis in-country to reach the maximum number of people. Possible study visits for leading party organisers or campaign managers and candidates, which could include witnessing an election in progress if the timing was right. Electoral Reform International Services (see Annex D) publish a regular compendium of forthcoming elections, copies of which are held in GD/DFID.

Timing

Before the campaign begins and during its early stages.

4.7.1 Voters cannot make informed decisions unless candidates and parties have effectively communicated who they are and what they stand for. The general level of campaigning expertise may be low, or one party or bloc may have much more experience and organisation than others. To ensure a fair election it is important to ensure as far as possible that all parties can campaign effectively.

4.7.2 An ineffective election campaign can result in a low turn-out: voters will feel unprepared to make a choice and will not participate. A dynamic campaign on the other hand will generate interest and publicity and encourage a higher turn-out.

4.7.3 Candidates and parties need to know how to:

- Plan their campaign - time-tabling and strategy
- Recruit and organise campaign workers
- Formulate policies and messages
- Produce effective literature and information in a form accessible to all people
- Contact voters, including vulnerable groups
- Arrange a candidate's programme
- Organise meetings and rallies (people should not be bribed or coerced to attend)
- Advertise
- Use technology - targeted direct mail (where this is possible)
- Obtain maximum benefit from permitted expenditure
- Gain access to and use the media
- Organise themselves for polling day - monitoring the poll, getting their voters out etc

4.7.4 The financing of election campaigns is an important element of the overall integrity of the election process. Campaign finance has been controversial in OECD countries, but poses particularly acute problems in developing countries where political parties lack legitimate sources of finance (party membership, business, trades unions). Even where political finance regulations are in place, they have proved difficult to enforce. The typical pattern involves candidates buying votes, which drives up the cost of elections. In order to meet these high costs, parties and candidates can become unduly influenced by monied interests and, in the case of incumbent parties, can abuse their access to state resources to fund their campaigns, leaving opposition parties at a disadvantage. The consequences are devalued votes or disenfranchisement, and pre-election promises to funders which drain the coffers of newly elected governments. These are deep-seated problems requiring long term solutions, beyond the time-span of assistance with a particular election. Particularly critical is the commitment of all political parties and the election watchdog to ethical behaviour and to observing regulations. Election Authorities, civil society and election monitors have an important role to play in highlighting and preventing abuses. Efforts are increasing to better understand and to tackle the problems of party finance. See also Chapter 6.

4.8 Civic education - why have democracy?

SUMMARY

Purpose of assistance

To make the electorate aware of the value of democracy and their rights and responsibilities as citizens

Method

By providing technical assistance and funding to assist in the design and implementation of a structured civic education campaign.

By providing specialist advice on a medium or long-term basis to the electoral body or other agency given the civic education responsibility.

By providing funding for specific projects, e.g. printing, music or drama production.

By providing technical assistance through seminars or on a consultancy basis for those working with targeted sections of the community.

Timing

Civic education is a long term process. It should start as soon as possible. There is likely to be a need for ongoing programmes beyond the immediate election.

4.8.1 Free and fair elections require an electorate that is aware of the value of democracy, of the rights and responsibilities of citizens, and of the relationship between the right to vote, freedom of speech and the duty to accept laws and participate. If they see no point in the exercise they are far less likely to join in. Civic education programmes should seek to overcome apathy and lack of understanding of how the citizen can benefit from a democratically elected government.

4.8.2 Education should centre on:

- Rights, responsibilities and respect for the rule of law
- Human rights and freedoms
- Gender, racial and religious equality
- Role of government and elected representatives at all levels
- Role of free media
- Overcoming fear and apprehension

4.8.3 Participation in community activities and the political process should be encouraged, particularly for groups who might otherwise face difficulties in full participation eg religious or ethnic minority groups and women. This may involve supporting or joining pressure groups, representative groups, or political parties, and learning how to lobby and make government accountable to the people.

4.8.4 Some sections of society may feel under-represented and may require special attention - eg young people, women and the poorly educated. These groups may suffer from apathy, a lack of assertiveness, a lack of capacity (education or time) and/or an unwillingness to participate. Workshops, forum theatre, role-playing, targeted literature and the media should all be used to encourage full participation by any disadvantaged or traditionally alienated group. (See Section 4.11.)

4.8.5 Civic education is a time consuming exercise; an effective campaign is not something which can be achieved in weeks, especially where illiteracy rates are high. To plan an effective programme, the following factors have to be considered:-

- Levels of literacy
- Accessibility of the electorate, physically and linguistically
- Accessibility of refugees in neighbouring countries, if they exist in significant numbers
- Use of NGOs (local as well as international) and other parts of civil society such as trades unions or tribal or religious organisations

It is important that a structured, co-ordinated campaign be implemented, taking into consideration regional as well as national languages and customs, and utilising various forms of communication including workshops, drama, literature, music and the media.

4.9 Making sure people know how to vote

SUMMARY

Purpose of assistance

To ensure voters understand balloting procedures

Method

By providing advice to the electoral body on a short or medium term basis on voter education programmes and techniques.

By providing funding for the printing of educational materials, including "mock" ballot papers.

By providing training for those who will be running the voter education programme nationally and locally.

Timing

To start as soon as the election is called and to continue until polling day.

4.9.1 Voting may be an unfamiliar experience for many people and, where a new method of election is being introduced, or where there is a new method of balloting, time needs to be spent explaining procedures. The secrecy of the ballot is a concept which is not, in many countries, a familiar aspect of elections, nor is the physical marking of a ballot paper.

4.9.2 In order to encourage full participation in the electoral process, training should be given to teams who can then travel countrywide to set up mock polling stations and demonstrate voting procedures. Literature, and press and media advertising, should be produced. See also Section 4.11 on the special needs of vulnerable groups.

4.9.3 The design of the ballot paper, including the use of distinctive symbols to represent each party for the benefit of the poorly educated, will be central to the ability of the voter to understand the process of voting.

4.10 Coverage of the election by the media⁵

SUMMARY

Purpose of assistance

To ensure clear media coverage of the election, resulting in electors well informed about the election and provided with a balanced analysis of party programmes.

Method

In-country seminars for journalists, editors and producers from the print and broadcast media to offer advice and ideas. Lectures should be practical as well as theoretical, and responsive to local needs and interests.

Possible overseas study visits for local trainers.

Practical guidance on setting up special election coverage arrangements in the electronic and print media

⁵ See also *The Media in Governance: a guide to assistance* DFID 2001

Timing

Training should be organised ahead of the election before journalists become too busy covering the campaign.

4.10.1 In many newly emerged democracies the media have no tradition of providing analysis or challenging the positions advocated by candidates - historically their role has been to act as a conduit, passing information down from ruler to ruled without comment. With the advent of democracy, the media's role is to act on behalf of the voters by probing the detail of policy positions and interpreting their implications and significance. They may well require assistance in getting to grips with this new role.

4.10.2 The two factors determining the effect of the coverage will be the amount of information and news coverage, and its objectivity. Broadcast media has the most important role in covering an election as it is likely to have the widest penetration of the electorate. As well as ensuring that there is adequate coverage and that this is as far as possible independent of any influence, the presentation should be such as to attract the interest of listeners and viewers.

4.10.3 In some countries newspapers are also a very important medium. Here there may be more scope for partisan reporting, as in established democracies; but papers should not deny access to candidates or parties on partisan grounds, and their capacity for more detailed analysis should be developed.

4.10.4 To be able to act effectively, reporters need to be aware of:

- The legal framework
- The distinction between political coverage and political advertising
- The role of investigation in exposing election issues
- The need to avoid corruption
- Difference between straight reporting and impartial analysis, and partisan analysis and criticism
- How to maintain the interest of voters
- How to turn the journalist from a passive to an active participant

4.10.5 Those involved may need to be made aware of the techniques available, eg:

- Phone-ins and audience debating programmes
- Profiles of constituencies and candidates
- Use of election opinion polls
- Use of humour, satire, cartoons
- Use of photographs - photo opportunities
- Off the record comments
- Analysis of the results

4.10.6 On the spot reports from radio or TV journalists on polling day and at the count can thwart attempts at cheating – theft or stuffing of ballot boxes, intimidation of voters.

4.11 Vulnerable Groups

Purpose of Assistance

To ensure that these groups are able to participate fully in the electoral process.

Method

To identify vulnerable groups.
To ensure they have the opportunity to register, and are encouraged to do so
To make those conducting political campaigns, voter education and civic education aware of the existence of these groups and of how to reach them.

Timing

Identify groups well ahead of registration. Take account of their needs in planning registration arrangements, and at planning stages of political campaigns and education programmes

4.11.1 It is important that the interests of vulnerable groups are fairly represented in the electoral process. They can easily be marginalised if their interests are not protected. Are they represented in election administration bodies?

4.11.2 Here are some examples of vulnerable groups and their difficulties:-

Illiterate and poorly educated people	- will not properly understand written material eg leaflets and posters. - may not understand oral presentations other than in the vernacular (eg in many African countries the official language is English, French or Portuguese; but not everyone will speak it)
Women	- are often illiterate or poorly educated - see above. - in a male-dominated society there may be a need for publicity material to emphasise (to both men and women) the fact that women have an equal right to register and to vote. - helpful to have women in registration teams and to involve women's organisations in civic education - registration rules may need to allow for the fact that poor urban women in particular often have little spare time for registration because of domestic/ farming/ trading obligations
Migrant workers, refugees in neighbouring countries, and nomads	- may be difficult to reach for registration, civic education, and with campaign material. - migrant workers (sometimes a significant proportion of the electorate) will not usually be able to afford to return home to register and then to vote. - these groups may also include illiterate and poorly educated people, and women.

In countries emerging from war or civil conflict, demobilised soldiers and their dependants may comprise another vulnerable group. Others include religious or ethnic minorities.

4.12 The equipment needed

SUMMARY

Purpose of assistance

To provide the equipment necessary for the election.

Method

To fund and possibly source the required equipment.

Timing

Equipment should be ordered as soon as the election is planned or called, to allow sufficient time for printing and delivery. Preferably, needs should be foreseen well before the announcement of an election.

4.12.1 Essential equipment likely to be required for an election will include:

- equipment for the issue of voter registration cards (cards, instamatic cameras, laminates)

- Indelible dye (to mark voters hands to prevent double voting)
- Infra red or UV scanners (to identify dye)
- Polling booths or screens
- Ballot boxes
- Ballot papers
- Computers
- Essential consumables (fuel, spare parts, paper, marker pens etc)
- Transport – for the above and for staff and ballot papers.

4.12.2 It is important that there is sufficient equipment to ensure the secrecy of the poll. Ballot papers should be as simple as possible and contain safeguards against forgery. The security of the ballot papers must be safeguarded at every stage from their production until the opening of the polls and then after closure until counting is complete.

4.12.13 Transport arrangements and should be planned and costs estimated as definitively as possible. Transport needs and costs are often underestimated or even overlooked.

5. MONITORING AND OBSERVING

(Separate guidance on monitoring and observing, including election norms and standards, is available, eg “The ODIHR Election Observation Handbook”, and the “SADC Norms and Standards for Elections in the SADC Region”. OSCE/ODIHR are working on a “Practical Guide to Democratic Elections Best Practice”. See Annexes C and D for contact details.)

5.1 Monitoring the election - is it free and fair?

5.1.1 The report of an independent election monitor is often crucial to the future status of a government, and the presence of experienced observers is in itself a powerful disincentive for election malpractice, and can provide some guarantee to opposition parties that it is safe for them to participate.

5.1.2 To determine whether an election has allowed the wishes of the people to be reflected involves much more than simply watching people vote on polling day and observing the count. What happens before and after is as crucial to the status of an election as what happens on polling day. Indeed, history shows that blatant election fraud on polling day is the exception, with most manipulation occurring through the preparation and implementation of dubious election laws and regulations and manipulation of voter registration. If one party has been able to take advantage of institutionalised bias, especially in the media, during the run up to the election, the results are likely to reflect this manipulation however impeccable the voting procedures. There are likely to be disputes or other issues to resolve after the poll. In some cases where there is a national count it may take a few days before all the figures are compiled and the result announced. In a system using proportional representation on a national basis there will be the distribution of votes to be calculated and, in a parliamentary election, the allocation of seats. All of this should be monitored to ensure that the process is transparent and that the will of the people is not thwarted behind closed doors.

5.1.3 The main things to look for are:

- the efficiency and impartiality of the voter registration process;
- the degree to which parties can present their political platform and express their opinions freely;
- the extent to which the election is conducted in a peaceful and secure manner without systematic intimidation or violence;
- the extent to which the election is managed effectively by an independent electoral commission free from political interference;
- the degree of effectiveness in the conduct of polling and counting of votes;
- the the extent to which there was a credible, independent and impartial monitoring and observation process.

5.1.4 The impact of observers – local and international – will be greater the greater the measure of agreement among them. In the absence of universally agreed norms observers might be encouraged to adopt the same standards, or a core set of standards, to determine

the freeness and fairness of a particular election. Good coordination between different groups of observers, both local and international, is important.

5.1.5 Internationally the Commonwealth Secretariat is well regarded, as are some regional groups such as the SADC Parliamentary Forum whose guidelines are mentioned at the beginning of this Chapter. The EU has worked to improve the quality of its election monitoring. International missions should if possible include nationals from other countries within the region.

5.1.6 Some domestic groups are good – eg Kenya – while others may need help to improve their performance (but with care not to undermine their independence) – see Section 5.3. They can be encouraged to work together and form networks, while retaining their autonomy and comparative advantage.

5.1.7 It is essential that monitoring reports should as far as possible be unanimous and frank about both the good features and the deficiencies of the electoral process. Reports should be objective, and not swayed by whether or not donors decided to assist with the election (see Box 1 in Section 2). The final collective judgement should not be about whether the election was conducted in accordance with all the correct procedures, but whether it was broadly free and fair, and, most importantly, whether the outcome appears to reflect the view of the voters. Reports can also include recommendations as to how the electoral process could be improved. (See Section 6.)

5.1.8 International observers always require a formal invitation from the host Government or its electoral body. Observer missions may be bilateral, but are more commonly multi-lateral, in which case the observer effort is likely to be co-ordinated by one or more international organisations. In eastern Europe, Russia and the new republics bordering Russia, the observer mission will be co-ordinated by the OSCE/ODIHR whose mandate includes observing elections taking place in its 55 participating states. Elsewhere missions may be provided by the Commonwealth Secretariat, the UN or regional organisations such as SADC. The EU mounts 8 or so missions annually: each member state puts forward candidates from whom the EU makes its selection. For bilateral missions or UK-managed teams in multilateral missions a tender is likely to be issued for organisations to manage the exercise. It is unusual, but not completely unknown, for DFID/FCO to mount an observer mission (eg Lesotho 2002).

5.1.9 It is important that both international and national observers should be adequately equipped to do their job, and able to resist pressure to overlook shortcomings; otherwise they will appear to confer a degree of legitimacy on the proceedings which their presence cannot in fact guarantee. Observers do learn by experience, but short preparatory seminars or training courses on the essentials can be valuable.

5.2 Long-term observers

SUMMARY

Purpose of assistance

To make an impartial assessment of the electoral process and prepare the ground for short term monitors.

Method

The appointment of experienced electoral and political experts as long term observers, usually as part of an international team, to observe the preparations for the election, the campaign and the post election period.

Timing

At least 1 month before polling.

5.2.1 Long term observers should be in place at least a month and preferably longer before polling day. They should stay after polling day to ensure acceptance of the result, the full implementation of electoral law and to monitor any post-election disputes or violence. Their brief is to examine how effective the implementation of election practices has been in allowing the public to participate and to make an informed choice. This means examining:

- The success of the voter registration programme
- The nomination process for candidates
- The extent and nature of electioneering locally and nationally
- The quality and distribution of election literature
- The access of candidates to the electorate
- The access to funds for the campaign
- The degree of voter education
- The extent and equality of access to the media
- The extent and objectivity of media coverage
- Whether there has been intimidation or vote buying and whether it was allowed to go unchecked
- Whether there has been unwarranted Government interference
- Whether campaign finance regulations existed and were enforced
- Whether the election body has observed strict neutrality

5.3 Assisting local/domestic election observers

SUMMARY

Purpose of assistance

To ensure widespread and effective monitoring by local observers, now and in future elections, building on existing local capacity

Method

Where experience is lacking, by providing training for trainers in political parties/NGOs, and supporting materials.

Where there are experienced local observer organisations, by providing logistical support to enhance their effectiveness.

Timing

During the election campaign or during the pre-election period.

5.3.1 People's confidence in their own democracy will be all the greater if they can monitor their own elections effectively and efficiently. Election observation groups are often active in a strong civil society. Whereas international observers often have limited coverage, domestic groups can cover the country much more widely and can often provide teams of trained observers at every polling station.

5.3.2 Observers should be representative of the electorate and include as far as possible equal numbers of women and men as well as representatives from all ethnic and religious groups. There will generally be two categories of domestic observers. In all cases there will be those representing participating political parties or candidates; and in some cases, where there is provision in the election law, there will also be representatives of independent NGOs.

Where an observer represents a party, bloc or candidate involved in the election, their role is to protect the interest of that body or person. This is especially so at the count where there may be disputes over spoilt papers or where recounts may be called if there is a close result. Party agents can nevertheless provide useful information if its collection is well-organised. By definition an observer from an independent NGO should be able to adopt a more objective position, intervening not on behalf of any interested party but only to ensure the correct application of the law and procedures. But these observers can sometimes be unreliable due to pressure from party or security sector officials, so it is important to look at their capacity and competence on a case by case basis.

5.3.3 Observers must be adequately equipped to do their job (para 5.1.9). In newly emergent democracies it is unlikely that those concerned will have much experience, or much expertise, and some training may be desirable. To act effectively observers need to:

- Be aware of their rights and responsibilities under election law
- Possess an adequate knowledge of the election law and procedures
- Be able to distinguish between deliberate malpractice, significant incompetence and minor inefficiency
- Ensure that any breaches are raised on the spot, and a report filed with the regional or district election authority
- Be able and prepared to provide discreet and helpful advice
- (for representatives of parties/candidates) Not hesitate to represent their interest where a dispute arises involving a participant for whom they are acting

5.3.4 The evidence suggests that local observer organisations can become strong quite quickly - within a period of ten years or so. They may still need outside assistance to help them perform effectively: for example, support with information systems for the processing of large volumes of data, or for maximising the potential of information technology to convey messages rapidly over time and distance (greater efficiency in the observation process can sometimes have a major effect on political outcomes). Care needs to be taken in supplying donor support not to compromise the independence and reputation for integrity of domestic observers.

5.4 Monitoring the poll

SUMMARY

Purpose of assistance

To assess the credibility of the polling and counting process.

Method

By sending teams of election monitors to a wide range of different locations.

By arranging meetings before polling day between monitors and officials, journalists and others to assess the campaign, and preparations for the poll.

Timing

Short term observers should be recruited as soon as possible and be in place at least a week before polling day.

5.4.1 Short term observers should be in place a few days before election day to allow them to assess the poll in the context of the campaign and the local situation. It is important that their mission should not be seen as finished after the preliminary stages of the count; the result has

to be followed through to the tabulation of votes. Monitoring the poll itself involves ensuring the efficient and proper conduct of:

- Logistical arrangements (eg are polling stations properly set up, equipped and staffed)
- Voting procedures
- Security of the ballot
- The competence and impartiality of election officials in the polling stations and at the count
- The actual physical process of voting including especially lack of intimidation
- Counting procedures
- Announcement and transmission of results

Particular attention may need to be paid to special voting provisions – mobile ballot boxes and absentee voting can be open to abuse (how, for example, are absentee votes allocated to constituencies?); and to voting in military barracks, hospitals, and prisons, which present similar opportunities plus the possible intimidation of voters.

5.4.2 Observers should be a mix of electoral and country experts. Teams of two or three observers sent to each area should ideally contain a mix of electoral and political experts to assess the different aspects of the process. Where applicable a team could also include a country expert. Teams comprising solely country experts who are not familiar with political nuances or the mechanics of elections are of little use. Observers should be:

- physically fit - able to endure a lot of standing about, long hours, long drives on bumpy roads, all possibly in conditions of extreme heat or cold
- good team workers
- willing to brief themselves properly beforehand and to write a detailed report straight afterwards
- experienced in electoral matters and/or the culture and traditions of the country concerned.

Observers who expect preferential treatment, who are not prepared to put in the work, or who are pursuing their own agenda will at best make no contribution and at worst can be positively harmful.

6. WHAT HAPPENS AFTERWARDS?

6.1 Introduction

6.1.1 Once the election is over, it is necessary to take a view (preferably in conjunction with other interested parties) of the credibility of the outcome, and of what if anything might be done to help improve the process for the future. The judgement arrived at by the international diplomatic and development community on the basis of the observation reports can lead to a significant change in relations - for example the Cotonou Agreement⁶ between the EU and the ACP States provides for the possibility of sanctions where the principles of democracy and good governance are violated. It therefore requires careful consideration, taking account of longer term political development trends as well as the conduct of the particular election. In contentious cases the decision will rest with the Secretary of State.

6.2 Reaching conclusions - the broader context

6.2.1 The European Council have rightly said that *“genuine elections are an essential step in the democratisation process. They pre-suppose the full enjoyment of a wide range of human rights and fundamental freedoms”*. But of course elections are only one aspect of governance. Judgements need to consider the wider aspects of the way power is used, and the longer-term trends in political development. An imperfect election may yet have opened up new opportunities for improved democratic processes. There may have been other developments which suggest that overall things are moving in the right direction - wider parliamentary representation, more freedom for the press, a stronger civil society. We need to be realistic about the pace at which the institutions needed to guarantee the observance of the human rights and freedoms necessary for good elections can be established, especially in poor countries with limited capacity and low literacy levels. And let us not forget that elections have had a chequered history in the west, where even now they are not always beyond reproach.

6.2.2 It may be more meaningful locally to judge an election on the basis of regional comparability, rather than comparisons with more distant parts of the world. The judgement will have to be justifiable in comparative terms and those concerned must be prepared to explain how it was reached.

6.2.3 Paragraph 5.1.3 sets out the main criteria for judging how far an election is free and fair. In reaching a broader conclusion about the present and likely future state of governance we need also to take account of:

- the context in which the country is operating: is it emerging from conflict? is this the country's first practical experience of multi-party democracy? (or first after a long gap?) is the current election, despite its flaws, an improvement on the previous one?;
- the scale of the problems with the electoral process – just isolated incidents, or systematic and pervasive?

⁶ For full text see http://europa.eu.int/comm/development/cotonou/agreement/agr42_en.htm. Article 9 reaffirms the importance of democratic principles and good governance; articles 96 and 97 provide for the possibility of sanctions.

- whether a deliberate attempt has been made by the state or the incumbent party to subvert the process or whether the failures can be explained in terms of incompetence, maladministration or lack of capacity;
- the extent to which the government (and others) are willing to acknowledge flaws, and address them - for example has the electoral commission ordered a re-run in cases where major fraud/manipulation/intimidation might have affected the outcome?
- the extent to which independent observation/monitoring of the election is facilitated;

6.2.4 Based on these considerations we can take a view on the likely trajectory: are things getting better, or worse, or standing still? We can then think about how, if at all, the international community can best contribute to positive change and an improved democratic process (both lesson-learning between one election and the next as regards the election system, and wider long-term progress towards inclusive and legitimate government).

6.3 Assistance following a less than perfect election

SUMMARY

Purpose of assistance

To help improve the electoral process in time for the next election.
To look for opportunities to help improve the overall political process.

Method

Monitor the immediate post election period – acceptance of results, resolution of disputes.
Review report recommendations with authors, election body, and civil society.

If authorities recognize need for reform:

- agree priority action plan for follow-up activity to improve electoral process, strengthen democratic institutions and develop democratic capacity
- (If necessary) commission assessment of electoral and good government requirements.

If authorities unwilling to engage seriously in reform:

- seek to raise awareness eg by working with civil society, media, to help develop support for reform.

Timing

Quickly - before memories of the election and its shortcomings begin to fade.

ANNEX A

ELECTORAL SYSTEMS⁷ - HOW THEY WORK; ADVANTAGES AND DISADVANTAGES

First Past the Post

The candidate(s) nationally, or in each electoral district, who secure the most votes, are elected, although they may only have a minority share of the total votes cast.

Example

In the Forest constituency, where the Gazelle Party candidate gets 2,000 votes, the Zebra Party candidate 3,000 votes and the Lion Party candidate 4,000 votes, the Lion Party candidate is elected even though he has only 44% of votes cast

Advantages

- Easy to understand, easy to vote and easy to count.
- makes it more likely that one party will have an overall majority of legislature members.

Disadvantages

- The number of people elected for each party is unlikely to reflect the proportion of votes cast.
- A winning candidate may have only a minority of votes cast and the more candidates there are, the more this is likely to happen.
- Similarly, a party may gain power in a legislature with a majority of seats but not a majority of votes.
- Those who voted for a losing candidate are not represented in any way and their single preference means that they had no further say in who was elected.
- A voter cannot choose between candidates within a party.

Proportional Representation

Candidates of political parties are elected in proportion to the number of votes their party, or party candidates, receive out of the total number of votes cast in a single election.

Advantages

- Depending on the system used, the result in terms of who is elected will reflect to a greater or lesser extent the proportion of votes cast and mean that each vote counts.
- Voters who support minority parties and candidacies are more likely to be represented. The establishment of a threshold of a proportion of votes to be gained before a seat is allocated will protect to some extent against a proliferation of very small parties: for example, a party might be required to gain at least 5% of the vote before it can be allocated seats.

Disadvantages

- It is more complicated to vote and to count.
- It will make it more likely in a legislature that there is no clear majority for any party. This may lead to deals between parties, and voters may not end up with the arrangement and policies for which they voted.

The following systems are all different versions of proportional representation:-

National Or Regional List System

⁷ Further information on electoral systems can be found at: www.aceproject.org

Each party, group or individual that wishes to stand for election presents a list of candidates. This may be regionally based or a single, national list. It could consist of only one name, enabling individuals to stand.

If it is a closed list, the parties or blocks compile a list of candidates. The voters then indicate their choice of party or block list. The seats are allocated to each party in proportion to its percentage of the total number of votes cast. Candidates on the party list are appointed, starting from the head of the list downwards.

Example

In the Forest constituency, the ballot paper would say only Gazelle Party or Lion Party. If, across the country, the Lions got 60% of total votes, then in a 200 seat legislature the top 120 names on the Lion list would be elected, and the top 80 names on the Gazelle list

If it is an open list, the names on the, usually, regional list appear on the ballot paper and people indicate their preference for a named individual. A vote for the individual candidate counts as a vote for the party and determines how many seats are allocated from that party's list. Who is elected from each list is then determined by the number of votes cast for individual candidates.

Example

In the Forest constituency, the ballot paper would list under the Gazelle Party (Swamp Region) Guy Gnu, Ivan Ibex, Adrian Antelope etc. The voter would indicate which of these they preferred. If, over the region, the Gazelles got 60% of votes cast, they would get 60% of the seats; if Ivan Ibex had secured the most individual preferences, he would be the first person on the list to be elected. If there were 20 seats for that region, the Gazelle Party would get 12, so the next 11 candidates in descending order of individual preferences would also be elected. The 13th and succeeding candidates would not.

Advantages

- Easy to understand, easy to vote and easy to count.
- The number of elected representatives for each party will reflect accurately the proportion of votes cast for that party. In an open system, the voter will be able to choose between the candidates.

Disadvantages

- There is no direct link between representatives and the people who elect them. Representatives also have no geographical base.
- All the power over selection of representatives lies with the central or regional party machine. With a closed system, electors have no say at all in the people who will be elected.

The Alternative Vote System (ATV)

Where one representative is elected in an electoral district, which may be a local constituency or a whole country, electors express their preferences between the candidates by numbering 1 to x (x = total number of candidates). If a candidate gets a clear majority of first preferences, he/she is elected. If no-one has a majority, the candidate with the lowest number of first

preferences is eliminated and his/her votes are re-allocated according to the voters' second and subsequent preferences.

A different version of this system is where, instead of the votes being re-distributed, further rounds are held if no-one gains over 50% of the votes. Usually there is only one further round where there is a run off between the two candidates who received the largest number of votes.

Example

In the Forest constituency there are Gazelle Party, Snake Party and Lion Party candidates. The voter marks numbers 1 to 4 against their names in order of preference. 12,000 votes are cast, so 6,000 votes are needed to win. If the result is:-

Gazelle 2,000 first preferences
Zebra 4,000 first preferences
Snake 1,000 first preferences
Lion 5,000 first preferences

there is no overall winner. As Snake received the lowest number of first preferences, he drops out and his votes are distributed to the other candidates according to the second preferences of those whose first choice was Snake. There are thus 1,000 votes to be distributed. The result might be:

Gazelle 2,000+200 from Snake =2,200
Zebra 4,000+200 from Snake =4,200
Lion 5,000+600 from Snake =5,600

There is still no overall winner. As Gazelle has the lowest number of votes he drops out and his votes are distributed according to the second preferences of those whose first preference was Gazelle, and the third preferences of those who voted for Snake with Gazelle as second choice. This means there are 2,200 votes to be distributed. The result could be:

Zebra 4,200+500 from Gazelle+50 from Snake =4,750
Lion 5,600+1,500 from Gazelle +150 from Snake =7,250

Lion is now the clear winner with 60.4% of the votes.

Advantages

- Retains a direct link between the elected representatives and their voters and gives them a geographical base.
- Ensures whoever is elected has majority support.

Disadvantages

- Less easy to understand and to count.
- The voter has no choice between the candidates for a party.
- The number of people elected for each party may not reflect the proportion of votes cast nationally.
- A party may receive a uniform minority of votes across constituencies and so may not win a single seat despite having a reasonable share of the overall vote. So, as with the first past the post system, a party may gain power in a legislature with a majority of seats but not a majority of votes.
- Those who voted for a losing candidate will not have a representative to reflect their views.

The Single Transferable Vote (STV)

Where there are multi-member districts, each party can put forward as many candidates as there are members to be elected in each constituency. Electors express their preferences between the candidates by numbering 1 to x (x = total number of candidates). An electoral quota is worked out which represents the lowest number of votes that a candidate needs in order to be elected. This is calculated by dividing the number of votes cast by the number of seats plus one. First preferences are then counted, and candidates who meet the quota are elected. If insufficient candidates meet the quota, the candidate with the least votes drops out, and his/her votes are re-allocated according to the voters' second preferences. If an elected candidate receives votes in excess of quota, these are deemed to be unused and are also redistributed in proportion to voters' second preferences. If enough members have still not been elected, the process is repeated until all the seats are filled.

Example

The Forest constituency has three representatives to be elected. There are 3 Gazelle Party candidates, 3 Zebra Party candidates and 3 Lion Party candidates. The voter marks numbers 1 to 9 against their names in order of preference. Overall, 24,000 votes are cast. This means that a candidate must gain at least 24,000 divided by 4 (the number of seats plus one) to be elected - ie the quota is 6,000. Suppose the result of round 1 is:

Gazelle A	2,000	first preferences	
Gazelle B	500	first preferences	
Gazelle C	1,500	first preferences	
Zebra A	2,000	first preferences	
Zebra B	5,000	first preferences	
Zebra C	2,000	first preferences	
Lion A	8,000	first preferences	
Lion B	1,000	first preferences	
Lion C	2,000	first preferences	

Lion A is elected immediately as he meets the quota. Because 2,000 of his votes are surplus, they will be redistributed. Everyone who voted for him exercises their second choice, in proportion to the "unused" element of their vote ie 25% (2000 out of 8,000). The result of distributing second choices in this way could be:

Gazelle A	2,000+500	from	=2,500
		Lion A	
Gazelle B	500+400	from	= 900
		Lion A	
Gazelle C	1,500+100	from	=1,600
		Lion A	
Zebra A	2,000+	0 from	=2,000
		Lion A	
Zebra B	5,000+800	from	=5,800
		Lion A	
Zebra C	2,000+	0 from	=2,000
		Lion A	
Lion B	1,000+100	from	=1,100
		Lion A	

Lion C 2,000+100 from =2,100
 Lion A

No-one else has reached the quota. As Gazelle B received the lowest number of first preferences, he drops out and his votes are redistributed to the other candidates according (a) to where the 500 who voted for him placed their second preferences and (b) to where the 1,600 (X25%=400 votes) who voted Lion A first and Gazelle B second placed their third preferences.

Redistributing the 900 votes might result as follows:

Gazelle A	2,500+	0 from	=2,500
		Gazelle B	
Gazelle C	1,600+100	from	=1,700
		Gazelle B	
Zebra A	2,000+	0 from	=2,000
		Gazelle B	
Zebra B	5,800+400	from	=6,200
		Gazelle B	
Zebra C	2,000+	0 from	=2,000
		Gazelle B	
Lion B	1,100+400	from	=1,500
		Gazelle B	
Lion C	2,100+	0 from	=2,100
		Gazelle B	

Zebra B is elected as he meets the quota. Because 200 of his votes are surplus his second choices will be redistributed each counting as 200 divided by 6,200 ie 3% of vote. This will not bring anyone else up to quota so there is a further distribution of preferences. Lion B drops out and his votes are redistributed according (a) to where the 1000 who voted for Lion B as first choice indicated their second choice; (b) to where the, say, 360 who voted Gazelle B first and Lion B second indicated their third choice; and (c) to where the 160 (40 votes) who voted Lion A first, Gazelle B second and Lion B third placed their fourth preference. Still no-one else will make the quota, so another candidate will drop out with further redistribution of preferences, until another candidate reaches the quota.

Advantages

- Ensures that every vote counts to the full.
- Retains a direct link between the elected representatives and their voters and gives them a geographical base.
- Ensures whoever is elected has majority support.
- More likely that supporters of a party will have at least one representative in their district to represent their views.
- The voter can also choose between candidates for the same party.
- Makes it very difficult to gerrymander electoral districts.

Disadvantages

- More complicated to understand and to vote and can be very complicated to count.
- Dilutes the direct link as there will be a large number of voters, and maybe a very large area, for an elected person to represent.
- Generally it is likely to weight the result more in favour of the largest party and disadvantage small and geographically scattered parties.

Additional Member System

A proportion of the legislature is elected on a list system and the remainder directly on a district representative system.

Each vote for the local candidates across all constituencies is totalled according to their party and additional seats are allocated from the party's regional or national list according to the proportion of the total votes cast.

Alternatively, each elector has two votes - one for their local representative elected by the First past the Post system, and one for a party list.

Example

In the Forest constituency, the Gazelle Party candidate gets 2,000 votes and the Lion Party candidate 4,000. The Lion Party candidate is elected. All the votes cast for all the Gazelle and Lion candidates across the whole region, or the whole country, are then totalled. The legislature could have 200 members, with 100 directly elected by constituencies (like the Lion who won in Forest constituency) and the other 100 made up of members from party lists with their numbers proportionate to the total number of votes received by all their candidates. So, if Lion candidates got 60% of the vote nation-wide they would have 60 members in addition to their directly elected members.

Advantages

- *There is direct representation combined with proportionality to ensure an outcome that broadly will reflect the votes cast.*
- *The system whereby electors have one vote for a local representative and one for a national list enables them to vote tactically within their locality and also for the party of their choice in the country as a whole.*

Disadvantages

- *Creates a two tier legislature with some members having greater legitimacy as they have been directly chosen by the people they represent.*

ANNEX B

THE ORGANISATION OF ASSISTANCE WITHIN DFID AND THE FCO

DFID

Funding for electoral assistance is provided by programme managers - see Annex C.

Advice on electoral assistance is provided by Governance Department (GD). The normal source of advice will be the relevant country Governance Adviser, who may be based either in GD in London or in the local/regional Aid Management Office/ Development Division.

More specialist advice on electoral assistance in GD is provided by Dr Garth Glentworth (Telephone 020 7023 0661; Fax 020 7023 0074 e-mail g-glentworth@dfid.gov.uk). In addition to his duties as Governance Adviser for a number of countries, Dr Glentworth will:

- a. provide other GD Advisers with specialist advice on electoral assistance on request;
- b. issue, in conjunction with UND/FCO, periodic guidance on key electoral assistance issues;
- c. supervise the building up in the GD library of reference materials on the handling of electoral assistance, for use by others in GD and elsewhere in DFID;
- d. keep abreast of wider conceptual matters in the field of electoral assistance through contacts with main players, eg UN, OSCE and NGOs.

FCO

Co-ordination of electoral assistance in the FCO falls to a member of UND (telephone 020 7008 3096; Fax 020 7008 3753). The co-ordinator is tasked with:

- a. offering advice to departments/posts on procedures, principles, mission organisation, sources of outside expertise, costs and funding;
- b. issuing, in conjunction with DFID(GD), periodic guidance on key electoral assistance issues;
- c. building up an existing library of reference materials on handling election for distribution to departments/posts on request;
- d. maintaining in UND an historical record of previous UK electoral assistance programmes and statistics;
- e. keeping abreast of wider conceptual matters in the field of electoral assistance through contacts with main players, eg UN, OSCE and NGOs.

No funding is available from UND in support of electoral assistance projects (for guidance on funding see Annex C).

Responsibility within FCO for country-specific projects lies with the geographical desk officer, and with post. UND is always happy to advise on practicalities and general electoral assistance policy.

In addition the recruitment of supervisors and observers for elections in the OSCE area, organised by OSCE's Office for Democratic Institutions and Human Rights (ODHIR), is handled by the FCO's OSCE Department (Contact point: 020 7270 2428).

ANNEX C

SOURCES OF FUNDS, AND ACCESS

Main sources of Funding

UK - Government sources	Department for International Development (DFID) funds: <ul style="list-style-type: none">• bilateral aid budgets• Small Grants Scheme Foreign & Commonwealth Office (FCO) funds: <ul style="list-style-type: none">• Command Programme Budgets (formerly AUSPB)• Various small departmental budgets British Council can sometimes fund: <ul style="list-style-type: none">• individual preliminary visits• small scale study tours
UK - other sources	Westminster Foundation for Democracy funds: <ul style="list-style-type: none">• training• technical assistance
Multilateral	EU, OSCE, UN, and Commonwealth all provide electoral assistance in various ways, and may engage UK expertise
NGOs	Some local NGOs can afford to fund UK expertise. Internationally the Carter Centre (Atlanta, Georgia, USA) and the Soros Open Society Institute may also send observer teams

UK SOURCES

DEPARTMENT FOR INTERNATIONAL DEVELOPMENT (DFID)

BILATERAL AID BUDGETS

1. Aid budgets exist for all major recipients of UK development assistance. Ideally, bids for the use of these funds to support election assistance should be made far enough in advance to allow their incorporation into the relevant DFID Country Assistance Paper (CAP). These Papers are revised usually every three years. If this is not possible, separate bids can be submitted to the DFID Country Programme Manager, preferably at least six months in advance of the planned election. A small amount of contingency funding is kept in reserve for requests made at short notice (up to three months before the elections). Such requests will be considered sympathetically where possible.

2. No ceiling is set on the amount of funding that may be provided for any one project (past projects have ranged from £2,000 to over £3m). Projects at the top end of the funding scale tend to consist of training/technical assistance and electoral equipment, usually including items that cannot be procured locally. Projects should support long-term local sustainability. Where funding is made available to support a local electoral commission the package would normally be expected to include long or short-term specialist advisers.

SMALL GRANTS SCHEME

3. Smaller projects (up to £100,000 per annum) may be funded from the Small Grants Scheme - a mini aid programme run by Heads of Mission - at the discretion of Heads of Mission and within the usual aid guidelines.

FCO

COMMAND PROGRAMME BUDGETS (FORMERLY AUSPB)

4. The recruitment of candidates for EU missions is co-ordinated by the United Nations Department but mission costs are met centrally from the Commission budget. The UK contribution to OSCE missions is co-ordinated and funded by the OSCE department and the costs of bilateral missions are almost always met by the relevant Command Programme Budget.

BRITISH COUNCIL

5. The British Council has limited funds to facilitate contacts and interchanges between country organisations and UK equivalents. These could involve electoral organisations and key officials, particularly where visits or study tours open up possibilities of further co-operation funded from other sources. Enquiries should be addressed to the Director of the Council in-country office in the first instance.

WESTMINSTER FOUNDATION FOR DEMOCRACY

6. Although receiving an annual grant from the FCO, the Foundation is an independent body. It supports projects which are aimed at building pluralist democratic institutions abroad. Its priority areas (90% of its project budget) are Central and Eastern Europe, Russia, Central Asia and Anglophone Africa. The Foundation's board of governors meets quarterly to assess requests for funding. The FCO (via Planners) is usually asked to comment. Projects range from £500 to £35,000 and have included training for political parties, voter education, training journalists and political leaders' conferences. The Foundation also accepts funding from other sources (DFID, FCO) to carry out specific electoral support/civic education projects. Enquiries should be addressed to the Chief Executive (tel: +44 (0)20 7930 0408 fax: +44 (0)20 7930 0449).

MULTILATERAL SOURCES

EU

Common Positions/Joint Actions

7. On occasion, EU Member States acting inter-governmentally make provision for electoral assistance through a Common Foreign and Security Policy (CFSP) Common Position or, more usually, a Joint Action. Although funding for such provisions is frequently described as being charged "to the general budget of the European Communities", rather than falling to national contributions from Member States, this does not mean that there are no financial implications for Whitehall Departments. Under Treasury accounting procedures, any such funding is "attributed" to the responsible Department and becomes a charge against that Department's budget for PES purposes. It is the responsibility of the lead FCO Department to identify and reach agreement on an appropriate source of funding for the proposed Common Position/Joint Action. In the case of electoral assistance, they would normally look to DFID to pick up the attribution. If DFID is unable to do so, then the lead FCO Department will need to identify other potential sources including from within the FCO.

8. CFSP Department controls a budget for funding Common Positions/Joint Actions. But Departments should not assume that they will be able to draw on it. It is therefore very important that Departments consult CFSP Department at an early stage about Common Positions/Joint Actions with potential financial implications.

European Development Fund

9. For countries outside Europe, there are budget lines for democracy work within the European Development Fund (EDF). Where a local NGO, or a UK based NGO working in conjunction with a

local NGO, has a proposal for a project this should be submitted to the EC Delegate in the country concerned or, where there is no Delegate, to the desk officer in DG VIII in Brussels. Applications for funding will then be submitted to the Head of DG VIII's Relations with Institutions Unit, which covers democracy and human rights.

10. As well as the EDF budget lines, there may be limited local currency funds ("Counterpart Funds") available for direct disbursement by Delegates (or Desk Officers where there is no Delegate).

PHARE & TACIS

11. Europe, including Russia and its neighbours, are covered by PHARE and TACIS programmes. Local or UK based NGOs may bid for funding in the two rounds each year. In all PHARE countries and in Russia, Ukraine, Georgia and Kazakhstan local NGOs may make bids directly to EC Delegations in their countries for funding for 'micro-projects' which could involve some UK input or be organised in conjunction with a UK partner.

Access to funds

12. UK Posts cannot make direct application for EU funding of technical assistance. However, a great deal of support can be given to help procure funding for UK initiatives and UK managed projects:

- outside Europe, a Post may approach the local EC Delegate or Brussels-based Desk Officer with a suggestion for technical assistance to aid the electoral process, or with support for a project already submitted. This could result in the EC adopting the suggestion or indicating their willingness to consider a bid which could then be made by a UK NGO
- suggestions for support for the electoral process can be channelled through Heads of Mission meetings in the country concerned, leaving the representative of the Presidency to pursue the question of financial support with the Delegate or the Desk Officer. UK NGOs could then be encouraged to bid
- in PHARE and TACIS countries, suggestions could be made to local NGOs who could be encouraged to liaise with UK NGOs with a view to submitting bids either directly to Brussels (main programmes) or to the local EC Delegation (micro-projects).

ORGANISATION FOR SECURITY AND COOPERATION IN EUROPE (OSCE)

13. The Organisation for Security and Co-operation in Europe (OSCE) is playing an increasingly important role in elections in the new democracies amongst its 54 member states through the Election Unit within the Office for Democratic Institutions and Human Rights (ODIHR). ODIHR provides assistance to OSCE states in the review of electoral laws and technical aspects of electoral administration, and organises election-related seminars. This assistance must be requested by the central electoral commission of the country in question. The OSCE also coordinates teams of observers sent by donor states. The UK contingent in any such team may be funded from geographical Command Programme Budgets, DFID country programmes or from the East-West Contact Fund.

14. Requests for assistance are dealt with by the OSCE desk in the FCO in liaison with the country desk. The ODIHR will appoint an on-site co-ordinator to co-ordinate the task. Subsistence and per diems have to be paid for by the member state.

Contact: The Elections Officer
ODIHR, Krucza 36/Wspolna 6, 00-522 Warsaw, Poland
Tel: +48 22 625 70 40 Fax: +48 22 625 43 57

UN

15. The UN will provide electoral assistance when invited to do so by a member state. Before any decision is taken on whether to proceed, an assessment mission will be sent. UN support for elections often takes the form of technical assistance but may involve the co-ordination of or logistical support to teams of observers provided by UN member states. Where technical assistance is offered, the UN recruits from its own pool of electoral experts and funds from its own budget. Where the UN plays the role of co-ordinator, responsibility for recruitment and funding of observers lies with individual member states (which in the case of the UK means DFID or Command Programme Budget funding).

COMMONWEALTH

16. Under the Harare Declaration of 1990, one of the Commonwealth's priorities is to foster the development and stability of democracy in its member states. It fulfils this by organising observer missions and by providing technical assistance to cover all electoral areas including the training of the media. Election monitoring is carried out only in response to a request from the governing party in a Commonwealth country - the Secretariat does not initiate monitoring. As with UN missions, the Commonwealth Secretary-General first sends a planning mission to confirm that appropriate conditions for a poll exist. Election observers and technical experts are selected by the Secretary-General. All costs are borne by the Commonwealth Secretariat, 30% of whose costs are contributed by the UK.

Access to funds

17. Again there can be no direct application for funding, but suggestions for assistance could be made to the host country or its electoral body for an invitation to be issued to the Commonwealth Secretariat for assistance with a project. The suggestion could also be routed through the London based High Commission of the country concerned. DFID could also be involved in encouraging an invitation to be issued. Once an invitation has been accepted, the Secretariat will seek the expertise to fulfil the requirement, and suitable UK NGOs could be encouraged to contact the Secretariat. In some cases DFID may co-fund a project with the Commonwealth in which case there will be more scope for UK input.

Contact: Christopher Child, Political Affairs Division
Commonwealth Secretariat
Marlborough House
Pall Mall
London SW1Y 5HY
Tel: +44 (0)20 7839 3411.

LOCAL SOURCES

18. Some local NGOs will have resources from which they will be able to contribute to projects. They may at least be able to provide the cost of seminar rooms and local transport for consultants, and possibly the costs of local participants and interpreters. A well resourced NGO could be willing to contribute towards the cost of an assessment mission by a UK consultant with a view to participating in any resulting activity. Organisations that should be approached include those active in the promotion of democracy, civil society or human rights.

19. Nearly all Eastern European countries have international NGOs with a reasonable level of funding, and in the former Soviet Republics there is an Open Society Fund which is financed by the

Soros Foundation. Many of these NGOs have an interest in electoral and good government activity and some have already been jointly involved with DFID or local Embassy projects.

ANNEX D

In-Country Co-ordination

1. As elections approach, posts are likely to find that co-ordination with other donors is essential to avoid overlaps, and to promote a coherent approach from the international community.
2. Often the first to become involved are teams from the US (often from political parties, or organisations such as the Ford Foundation) and Japan. Separately, but fairly early on in the process, the UN and Commonwealth, on receipt of a formal invitation to provide assistance from the government of the country concerned, may send needs assessment missions, as (in Central/Eastern Europe/Central Asia/FSU) may the Organisation for Security and Co-operation in Europe (OSCE) and sometimes the European Community.
3. The UK contribution (funding, equipment or UK personnel) may form part of a full programme of technical assistance co-ordinated by the dominant (usually the best-resourced) international organisation. But if there is no organisation ready to take on this role, the UK may choose to act independently, checking carefully nevertheless to avoid overlaps with other donors; or may contribute monitors to an ad-hoc group co-ordinated with other EU partners.

The EU

4. EU-coordinated missions usually take one of two main forms:
 - (1) Joint actions funded from the Community budget, where the Commission will take on the full responsibility for co-ordination in-country; or
 - (2) Ad-hoc coordination taken on at fairly short notice by the Presidency or other suitably-resourced mission in-country, usually complemented by discussions in the relevant EU (CFSP) geographical working group and by COREU between capitals.

The UN

5. The UN's involvement in electoral assistance usually consists of technical assistance missions conducted by its own staff, but may involve the coordination of or logistical support for teams of observers provided by UN member states.

The OSCE/ODIHR

6. The OSCE's Office for Democratic Institutions and Human Rights (ODHIR) Election Unit provides assistance to OSCE states in the review of electoral laws and technical aspects of electoral administration. It also organises election-related seminars in the new democracies of the OSCE region. This assistance must be requested by the central electoral commission of the country in question. The OSCE also co-ordinates teams of observers sent by donor states.

The Commonwealth

7. See Annex C, paragraph 16.

Southern African Development Community (SADC) Parliamentary Forum

8. The Forum carries out election monitoring in the SADC countries, and has a general concern with democratic governance in the area. Contact:

SADC Parliamentary Forum
PO Box 13323
Windhoek
Namibia

Telephone: +2464 61 246 461/249 321
Fax: +2464 61 254 642

www.sadcpf.org

9. ANNEX E

SPECIALIST ASSISTANCE AND THE ROLE OF NGOs

1. SELECTED RESOURCES

Five organisations have emerged as the main sources of specialist expertise in the electoral assistance field in the UK:-

- 1 Democracy International
Regents Park House
Regent Street
Leeds
LS2 7QJ

Tel 0113 223 7368; Fax: 0113 223 7369; e-mail: dil@democracy.legend.co.uk

Main contacts: Geoffrey Lawler (director); or Gilly Felvus

2. Electoral Reform International Services
6 Chancel Street
Blackfriars
London SE1 0UU

(Phone: 020 7620 3794; Fax: 020 7928 4366; E-mail: eris@reform.demon.co.uk)

Main contact and Programme Director: Simon Osborn

3. Association of Electoral Administrators - the professional association of local government officials who run British elections. Contact should normally be made through the National Administrator:

Ms Gina Armstrong
National Administrator
PO Box 201 South Eastern
Liverpool
L16 5HH
(Phone/Fax: 0151 281 8246
e-mail: gma.aeaadmin@blueyonder.co.uk)

Mr Colin Marshall
International Officer
C/o Broxstowe Borough Council
Foster Avenue
Beeston
Nottingham NG9 1AB
(Tel: 0115 9254891; fax: 0115 9396641)

4. Society of Local Authority Chief Executives (SOLACE) International
9 Market Place
Pontefract
West Yorkshire WF8 1AG

(Phone: 01977 707402; Fax: 01977 707409)

Main contact: James Jaynes, Head of Overseas Contracts.

(Local authority Chief Executives are responsible in the UK for the conduct of European, national and local elections, and referenda.)

5. International Foundation for Election Systems (IFES)

IFES Ltd
Unit 44
Finsbury Business Centre
40 Bowling Green Lane
LONDON, EC1R ONE
United Kingdom

Tel: +44 20 7833 1819
+44 20 7415 7015
Fax: +44 20 7833 5546
E-mail: info@ifes.ltd.uk

IFES has its headquarters in Washington DC. Another useful Washington-based institution is NDI:-

National Democratic Institute for International Affairs
1717 Massachusetts Avenue NW
Washington DC 20036

Tel: +1 (202) 328-3136
Fax: +1 (202) 939-3166
www.ndi.org

2. THE ROLE OF NGOS

UK BASED

UK based NGOs specialising in the electoral field may submit proposals for DFID funding having first sought advice from posts and/or desk officers. UND/FCO also has a specific contract to supply observers for the EU. This contract is open to tender annually. Where possible, proposals should involve some cooperation with local NGOs who can assist with organisation and implementation. UK NGOs may approach posts for assistance, identifying suitable partner organisations in the country concerned.

LOCAL

Local NGOs seeking funding should – if funding is available – be put in touch with appropriate specialist UK organisations who can work up a proposal to submit to DFID.
