

GLOBAL COMMISSION

on Elections, Democracy & Security

**Deepening
Democracy:
A Strategy
for Improving
the Integrity
of Elections
Worldwide**

THE REPORT OF THE GLOBAL
COMMISSION ON ELECTIONS,
DEMOCRACY AND SECURITY

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Foreword

by Mr Kofi A. Annan

The spread of democracy across the world has been one of the most dramatic changes I have witnessed over the course of my career. In country after country, people have risked their lives to call for free elections, democratic accountability, the rule of law and respect for human rights.

Elections are the indispensable root of democracy. They are now almost universal. Since 2000, all but 11 countries have held national elections. But to be credible, we need to see high standards before, during and after votes are cast. Opposition organizations must be free to organize and campaign without fear. There must be a level playing field among candidates. On polling day, voters must feel safe and trust the secrecy and integrity of the ballot. And when the votes have been counted the result must be accepted no matter how disappointed the defeated candidates feel.

When the electorate believes that elections have been free and fair, they can be a powerful catalyst for better governance, greater security and human development. But in the absence of credible elections, citizens have no recourse to peaceful political change. The risk of conflict increases while corruption, intimidation, and fraud go unchecked, rotting the entire political system slowly from within.

I experienced this first-hand when the flawed presidential elections in Kenya in 2007 led to uncontrolled violence, killing and displacement of people. I have seen, too, how much of Africa's progress in the last decade risks being reversed by the "winner takes all" approach to elections and power, which has been extraordinarily damaging to the continent.

So while elections have never been more universal and important, their benefits are by no means assured. Elections have recently been used by autocratic governments to wrap themselves in a veneer of democratic legitimacy. New democracies are struggling to consolidate democratic gains, while growing inequality is putting pressure on many older democracies to show that they are relevant to citizens' concerns and well-being. Across the world, uncontrolled political finance threatens to hollow out democracy and rob it of its unique strengths.

It was to address these concerns and point to solutions that I invited a group of distinguished former leaders and eminent experts to consider how to promote and protect the integrity of elections. The Global Commission was established as a joint initiative of the Kofi Annan Foundation and the International Institute for Democracy and Electoral Assistance (International IDEA). It had full and independent responsibility for its Report, and members of the Commission served in their individual capacity.

It was a great pleasure and an enriching experience to work with a Commission composed of such an experienced, thoroughly committed and energetic group of global citizens. I thank them for their dedication, contribution and cooperation. I also wish to pay tribute to Ernesto Zedillo, Vice-Chair, and Stephen Stedman, Director of the Commission, for their intellectual leadership and active involvement in this enterprise. We were served extremely well by the very capable secretariat at International IDEA and the research team at Stanford University. Finally, I would also like to express my appreciation to Vidar Helgesen, Secretary-General of International IDEA, and its member states for their strong support, and to Ruth McCoy and Michael Møller, Directors of the Kofi Annan Foundation, for their skilled stewardship of this initiative.

To governments, elected officials and citizens around the world, the Commission presents a strategy to increase the likelihood that incumbent politicians and governments will deepen democracy and improve the integrity of national elections. In doing so, we hope that our Report will help to widen understanding of the requirements for strong, democratic and cohesive societies.

From my experience, I have learned that healthy societies are built on three pillars: peace and security; economic development; and the rule of law and respect for human rights. For too long, we have given priority to the first two pillars and neglected the third. In looking ahead to the challenges facing the international community, I believe the time is ripe to underscore the rule of law, democratic governance and citizen empowerment as integral elements to achieving sustainable development, security and a durable peace.



Kofi A. Annan
Chair, Global Commission on
Elections, Democracy and Security

Executive Summary and Recommendations

Since 2000, all but 11 countries in the world have held national elections. Elections can further democracy, development, human rights, and security, or undermine them, and for this reason alone they should command attention and priority. More than 50 countries have embraced democracy in the last 20 years and now struggle to consolidate democratic governance. Global recession and rising economic inequality are putting pressure on many democracies, including older ones, to show that they are relevant to citizens' concerns and well-being. In the Arab world, where democratic aspirations have long been thwarted, citizens now have unprecedented opportunities to realize those aspirations, but also face dangerous pitfalls. The rise of uncontrolled political finance threatens to hollow out democracy everywhere in the world, and rob democracy of its unique strengths—political equality, the empowerment of the disenfranchised, and the ability to manage societal conflicts peacefully.

For elections to embody democracy, further development and promote security, they must be conducted with integrity. Where elections have integrity, the bedrock democratic principle of political equality is honoured; citizens select their leaders, and hold them accountable. Where elections lack integrity, politicians, officials and institutions are not accountable to the public, which is denied equal opportunity to participate in and influence the political process. Public confidence in elections will be weak, and governments will lack

legitimacy. In these cases democratic institutions are empty shells, deprived of the ethos and spirit of democracy.

Elections with integrity are important to values that we hold dear—human rights and democratic principles. Elections give life to rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, including freedom of opinion and expression, freedom of peaceful assembly and association, the right to take part in the government of one's country through freely elected representatives, the right of equal access to public service in one's country, and the recognition that the authority of government derives from the will of the people, expressed in 'genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot.'

But in addition to promoting democratic values and human rights, elections with integrity can also yield other tangible benefits for citizens. Evidence from around the world suggests that elections with integrity matter for empowering women, fighting corruption, delivering services to the poor, improving governance, and ending civil wars. To be clear, elections with integrity cannot by themselves develop economies, create good governance, or make peace, but recent research does suggest that improved elections can be a catalytic step towards realizing democracy's transformative potential.

When conducted with integrity, electoral processes are at the heart of democracy's ability to resolve conflict peacefully. The ability of a society to resolve conflicts without violence requires debate, information, interaction among citizens, and meaningful participation in their own governance, all of which have the potential to change people's minds and allow governments to take authoritative decisions. Elections with integrity can deepen democracy and enhance public deliberation and reasoning about salient issues and how to address them.

Definition: Elections with Integrity

We define an election with integrity as any election that is based on the democratic principles of universal suffrage and political equality as reflected in international standards and agreements, and is professional, impartial, and transparent in its preparation and administration throughout the electoral cycle.

Major Challenges to Elections with Integrity

Five major challenges must be overcome to conduct elections with integrity:

- building the rule of law to substantiate claims to human rights and electoral justice;
- building professional, competent electoral management bodies (EMBs) with full independence of action to administer elections that are transparent and merit public confidence;
- creating institutions and norms of multiparty competition and division of power that bolster democracy as a mutual security system among political contenders;

- removing barriers—legal, administrative, political, economic, and social—to universal and equal political participation; and
- regulating uncontrolled, undisclosed, and opaque political finance.

Starting with the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, there are well-defined principles, standards, rights, and rules that governments commit to on behalf of conducting elections with integrity. These principles are fundamental, but in the absence of what is loosely referred to as the rule of law—the capacity and norms that ensure that governments are accountable by law, that citizens are equal under the law, that lawmaking and enforcing are not arbitrary, and that laws respect human rights—standards, principles, legal frameworks, and indeed rights themselves, cannot be substantiated.

Second, for elections to have integrity, they must be conducted competently in a professional, non-partisan, and transparent manner, and just as importantly, voters must have confidence in their conduct. This requires professional EMBs with full independence of action. EMBs are responsible for ensuring that elections are both technically credible and *perceived* to be free, fair, and credible. Their work includes a diverse range of activities, from determining voter eligibility, registering eligible voters, conducting polling, and counting and tabulating votes, to campaign regulation, voter education, and electoral dispute resolution. The competency and credibility of EMBs can thus shape overall perceptions of, and confidence in, the integrity of the election.

Third, elections with integrity produce legitimate authority for those who win, and political and physical security for those who lose. Elections with integrity are but one play in a repeated game, in which short-term loss can be overcome through long-term organization and mobilization. The challenge here is to build institutions and norms of multiparty competition and division of power that bolster *democracy as a mutual security system* among political contenders and ensure that elections resolve conflict, rather than exacerbate it.

Fourth, throughout the world, in both newer and older democracies, barriers to universal and equal political participation still exist. In many countries, women, minorities, and other groups face ongoing obstacles to participation in democratic processes. Holding elections with integrity necessitates the removal of these obstacles. Indeed, elections with integrity should promote the broadest participation possible, to encourage the civic engagement and debate that is at the heart of electoral competition and deliberative democracy.

Fifth, uncontrolled, undisclosed and opaque political finance poses a fundamental threat to the integrity of elections. In some countries, direct campaign contributions and other forms of financial support are the dominant form of political influence. This means that low-income voters have less and less influence over political outcomes. In some countries, organized crime has found that campaign financing can buy political influence and protection. In some older democracies, finance practices have undermined public confidence in democracy and elections. In order to halt these corrosive effects on the integrity of elections and democratic governance, democracies must regulate rigorously and control political finance.

Strategy for Promoting and Protecting Elections with Integrity

Governments, elected officials and citizens can take specific actions to promote and protect the integrity of elections. To increase the likelihood that incumbent politicians and governments will strengthen the integrity of national elections, we advocate a series of mutually reinforcing commitments and actions:

- between governments and citizens;
- among like-minded governments;
- among professional, competent and non-partisan EMBs;
- between domestic and transnational civil society organizations; and
- among aid donors, recipient governments, political opposition, international and domestic election observers, and civil society organizations.

Recommendations at the National Level

1. To promote and protect the integrity of elections, governments should:
 - build the rule of law in order to ensure that citizens, including political competitors and opposition, have legal redress to exercise their election-related rights;
 - create professional and competent EMBs with full independence of action, including the assurance of timely access to the necessary finances to conduct elections, and mandates to organize transparent elections that merit public confidence;
 - develop institutions, processes, and networks that deter election-related violence and, should deterrence fail, hold perpetrators accountable;

- reform and design electoral systems and pursue policies to diminish winner-take-all politics;
 - remove barriers to the participation of women, youth, minorities, people with disabilities and other traditionally marginalized groups, and take affirmative steps to promote the leadership and broad participation of women, including through the judicious use of quotas; and
 - control political finance by regulating donations and expenditures, public financing of political campaigns, disclosure and transparency of donations and expenditures, and sanctions and penalties for non-compliance.
2. Citizen organizations should monitor government performance in meeting the challenges of electoral integrity through impartial and systematic election monitoring, in accordance with international principles; through civic action to prevent electoral violence; through monitoring media accountability, diversity, and independence; and through demanding that political parties are responsive to citizens' needs.

Recommendations to Enhance National Action Through Citizen Empowerment and Transnational Partnerships

3. Citizen election observers should commit to global standards for domestic election monitoring with the Global Network of Domestic Election Monitors and adhere to its Declaration of Global Principles and code of conduct. Donors should invest in building the capacity and credibility of domestic election observation and support the Global Network and its members.

4. Governments should join with like-minded states and partner with their own civil society organizations to embrace specific commitments on electoral integrity, the financing of elections, and the protection of free media through the Open Government Partnership—an international initiative that encourages governments to improve their performance on transparency, accountability, and inclusion.
5. National EMBs should organize and create a global certification process to evaluate and grade EMBs on their professionalism, independence, and competence, including developing a voluntary declaration of principles and code of conduct for administering elections with integrity.
6. Foundations and democratic shareholders should create and fund a new transnational civil society organization—Electoral Integrity International—dedicated to bringing global attention to countries that succeed or fail in organizing elections with integrity. Such an organization could be to electoral malpractice what Transparency International is to corruption. It would fill a key niche in helping to promote accountability on electoral issues by providing information, analysis, and other avenues for increasing normative pressure on governments that fall short of elections with integrity.

Recommendations at the International Level

7. Donors should prioritize funding activities, highlighted in this report, to promote and protect elections with integrity, giving priority to helping countries overcome the

challenges of holding elections with integrity and investing in building the capacity and effectiveness of domestic election observation.

8. High-level international and regional attention should be directed, and appropriate measures taken, to address the growing threat to democracy posed by the financing of political campaigns, parties, and candidates by transnational organized crime.
9. Democratic governments, regional organizations, and international organizations should stand up for electoral integrity before elections take place. To do so, they must be more proactive and engaged throughout the electoral cycle of countries with problematic elections. If mediation is needed, it should be undertaken well before voting takes place, and aim to ensure that in divided societies elections do not yield winner-take-all results. Follow-up should not focus solely on technical improvements to elections but should seek to open the dialogue and citizen participation required for the democratic political process, which elections with integrity both need and serve to create.
10. Regional organizations should create and communicate clearly their 'red lines'—egregious electoral malpractices that, if violated, would trigger multilateral condemnation and sanction. These organizations must then take action if these lines are crossed.
11. Long-term donor assistance should be explicitly linked to recommendations by election observers, starting at the beginning of the electoral cycle rather than shortly before new elections. It should become common practice that there is in-country, post-election dialogue among international and domestic observer groups, electoral authorities and political actors to identify areas for reform efforts, consider potential international assistance for such reforms, and improve preparedness for the next elections. Subsequent electoral observation and revised recommendations can then form the basis for changes in assistance strategies to ensure that fundamental principles of electoral integrity are respected.
12. Donors should better integrate democracy and the integrity of elections with development and security assistance. Development should contribute to building political pluralism as well as modes of democratic governance and political culture that lower the stakes of elections in insecure environments. Donors and partner countries should give priority to strengthening the full range of political actors involved in a country's democratic process, including parliaments, political parties in opposition and in government, independent media and independent electoral management bodies. International security cooperation needs to give far greater consideration to policies and programmes that foster political pluralism and competition, in order to sustain stability and democracy in the long run.
13. As governments, international organizations, and civil society consider the post-2015 development framework, greater priority should be given to political freedom as a building block of development and the need to provide much greater scope and capacity for people everywhere to participate in the political decisions that affect them. The post-2015 framework should include specific programmes and goals for delivering elections with integrity, with an emphasis on inclusion, transparency, and accountability.

“ At its root, electoral integrity is a political problem. Power, and the competition for power, must be regulated. It is not enough for governments to create institutions; politicians must respect and safeguard the independence and professionalism of election officials, judges and courts. ”

Chapter 1:

Why Elections with Integrity Matter

1. In the last two decades, democracy has spread across the globe in unprecedented ways. Democracies increased from 48 in 1989 to 95 today.¹ This includes some of the richest and poorest countries in the world, proving that democracy is not a luxury for the wealthy. Democratic activists and ordinary citizens throughout the world have repeatedly proved that democracy is a universal value and aspiration. The Arab Awakening confirmed that the popular demand for democracy is not bound by region, ethnicity, culture, or religion.

2. Perhaps the most compelling evidence that democracy is a universal value comes from the many authoritarian governments that seek to wrap themselves in the veneer of democratic legitimacy. In the last 12 years, for instance, all but 11 countries in the world, democracies and non-democratic regimes alike, held national elections.² Even China, where some leaders criticize democracy as a Western value, has experimented with elections at the local level.

3. One difference between the veneer of democratic legitimacy and genuine democratic legitimacy is electoral integrity. Where elections have integrity, the bedrock democratic principle of political equality is honoured; citizens select their leaders, and hold them accountable. Where elections lack integrity, politicians, officials and institutions are not accountable to the public, which is denied equal opportunity to participate in and influence the political process. Public confidence in elections will be weak, and governments will lack legitimacy. In these cases democratic institutions are empty shells, deprived of the ethos and spirit of democracy.

What are Elections with Integrity?

4. For most people, integrity refers to ‘incorruptibility or a firm adherence to a code of moral values’.³ To say that a person has great integrity is to say that she is guided by an ethical compass and cannot be corrupted by material considerations or parochial interests.

5. When applied to elections, integrity implies adherence to the democratic principles of universal suffrage and political equality set forth in international agreements like the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Universal suffrage and political equality mean that all voters have equal opportunities to engage in public debate about the electoral process, develop their political preferences through unrestricted access to independent and varied media sources, exercise their preferences through voting, and have their votes counted equally. Political equality also requires respect for the right to seek election and a level playing field for political candidates and parties, including equal access to the media, public forums for debate, and political finance.

6. Integrity also has two other meanings that are relevant to elections. It refers to ‘soundness or an unimpaired condition’, as when we say that a building has structural integrity. To speak of elections with integrity is to refer to elections that are conducted competently and professionally. When elections are mismanaged, regardless of the intent, barriers to voting may arise, citizens may lose confidence that their vote has been counted equally, and the outcome may lack integrity.

7. Finally, integrity also refers to ‘completeness or the state of being complete’, as when we speak of territorial integrity. This meaning also pertains to elections, for it insists that soundness and ethical practice must persist over the course of an entire electoral cycle, not just on election day itself. Election experts have an old adage that ‘only amateurs steal elections on election day’. The integrity of elections must cover *all points in the electoral cycle, as well as fundamental institutional and policy choices related to the electoral system, competition and outcomes.*

8. By bringing together these three meanings of integrity, *we define an election with integrity as any election that is based on the democratic principles of universal suffrage and political equality as reflected in international standards and agreements, and is professional, impartial, and transparent in its preparation and administration throughout the electoral cycle.*

Why Elections with Integrity Matter

9. Elections with integrity are important to values that we hold dear—human rights and democratic principles. Elections give life to rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, including freedom of opinion and expression, freedom of peaceful assembly and association, the right to take part in the government of one’s country through freely elected representatives, the right of equal access to public service in one’s country, and the recognition that the authority of government derives from the will of the people, expressed in ‘genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot.’

10. Elections are fundamental to the ethos and principles of democracy. They create the opportunities for individuals to identify and pursue their political preferences, participate in the political process, and hold their representatives accountable without fear of repression or violence. They provide citizens with the means to discuss, debate, and educate themselves about key issues of governance, making free and open competition and political campaigning as important as the act of voting itself.

11. For elections to uphold human rights and democratic principles, they must be conducted with integrity. When elections lack integrity, electoral officials are not accountable to the public, and political candidates and voters are denied equal opportunity to participate in and influence the political process. Citizens lose confidence in democratic processes when elections are not inclusive, transparent, and accountable. When elections have integrity, they bolster democracy, respect fundamental rights, and produce elected officials who are more likely to represent their citizens’ interests.

12. But in addition to promoting democratic values and human rights, elections with integrity can also yield other tangible benefits for citizens. Evidence from around the world suggests that elections with integrity matter for empowering women, fighting corruption, delivering services to the poor, improving governance, and ending civil wars. To be clear, elections with integrity cannot by themselves develop economies, create good governance, or make peace, but recent research does suggest that improved elections can be a catalytic step towards realizing democracy's transformative potential.

13. For example, a study of over 800 elections in 97 countries since 1975 shows that elections with greater integrity are associated with higher electoral defeat of incumbent governments that performed poorly on economic growth and civil liberties in the years before an election.⁴ The research confirms what anyone should expect: electoral accountability—the ability to hold incumbents responsible for their governance performance through elections—depends on election quality.

14. Electoral accountability, in turn, is associated with lessening government corruption. In Brazil, for example, scholars found that increasing electoral accountability significantly decreased the corruption of incumbent politicians, especially when there was greater public access to information about financial wrongdoing by incumbents. Rules that enhance political accountability could reduce the cost of corruption to Brazil by billions of dollars a year.⁵ These findings are supported by other studies that show significant statistical relationships between electoral fraud and poor economic policies and poor governance.

15. Electoral accountability, in turn, has direct benefits for improving representation of the poor. Another study from Brazil shows that improving election processes to increase the ability of poor and illiterate voters to participate led to more poor and less-educated citizens being elected to state legislatures, government spending shifting towards public health care, and most importantly, improved utilization of health services that led to fewer low-weight births among less-educated mothers.⁶ Elections with integrity can yield more than accountability. In Indonesia, researchers found that villages that used direct elections to choose infrastructure projects experienced a greater perception of fairness, legitimacy, and satisfaction with their projects than villages that did not vote for the projects.⁷ Elections with integrity cannot on their own produce economic development, but they can help provide concrete development benefits.

16. Even in countries emerging from civil wars—the most difficult of contexts for building democracy—research now shows that when the termination of the war is accompanied by elections in which former combatants run for office and campaign for votes, countries are less likely to revert to civil war.⁸ At the same time, however, other studies note that fraudulent elections are correlated with societal violence and political instability. This suggests that for democracy to play its part in promoting non-violent resolution of social and political conflict, the integrity of elections is crucial.⁹

Why Now?

17. Elections are carried out in democratic, authoritarian and war-torn countries alike. They can further democracy, development, human rights and security—or undermine them—and for this reason alone they should command attention and priority. Global economic and political trends require such attention now.

18. First, there is a need to consolidate the democratic gains of the last two decades. Many of the countries that embraced democracy in the last 20 years now struggle to consolidate democratic governance. All of them are under pressure to deliver improvements in the quality of people's lives.

19. Second, global recession and rising economic inequality are putting pressure on older democracies to show that they are relevant to citizens' concerns and well-being. In some long-standing democracies, citizen trust and confidence in democratic institutions have dropped precipitously.

20. Third, in the Arab states, where human rights and democratic aspirations have long been thwarted, citizens now have unprecedented opportunities to turn revolutionary transitions into democratic polities, but also face dangerous pitfalls.

21. Fourth, the rise of uncontrolled political finance threatens to hollow out democracy everywhere in the world, and rob democracy of its unique strengths compared to other forms of governance—political equality, the empowerment of the disenfranchised and the ability to manage societal conflicts peacefully.

22. Elections with integrity will not, in and of themselves, consolidate democracy, rebuild citizen trust in democracy, or ensure transition *to* democracy, but they can be an important step in achieving these goals. And the integrity of elections is absolutely essential for deepening democracy.

23. Given the challenges of governance amidst economic crisis, it is useful to remind readers of one of democracy's great values: the enhancement of public deliberation and reasoning. Elections foster public deliberation about salient issues and how to address them. The ability of a society to resolve conflicts without violence requires debate, information, and interaction among peoples, all of which have the potential to change people's minds and allow governments to take authoritative decisions. When conducted with integrity, electoral processes are at the heart of democracy's ability to structure and resolve conflict non-violently.¹⁰

24. A focus on elections with integrity is timely now for one other reason. Citizens, non-governmental organizations, international organizations and governments are beginning to debate the development framework that should replace the Millennium Development Goals (MDGs) after 2015.

25. We hope that our report will influence that debate. We believe that for too long, the concept of development has been limited to the economic realm. In looking forward to the world beyond 2015, we believe the time is ripe to embrace the concept of development as freedom, in which issues of rights, rule of law, democratic governance, political participation and citizen empowerment are essential, integral elements of development. Elections with integrity are an instrument for strengthening development as it is conventionally understood, but also for expanding the concept of development to include a broader and deeper range of human needs.

The Approach of the Commission

26. The integrity of elections results from the choices, actions and capacity of national leaders, politicians, and citizens. Support for elections with integrity can come from the top down, driven and inspired by leaders who seek to respect human rights, empower everyday citizens, and create institutions with transparency, inclusiveness, and accountability. More often than not, however, the struggle comes from the bottom up, when citizens and civil society organizations demand elections with integrity. The passion, mobilization, and pressure of citizens create the political incentives for leaders to act democratically. Either way, the integrity of elections and the legitimacy that flows from them must be home grown and protected. Elections with integrity, as the embodiment of democracy and self-determination, must be locally owned.

27. At the same time, democracy is a universal value and elections form part of universal human rights. Too often, international actors have worked to undermine the integrity of elections, but this can and should be a thing of the past. International action can reinforce democratic reformers, bolster national citizens and civil society organizations that demand elections with integrity, and help local democrats build strong institutions to sustain them. To do so, international actors must treat elections with integrity as essential to development and security, and approach elections coherently and strategically—not as afterthoughts or distractions.

28. The integrity of elections is often treated as a technical problem that can be remedied through best practice and organizational capacity. In some countries this may be the case, but often the reality is more complex. At its root, electoral integrity is a political problem. Power, and the competition for power, must be regulated. It is not enough for governments to create institutions; politicians must respect and safeguard the independence and professionalism of election officials, judges and courts. Recent research on governance shows that reforms usually fail if they ‘leave untouched the underlying political equilibrium’ that stifles development and democracy.¹¹

29. The integrity of elections is also political, because integrity depends on public confidence in electoral and political processes. It is not enough to reform institutions; citizens need to be convinced that changes are real and deserve their confidence. Inclusiveness, transparency, and accountability are all fundamental to developing that confidence. Without transparency, there is no way for citizens to know for themselves that elections are genuine. And there must be effective mechanisms and remedies for citizen complaints. The absence of accountability produces cynicism and reinforces citizen apathy and inefficacy.

“ Political finance has not received the attention and commitment to reform that it deserves. In a world of increasing economic inequalities, greater concentrations of wealth within democracies, and global economic recession, political finance is a challenge that will only grow in salience. ”

Chapter 2:

Major Challenges to Elections with Integrity

30. Challenges to elections with integrity can be found in every democracy and are not limited to poor, divided, or war-torn countries. Indeed, a great threat to elections with integrity in older stable democracies is complacency in the face of these challenges. We emphasize five challenges: building rule of law, creating professional electoral management bodies (EMBs), building democracy as a mutual security system, removing barriers to political participation and controlling political finance.

31. Elections are tests of human rights. Starting with the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, there are well-defined principles, standards, rights, and rules that governments commit to for conducting elections with integrity. These principles are fundamental, but all of them are dependent on the rule of law, without which standards, principles, legal frameworks—and indeed rights themselves—cannot be substantiated.¹²

32. For elections to have integrity, they must be conducted competently in a professional, non-partisan, transparent manner and must be perceived by voters as such. The key institutions for promoting and protecting elections with integrity are professional, independent EMBs. EMBs are responsible for ensuring that elections are both technically credible and *perceived* to be legitimate and credible.

33. Elections with integrity produce legitimate authority for those who win and political and physical security for those who lose. Elections with integrity are but one play in a repeated game, in which short-term loss can be overcome through long-term organization and mobilization. The challenge here is to build institutions and norms of multiparty competition and division of power that bolster *democracy as a mutual security system* among political contenders and ensure that elections resolve conflict, rather than exacerbate it.

34. Recalling that elections with integrity should uphold principles of political equality and universal suffrage, citizens in many democracies still face barriers to universal and equal political participation. Throughout the world, women are vastly underrepresented in political office and political party leadership, and they are discouraged from political participation. In some countries, minorities face obstacles to voting and are deprived of political rights. Holding elections with integrity necessitates the removal of these obstacles.

35. Finally, uncontrolled, undisclosed and opaque political finance poses a fundamental threat to the integrity of elections. In some countries, direct campaign contributions and other forms of financial support are the dominant form of political influence. This means that low-income voters have less and less capacity to influence political outcomes. Transnational organized criminals have found that campaign financing can buy them political influence and protection. In some older democracies, finance practices have undermined public confidence in democracy and elections. To address this fundamental challenge to elections with integrity, democracies must control political finance.

Building the Rule of Law

36. The integrity of elections hinges on the strict observance of the rule of law—the capacity and norms that ensure that governments are accountable by law, that citizens are equal under the law, that lawmaking and enforcing are not arbitrary, and that laws respect human rights.¹³

When applied to elections, this means that action must be taken against incumbents or entrenched political interests seeking to manipulate the electoral process. Strong independent courts are needed to protect the rights of all voters, political parties and candidates, to enforce free and fair electoral procedures, and to prosecute violations of the electoral process. For elections to have integrity, electoral justice must be done, and citizens must see that it is done.

37. The rule of law is fundamental to holding elections with integrity, as it facilitates measures to address the other challenges to this. EMBs have to conduct themselves with impartiality, and even those with the power to resist them must respect their judgements. Creating mutual security among political competitors is easier when they have faith in impartial, independent courts and police. Overcoming barriers to participation through the selected use of quotas will be seen as more legitimate if the rationale behind the quotas is not seen as arbitrary. Controlling political finance requires confidence that courts will hold competitors equally to task.

38. We do not want to imply that establishing the rule of law is easy or can be done overnight. There is no technical manual for its creation; indeed, the illusion that it is a technical process confounds its establishment.

The rule of law is deeply political, because it alters and constrains the use of power. It is also deeply social and cultural, because it works best not through enforcement and coercion, but through everyday compliance.¹⁴ We do insist, however, that elected officials have a great responsibility in creating the rule of law; their behaviour in accepting the law, particularly when it runs counter to their interests, is a powerful model for citizens to emulate in their daily interactions with the law.

Creating Professional, Independent Electoral Management Bodies

39. For elections to have integrity they must be, and must be *perceived* by voters as being, conducted competently in a professional, non-partisan manner. The key institutions for promoting and protecting elections with integrity are professional, independent EMBs that conduct transparent processes. EMBs are responsible for ensuring that elections are both technically credible and *perceived* to be free, fair and credible. Their work includes a diverse range of activities, from determining voter eligibility, registering eligible voters, conducting polling, and counting and tabulating votes, to campaign regulation, voter education, and electoral dispute resolution.

40. The competence and popular perception of EMBs and their staffs can thus shape overall perceptions of, and confidence in, the integrity of the election. For example, a lack of speed or transparency in handling electoral complaints can increase the risk of misinformation, unrest, and even violence, damaging the legitimacy of the electoral process. Legitimate and credible EMBs are especially important in states emerging from civil war, or countries with a recent history of social division and political violence.

Kenya's 2007–8 Manipulated Electoral Institutions and Post-Election Violence

The 2008 post-election violence in Kenya caught many by surprise. The country had long been known for its professional electoral institutions and political stability, and elections there had generally proceeded peacefully in the past. But during the December 2007 presidential elections, the Electoral Commission of Kenya (ECK) failed dramatically to live up to its reputation. After voting ended, the ECK delayed the announcement of results for two days. Also, results in a number of constituencies showed considerable discrepancy between presidential and parliamentary turnouts. Since these discrepancies were observed primarily in President Mwai Kibaki's strongholds, they were seen by many as evidence of the inflation of the Kibaki vote. Despite accusations of widespread irregularities, the ECK called the election for Kibaki on 30 December and he was sworn in the same day, prompting immediate protests by the opposition and triggering the violence that plagued the country for the next two months.

The ECK's poor performance followed a series of steps taken by the Kibaki administration that undermined its

independence and impartiality. In the run-up to the election, President Kibaki appointed 19 of the 22 members of the ECK, in contravention of a 1997 'gentleman's agreement' that provided for multiparty representation on the Commission. His former lawyer became the Commission's vice chairman, and what was formerly viewed as one of the more reliable EMBs in the region became highly politicized. In addition, two days before the election, Kibaki appointed five new judges to the High Court, which had the mandate to hear electoral disputes.¹⁵

Distrust of these key state institutions foreclosed the possibility of a procedural response by the opposition over suspected electoral malpractices, producing instead widespread violence and a political crisis in what was previously seen as a stable, democratic country. In the end, over 1,150 people were killed and some 350,000 displaced from their homes.¹⁶ It took international intervention under the aegis of the African Union's Panel of Eminent Persons, led by Kofi Annan, to bring the rival political blocs to the negotiating table.

Transparency and Institutional Strength in Ghana

In many ways, Ghana's 2008 presidential elections were strikingly similar to the Kenyan elections the year before. Both featured a hotly contested race with ethnic undertones in countries widely known for their political stability. But whereas the manipulation of electoral institutions in Kenya precipitated widespread violence, a history of sound electoral management and transparency allowed Ghana to navigate a tense political situation with relatively little violence, leading to a legitimate transfer of power and continued stability.

In 2008, the two main presidential candidates, Nana Akufo-Addo of the New Patriotic Party and John Atta Mills of the National Democratic Congress, were running very close to each other in opinion polls. Akufo-Addo fell less than one percentage point short of a first-round majority in early December, forcing a run-off election at the end of that month. Rhetoric escalated in the intervening weeks, and many feared the heated campaigning would lead to violence, but the Electoral Commission took a number of steps to reduce tensions and build confidence in its performance and the integrity of the results, for example by replacing poll workers who had failed to follow

procedures in the first round.¹⁷ When the run-off ballot resulted in Mills winning by less than 50,000 votes, these steps helped persuade the losing party to accept the results. In addition, civil society was organized, and conducted what is regarded as a highly successful monitoring effort, which included a parallel vote tabulation for both rounds of the election. Ghana's Electoral Commission Chairman, Dr Kwadwo Afari-Gyan, publicly praised the citizen election monitoring efforts of the Ghana Center for Democratic Development, and its partners in the Coalition of Domestic Election Observers, as important factors that reinforced the Electoral Commission's work and reduced volatility in the election environment.

Fundamentally, the ability of the Ghanaian Electoral Commission to manage such a close election successfully was rooted in years of respect and independence from other political actors in the country. By establishing a track record of competence and professionalism, while simultaneously maintaining its independence from improper influence, the Commission was able to build political capital that it could draw upon when needed in 2008.

41. Across the world there has been an impressive rise in independent, professional EMBs that are imbued with a democratic and professional ethos. At the same time, some EMBs remain, or at least are perceived as being, partial to incumbents and their parties. Even those that possess the appropriate technical ability and professionalism often face political interference that can prevent them from doing their jobs effectively. These are political failures: on the face of it, such an EMB looks like a body that supports electoral integrity, but its behaviour does little to bolster citizen confidence in the electoral process, and fails to conform to standards of transparency, participation, and accountability.

42. Governments and parliaments can take specific actions to bolster citizen confidence in the integrity of EMBs, and EMBs can take their own actions: legal frameworks and budgetary procedures can help ensure impartiality, public meetings can bolster citizen confidence and making information public in a timely fashion helps provide transparency. When EMBs do not adopt these policies, it is because national governments and politicians refuse to go beyond cosmetic change and fully embrace the democratic ethos that makes an EMB effective. The key is not formal independence, but true independence of action.

Building Mutual Security

43. Where elections have integrity, the resulting governments are constrained by the rule of law, and defeated parties and their supporters feel free to participate in political activity without intimidation or the threat of violence. Similarly, incumbents and their supporters do not need to fear violent retribution if they ever lose power. Democracies with electoral integrity create a repeated game in which it is better for political actors and groups to take part in the electoral process than to revert to violent struggle, helping to ensure a level of mutual security for all.

44. For elections to provide this mutual security, countries must overcome two challenges. The first is ensuring that elections themselves are actually a non-violent means of political competition. Though they are intended as a peaceful forum in which to debate policies and societal priorities, in some countries this is clearly not the case. The second challenge is ensuring that elections are not a winner-take-all political competition in which it is better to revert to violent struggle than accept an electoral loss and its potential consequences.

The Challenge of Electoral Violence

45. Since 1960, fatal violence has plagued over 20 per cent of all presidential and parliamentary elections held worldwide. Between 1985 and 2005, nearly half of all countries that held elections saw election-related violence at one time or another.¹⁸ While this violence is not uniform in its causes or characteristics, it represents a major challenge to the integrity of elections around the world.

Post-Election Violence in Nigeria, 2011

Nigeria has experienced chronic electoral violence since its transition to democracy and civilian rule in 1999, including more than 15,700 election-related deaths.¹⁹ High stakes combine with readily available guns for hire in the form of organized crime gangs and a historic lack of prosecution of perpetrators to make electoral violence a relatively attractive tool of electoral competition—even within political parties.

Important progress was made in the 2011 elections towards professionalizing the country's Independent National Electoral Commission (INEC), most importantly through the appointment of a respected academic as chairman.²⁰ Professor Attahiru M. Jega, who became known as 'Mr Integrity', revamped the voter registration process, improved transparency at the Commission and for the first time prosecuted

government officials (including INEC officials) for electoral malpractice.²¹

Unfortunately, improved electoral administration and transparency were not sufficient to achieve major reductions in violence in some regions. During the run-up to the election, 165 people were killed in violence related to political campaigns and voter registration. Another 800 to 1,000 died after widespread protests broke out in the north on the announcement of incumbent President Goodluck Jonathan's victory. More than 65,000 were displaced.²²

This violence represents a political failure in the face of what was largely a technical and administrative success. Losing candidates and party leaders failed to meet their responsibilities to restrain their supporters and accept the election results.

46. Violence is not simply a problem for new democracies during the transition phase. There is no guarantee that election-related violence will disappear over time as a country gains more experience with the electoral process. Instead, electoral violence is a function of weak or corrupt institutions, and is often one element in a broader pattern of political violence.

47. Electoral violence is more likely in a context in which institutions like the courts, the criminal justice system, the security forces, and the media are corrupt or too weak to carry out their roles in the face of violence and intimidation. Ethnic divisions, post-conflict transitions, economic inequality or poverty create social strains that put pressure on the democratic process, but will only lead to electoral violence when the supporting institutions necessary for electoral integrity are weak, corrupt, or not in place.

48. Election-related violence directed at individual citizens is usually aimed at suppressing voter turnout to affect electoral outcomes. Sometimes it is used to coerce people to vote a particular way or as retribution for votes going 'the wrong way'. Violence directed at candidates and political parties is aimed at limiting voters' choices. Violence that targets electoral officials is usually aimed at disrupting the vote or setting the stage for capturing polling places or counting centres. These tactics usually involve small numbers of people and target individuals before or on election day.

49. Large-scale mobilization of people to protest against election outcomes targets electoral institutions, and sometimes other state bodies, with the goal of reversing official election results or preventing the perceived potential for election theft. Such actions are not necessarily intended to be violent, though that can be the case. They often are efforts to protest against a lack of electoral integrity, though they could be organized for nefarious purposes. Violence related to these actions often comes from security forces attempting to perpetuate those in power (though sometimes it is a result of other causes, such as overreaction by security forces or acts by *agents provocateurs*). When post-election violence happens in such circumstances, it is often severe.

50. Remedies for these situations differ, but the emphasis must be on deterring violence before it happens, and holding perpetrators accountable if it does happen. Pre-election violence targeted at individuals can be countered through anti-violence campaigns and through monitoring the allocation of security and election administration resources, with early warning of irregularities. In Kenya, for example, a civil society organization, Ushahidi, uses electronic media and crowd sourcing both to warn about potential hot spots and to report on incidents of violence. Political party liaison committees and other mechanisms can be useful in mitigating the potential for violence and its escalation. Transparency, inclusiveness and accountability in tabulating election results—including parallel vote tabulations by independent civil society organizations and political parties—can improve confidence in the results and diminish post-election volatility. Expedited complaints processes with effective remedies are also needed, so that there are legal alternatives to using violence to challenge elections. All these measures save lives.

51. For long-term security, there is no substitute for ending the impunity that often surrounds electoral violence. This, however, requires meeting the rule of law challenge described earlier, which in turn leads us back to politics. National leaders, political incumbents and electoral challengers all have obligations to infuse the institutions of democracy with the *ethos* of democracy.

Joining the Electoral Game in El Salvador

The Frente Farabundo Martí para la Liberación Nacional (FMLN) is the main left-wing political party in El Salvador, formed in 1992 following the peace accord that ended the country's civil war. For the previous 12 years, the FMLN served as the umbrella group for leftist guerrillas fighting the right-wing military government.

One of the key features of the 1992 peace accord was bringing the FMLN into the political process. In return for the group demobilizing its forces, the government 'agreed to carry out reforms to the military, judicial, and electoral institutions that would make political competition possible'.²³ But while similar transition agreements have failed in numerous countries around the world, El Salvador has been largely successful in transitioning

to a society in which electoral competition takes precedence as the main form of societal conflict management. The FMLN has participated in every election since 1992, culminating in FMLN candidate Mauricio Funes winning the presidency for the first time in 2009.

Various factors contributed to this peaceful transition, but throughout the post-war period FMLN saw real benefits from its participation in electoral politics. Early on, the party won mayoral races in many key cities, and it has been the largest or second-largest party in the legislature since 1994. This division of power within the country allowed the FMLN to protect its interests even in the face of electoral losses, and helped prevent backsliding into renewed conflict.

The Challenge of Winner-Take-All Politics

52. Even if elections themselves are largely peaceful, they also face a challenge in providing mutual security in a broader sense. In some countries, electoral competition is a winner-take-all game in which winners gain wide-ranging political and economic benefits and losers face the threat of persecution and even violence. For elections to have integrity, they must avoid this winner-take-all situation and instead create a political system in which even losers have an incentive to participate.

53. The belief that one will be free to organize and contest elections in the future is bolstered to the extent that there are institutions and the rule of law to protect elections with integrity and other human rights, which we discussed earlier in this chapter. Other institutions, such as competent and effective legislatures, can provide horizontal accountability and check executive power, and therefore assure political challengers that democracy, and with it their ability to contest for power, will continue indefinitely.

54. At the same time, multiple contestation points—legislatures, regional governorships, mayoralties and local leadership positions—combined with meaningful, well-planned and executed devolution of power and decentralization of budgets, can mitigate the all-or-nothing character of elections. Where electoral systems are highly centralized, candidates and parties that lose elections risk being shut out completely from political power and the allocation of public goods.

55. This challenge can be particularly acute in majoritarian systems that tend to produce stable single-party governments, meaning that electoral losers risk being permanently shut out of political power, cut off from resources and vulnerable to victimization.²⁴

The Challenge of Post-Conflict Countries

56. The challenges of creating mutual security through elections with integrity are most palpable in countries emerging from civil war. Elections in post-conflict environments face special challenges. Sometimes the goals of war termination and democracy are in tension. Elections in post-conflict countries take place in uniquely fragile physical and social environments. Fear, hatred, and enmity may be rife; the destruction of infrastructure, and weak state capacity, make even the most mundane administrative tasks difficult; the proliferation of small and light weapons (and of young soldiers who use them) means that a return to violence can be close at hand.

57. Elections can raise the risk of such a return to violence by reinforcing competition and political differences between former warring factions. Political mobilization along previous conflict lines is often cheaper and easier than mobilizing along programmatic platforms, so political parties tend to reflect the same cleavages associated with the conflict.²⁵ Divisive campaign tactics can also reinforce the insecurity that former factions often face, and raise the spectre of exploitation once the victorious side assumes control of the state.

58. In post-conflict contexts, former warring parties are subject to real insecurity because weak institutions and nascent democratic norms may not be able to constrain a ruler from repudiating democracy or abusing power to persecute political enemies.²⁶ The threat of outright defeat at the polls may not be tolerable for armed groups who fought to evade defeat on the battlefield, increasing the risk of a return to conflict.

59. Nonetheless, research shows that under certain circumstances former warring parties do embrace electoral politics as a form of mutual security. When peace settlements include army integration programmes, post-conflict elections have been more likely to occur and are more likely to be successful.²⁷ Processes of demobilization, disarmament and reintegration, and security sector reform, are strongly associated with achieving a more stable peace. Critically important are choices about electoral systems in order to ensure that there are multiple arenas of contestation, constraints on executive rule and divisions of power—all factors that reduce the winner-take-all politics antithetical to mutual security.

Strengthening Women's Participation in India

Recent evidence from India suggests that quotas and seat reservations can yield real benefits for women. A 1993 constitutional amendment reserved one-third of village council leader positions for women, but the specific village councils reserved were chosen randomly for each election. A study by Rikhil Bhavnani looked at how having a position reserved for women in one election would affect women's performance in subsequent elections, even after the seat is no longer reserved. Bhavnani found that women were five times more likely to win elections in these villages, suggesting that quota systems can be successful in introducing qualified women into politics and teaching political parties that women are capable of winning elections for them.²⁸

Another study, by Raghabendra Chattopadhyay and Esther Duflo, looked at how increasing women's participation

in government affects the quality of governance itself.²⁹ In India, the same 1993 constitutional amendment gave more control over local government expenditures to village councils. Chattopadhyay and Duflo found that those councils with women leaders were more likely to invest in infrastructure projects that were priorities for women, for example drinking water and roads in West Bengal, and drinking water and welfare programmes in Rajasthan. This suggests that increasing representation for women is not just a matter of political equality, but also provides concrete governance benefits on issues that matter to women.

Together, these studies help show that effective tools for strengthening women's participation in politics and government do exist, and that these tools can go a long way towards improving women's well-being and equality.

Removing Barriers to Participation

60. Broad inclusion is a fundamental principle underlying electoral integrity, but throughout the world barriers to voting and political participation threaten to undermine it. These barriers take a variety of forms. Legal restrictions can determine who is allowed to vote or run for office, limiting political rights to certain groups within a country. Administrative barriers can deter voting by making it harder for groups to participate in different aspects of the electoral process. Similarly, economic limitations can place an undue burden on certain parts of

the population, while social pressures can deter participation by groups that do not traditionally take part in the political process.

61. In a wide range of countries, women, minorities, displaced persons, and people with disabilities all face barriers to participation that significantly reduce their representation and political influence.

Suppressing African-American Participation in the United States of America

In the United States of America (USA), African-Americans face numerous legal and administrative barriers that make it harder for them to cast their votes. While none of these restrictions explicitly target specific groups, they tend to disproportionately affect poor people and minorities, making it harder for them to participate in the political process.

Restrictions on voter registration are a major impediment to African-American voting in the country. States like Florida and Texas have passed laws making it tougher to conduct voter registration drives, while others have increased voter registration requirements, for example requiring birth certificates or longer residency periods. Some states are purging their voter files, often improperly disqualifying thousands of eligible voters. And 5 million Americans have been disenfranchised because they have been convicted of a felony.³⁰ All of these restrictions disproportionately affect African-Americans and other minority groups.³¹

African-Americans also face administrative barriers that make it harder to cast their votes once they are registered. Since 2011, nine states have imposed voter identification requirements that make it harder for minorities to vote.³² Some states are significantly decreasing opportunities for early and absentee voting, methods that can greatly benefit minority groups who generally have less ability to get to polling places in person on election day. Those who do make it to the polls generally face much longer wait times than white voters. In 2008, 15 per cent of African-Americans and 8 per cent of Latinos had to wait longer than an hour to vote, compared to 5 per cent of whites, which placed a disproportionate burden on minority voters.³³

Stricter voter registration and identification requirements have been put in place ostensibly to combat voter fraud. But the incidence of voter fraud in the USA is vanishingly small,³⁴ meaning that the main consequence of these rules is the increased disenfranchisement of African-Americans and other minority groups.

Participation of Women

62. Many barriers to the political participation of women have been dismantled over the last century, and universal suffrage is now the global norm. Yet in many countries, women face ongoing obstacles to participation in democratic processes.³⁵ These include political barriers, such as a lack of support from political parties and other organizations, and limited training for women in civic participation and politics. Women also face social and economic barriers, including higher rates of poverty and unemployment, higher illiteracy rates, less access to education, and violence and intimidation. Cultural and religious beliefs about women's proper role in society can also be a major obstacle.

63. Women still make up less than 20 per cent of legislatures worldwide, and even in developed countries they only account for 27 per cent of representatives.³⁶ The numbers for cabinet-level positions are similarly disappointing, and significant work remains to be done worldwide in expanding women's roles in other political bodies like courts and electoral commissions. Because membership in these bodies is most often by political appointment, political leaders wield great power to achieve or impede gender equality in these domains.

64. Some countries have adopted formal mechanisms to ensure that women have equal opportunity to play a central role in politics. Currently, 50 countries have mandatory quotas for women's political participation, though they vary in their effectiveness and enforcement. Quotas can help to undo historical distortions that limit women's representation by creating a more level playing field. In every region of the world, the average percentage of women serving in national legislatures is higher in those countries that have a mandatory gender quota at the national level.³⁷

65. For quotas to have a truly democratizing effect, they must be linked not only to the quantity of women in office but also to the quality of positions available to them. Once in office, it is crucial that women officials have equal opportunity to exercise power and authority.

66. Some argue that the use of quotas runs counter to the political equality of individuals and the requirement that all persons be treated equally. And tension certainly arises when governments treat individuals differently in order to promote the equality of groups that have historically been excluded from political participation. Nonetheless, when groups face historical, social and economic disadvantages, 'they are not treated equally when they are treated the same'.³⁸ To resolve this conflict, we believe that quotas should be used judiciously, with sunset clauses for their removal. Recent scholarly work supports such an approach and indicates that quotas have a lasting effect on the representation of women, even when they are withdrawn.³⁹

Participation of Minority Groups

67. Like women, minority groups face formal and informal barriers to political participation, even in consolidating democracies in which universal suffrage is a norm. As with women, the removal of all institutional barriers to participation may not be enough to generate equality of representation.⁴⁰ Lack of financial resources and low levels of education among marginalized minorities pose significant obstacles to participation, both in terms of voting and representation in the political arena.⁴¹ In more developed democracies, minorities generally face more administrative barriers to participation. All countries with minority populations that face barriers to equal participation should identify and remove such barriers.

Participation of Refugees and Internally Displaced Persons

68. The participation of refugees and internally displaced persons (IDPs) in post-conflict elections poses serious political and administrative challenges. Yet the enfranchisement of displaced groups is critical for ensuring the integrity of elections and the establishment of democracy. Failure to enfranchise the displaced can create a disaffected population at odds with a peace process and limit the perceived legitimacy of the electoral process. Ensuring that displaced groups can vote presents a major challenge. However, this challenge can be overcome through legislative reform, sensitizing EMBs, adding special measures to the voter registration process, making appropriate polling station arrangements, and providing a secure environment in which IDPs can cast their ballots.

Barriers to Individuals with Disabilities

69. About 15 per cent of the world's population lives with a mental or physical disability.⁴² These citizens often face unique problems participating in the election process, ranging from difficulties in physically accessing polling places to outright discrimination and neglect. In 2002, disability rights activists, election officials and international parliamentarians from more than 24 countries drafted a Bill of Electoral Rights for Citizens with Disabilities.⁴³ Many countries have made significant progress in advancing these rights, but there still remains significant work to be done.

Combating Illicit Finance in Costa Rica

Illicit money has found its way into politics in countries throughout Latin America, and Costa Rica, despite its performance as a strong democracy with good governance, is no exception. In the late 1980s and early 1990s, investigations into drug trafficking found that both of the major parties in the country had accepted contributions from suspicious sources, including General Manuel Noriega of Panama and numerous other individuals later linked to drug smuggling and other illicit activities.⁴⁴

The reaction in Costa Rica was to impose a ban on all foreign

contributions to political campaigns. These new rules, enacted in 1996, were not sufficient to cleanse Costa Rican politics of corrupting money, as numerous scandals since can attest. But the scandals of the 1980s did prompt a close examination of the role of illicit money in the country, setting the stage for additional reform and gradual improvements in transparency. In recent years, electoral authorities have been granted much stronger enforcement authority and disclosure requirements, which will hopefully go even farther in removing corrupt political financing from Costa Rica.

70. Sierra Leone provides a particularly stirring example of a country that has tried to remove electoral barriers for those with a disability. Years of civil war produced a large disabled population, including through a campaign by the rebel Revolutionary United Front to amputate the hands and feet of citizens to discourage participation in the 1996 elections.⁴⁵ In more recent elections, numerous efforts have been made to include people with disabilities in the electoral and political process. These highlight some simple but effective steps that can be taken, for example avoiding polling places that have stairs or allowing disabled voters to skip lines, which can often be hours long.⁴⁶ Without more efforts like these, people with disabilities in countries around the world will continue to face great difficulties in being part of the electoral process.

Political Finance

71. For all democracies, rich and poor, old and new, poorly regulated political finance is a grave threat to elections with integrity. Political parties and candidates must have access to money to organize and campaign, yet political finance always has the potential to undermine the integrity of elections and democratic governance. An incomplete list of democracies that have suffered campaign finance scandals over the last 20 years includes Argentina, Brazil, Canada, Colombia, France, Germany, Japan, South Africa, the United Kingdom and the USA.

72. Political finance encompasses campaign finance, party finance and all aspects related to funding of, and spending by, parties and candidates in election campaigns. Poorly regulated political finance can undermine the integrity of elections in both obvious and hidden ways. Vote buying and bribery of candidates in return for political favours obviously corrupt electoral integrity. But poorly regulated political

finance can corrode electoral integrity in more subtle ways. In an era of explosive growth in campaign expenditure across older democracies, citizens lose faith in the electoral process. They suspect that wealthier citizens and corporations have greater influence in public affairs, and particularly on the media, notably by buying time and space for political advertisements. They understand that poorly regulated campaign finance diminishes political equality. And they fear that such finance corrupts their representative institutions. When large campaign contributions are tied to extensive lobbying of elected politicians, ordinary citizens perceive a conflict of interest. Poorly regulated campaign finance in turn leads to lower participation in the democratic process, tainted electoral integrity and impaired democracy.

73. Groups antithetical to democracy, such as organized crime, find campaign finance the most direct route to political influence. Writing about the predatory behaviour of drug cartels on democratic politics in Latin America, one expert observes:

Investing in politics is a natural step for an industry that requires weak law enforcement and a measure of control over crucial public institutions, like customs, to thrive. Helping to elect friends who can open doors and peddle influence throughout the state apparatus is often more efficient than other methods, such as bribing, blackmail or threatening violence.⁴⁷

74. Experts on transnational organized crime and terrorist financing observe that in West Africa, ‘democratic elections, absent effective electoral finance transparency and oversight, are providing opportunities for organized crime to gain influence over leaders by financing their campaigns.’⁴⁸

Two Approaches to Free Speech Considerations and Campaign Finance Reform: The USA and Canada

In recent years, several court decisions have gutted political finance reform in the USA. At the heart of these decisions has been the US Supreme Court's insistence that campaign donations are free speech protected by the First Amendment of the US constitution. Such reasoning lay behind the Court's 2010 decision in *Citizens United vs. the Federal Election Commission*, which overturned Congress's Bipartisan Campaign Reform Act and effectively removed all barriers to corporate and union spending to influence federal, state and local elections.

Another ruling by a Circuit Court of Appeals, *SpeechNow vs. Federal Election Commission*, allowed individuals to evade campaign contribution limits through so-called Super PACs. By law, such Super PACs must disclose their contributors and may not coordinate directly with candidates. In practice, both constraints have been flouted. Rich individual donors have donated tens of millions of dollars through shell organizations created to hide the source of the money. Many experts believe that each side in the forthcoming 2012 presidential election will raise over 1 billion dollars.

Writing for the majority in the *Citizens United* case, Justice Anthony Kennedy wrote that 'independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption'. The American people disagree.

A national opinion survey this year by the Brennan Center for Justice at New York University Law School showed that 'nearly 70 per cent of Americans believe Super PAC spending will lead to corruption and that three in four Americans believe limiting how much corporations, unions, and individuals can donate to Super PACs would curb corruption'.⁴⁹ More than three-quarters of respondents agreed 'that members of Congress are more likely to act in the interest of a group that spent millions to elect them than to act in the public interest'.⁵⁰

Nearly two-thirds of Americans say that they trust government less because big donors have more influence over elected officials than average Americans.⁵¹

The *Citizens United* ruling has undermined political equality, weakened transparency of the electoral process, and shaken citizen confidence in America's political institutions and elections.

Canada has faced many of the same campaign finance challenges that the USA has struggled with over the past decade. In contrast to the USA, Canada has managed to strike a balance between safeguarding individual speech and protecting the overall integrity of the electoral process.

Like the USA, Canada in the early 2000s imposed restrictions on the ability of third-party organizations like corporations and labour unions to spend directly on political campaigns. In a 2004 decision upholding these restrictions, the Canadian Supreme Court argued that the government

had the right to restrict some political speech in order to promote other principles, like equality in the political process. Canadian courts have consistently signalled that having greater wealth should not grant an individual or corporation a greater voice in politics.⁵²

In Search of Best Practice

75. Political finance has not received the attention and commitment to reform that it deserves. In a world of increasing economic inequalities, greater concentrations of wealth within democracies, and global economic recession, political finance is a challenge that will only grow in salience.

76. Limiting the nefarious impact of political finance on the integrity of elections is difficult and complex. It is difficult to induce politicians who benefit from loosely regulated political finance to constrain it. Transparency regimes are hard to monitor and enforce, and even when successful, they do not in and of themselves stop excess contributions or spending. As one scholar notes, a successful transparency regime dealing with campaign finance is like a web-cam providing real-time visual evidence of a massive oil spill: the point is not to watch it, the point is ‘to stop the sludge’.⁵³

77. No consensus exists on what constitutes best practice regarding political finance. There are broad international obligations in Article 7 (3) of The United Nations Convention Against Corruption, which calls on countries to increase transparency in political life while taking into account national law. More detailed and comprehensive recommendations can be found in regional organizations. The Council of Europe, the Organization of American States (OAS), and the African Union (AU), for example, all urge their members to adopt guidelines for political finance within their national legislations. Political finance is intricately bound to the political values and culture of a country. Given that political finance rules are contingent on local legal, political, and cultural conditions, it is not desirable to create one global norm for dealing with political finance. In addition, political finance reform should be approached as an ongoing exercise in which one legislates for the long term but revises in the short term so as to adapt to changing conditions. Here again, the rule of law looms large. Enforcement and implementation of political finance laws are difficult; if not carried out impartially, they can create tremendous asymmetries in political competition.

78. Nonetheless, good practices can be identified to form a minimum standard of integrity for elections, which require extensive transparency, regulation of donations and expenditures, and penalties for abuse.

Transparency

79. Effective oversight of the role of money in politics requires transparency and disclosure of political finances. Transparency is necessary to fight corruption, and it assists voters in making informed choices about candidates and policies. In the absence of disclosure requirements, donation or expenditure limits make little sense since there is no way of knowing if they are adhered to or not. At a minimum, political finance reports should:

80. Be *comprehensive* and identify income, expenditure, liabilities and assets. Total amounts and the nature of all contributions (in kind or financial) should be specified and donors should be identified.

81. Be *timely*. Reporting should preferably take place on a continuous basis throughout the electoral cycle, but if the aim is to inform voters on campaign financing, the reporting must be available well in advance of election day.

82. Be made easily *available to the public*.

83. Be subject to *stringent sanctions* for inadequate disclosure or timeliness.

Restrict and Limit Private Contributions

84. Most countries believe that parties and candidates should be financed, at least in part, through private contributions as a manifestation of minimum support by the electorate. However, with unregulated private donations comes the possibility of a few donors buying influence over the electoral process. Hence another good practice is the reasonable control of private donations by placing quantitative limits on the size of donations, and through banning anonymous donations, foreign donations or criminal donations.

85. In some countries, spending on campaigns is equated with the exercise of free expression. Nonetheless, a state should be entitled to limit that right on certain grounds for the public good, such as combating corruption or preserving political equality.

Balance Private and Public Funding

86. As a complement to the private contributions that parties and candidates raise themselves, states can level the playing field among electoral contestants by providing public financial support. Public support can be in non-monetary forms, including access to free media airtime or the free use of public facilities for campaign activities. Indeed a small number of countries use public funding to encourage gender equality. When Croatia adopted its new Political Party Law in 1993, it stated that additional public funding was to be given to political parties that have a woman as their selected candidate.⁵⁴

Restrict the Abuse of State Resources

87. The abuse of state resources between and during electoral campaigns remains a problem in many countries in the world. The majority of the world's countries have some form of basic regulations against incumbent candidates and parties using state resources for their own benefit.⁵⁵ However, since the abuse of public finances is still a widespread practice, a wider concept of what constitutes an abuse needs to be applied together with stronger enforcement of the law.

Control Campaign Expenditure

88. Many countries set caps on campaign expenditures to avoid escalating campaign costs that benefit those with greater resources. Maximum expenditure limits are determined in relation to factors such as the size of the voting population or of the applicable electorate, as opposed to simply setting one maximum limit. If the aim is to design a comprehensive framework, spending limits should include third-party spending and expenses such as staff salaries and opinion surveys. Limits on campaign expenditures should strictly prohibit vote buying.

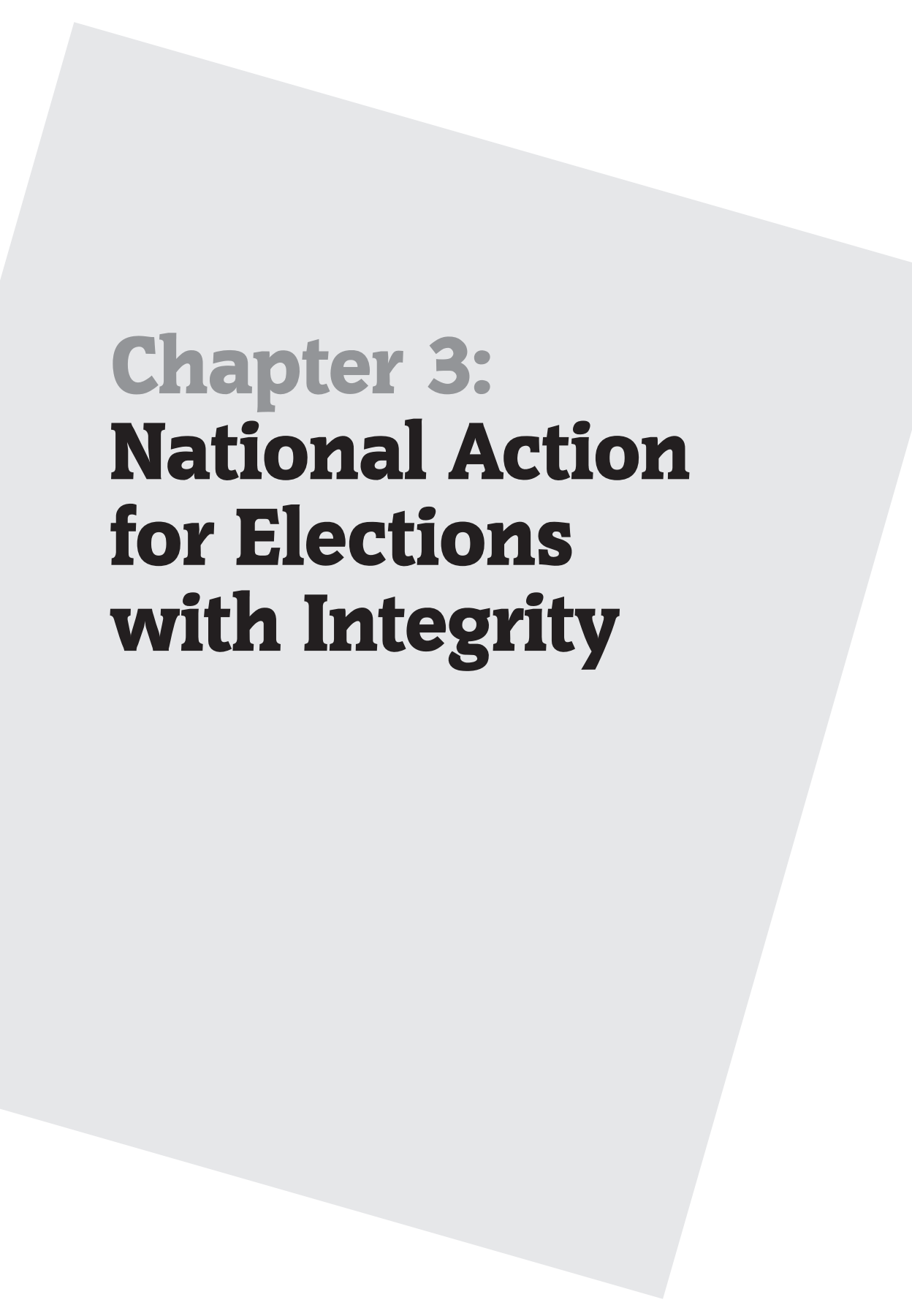
Independent Monitoring and Oversight Authority

89. Systems with strong transparency requirements will be ineffective if there is no independent institution responsible for receiving, examining and auditing financial reports from political parties and candidates. Such a body should have the power not only to monitor parties' accounts and investigate potential political finance violations but also to impose stringent sanctions where there is non-compliance with the law. Currently about 40 countries lack regulations that oblige any agency to examine financial reports or investigate political finance infringements.⁵⁶ This represents a crucial weakness in any process aimed at enhancing a transparent and controlled role for money in politics.

The Special Problem of Organized Crime and Political Finance

90. While general political finance regulation at the national level is an important instrument for fighting organized crime's use of political finance as a means of protection and influence, it is not enough. The penetration of transnational organized crime into mainstream politics, and its ability to move finance across borders illicitly, require regional and international efforts to contain it. Yet there is no adequate international approach to addressing the challenge of international criminal networks' infiltration of democratic political processes. There is some international cooperation at the level of law enforcement agencies, but governments and international organizations—not least regional organizations—need to address the issue as a fundamental challenge to democracy. Political leadership is needed to bring this challenge to the highest levels of international policy deliberations.

“ Governments must take forceful steps to ensure the politically impartial and effective functioning of the whole range of state institutions, including public safety and security agencies, prosecutors and courts, as well as competent EMBs, to guarantee elections with integrity. ”



Chapter 3: **National Action for Elections with Integrity**

91. The challenges described in the previous chapter require national action by governments, elected officials, political parties, civil society and citizens.

92. In order for elections to peacefully and credibly resolve the competition for governmental office and provide a genuine vehicle for the people to express their will as to who should have the authority and legitimacy to govern, governments must ensure equal protection under the laws on election-related rights, and effective remedies when they are broken. Governments must take forceful steps to ensure the politically impartial and effective functioning of the whole range of state institutions, including public safety and security agencies, prosecutors and courts, as well as competent EMBs, to guarantee elections with integrity.

93. The effort to protect and promote the integrity of elections has to be an ongoing commitment. Legal frameworks need to be reviewed to ensure that: there is a genuine opportunity for political contestants to compete fairly; effective remedies can be applied by administrative bodies and the courts; political competitors can turn to legal redress, rather than violence or other extra-legal measures; and citizens have confidence that they can overcome any obstacles to their political enfranchisement. Civil society organizations can monitor and report on the functioning of state institutions in these respects.

94. In order to build democracy as a mutual security system, electoral reform has to be broadly conceived and include institutional design with an eye towards constraining executive power, empowering legislatures, and decentralizing governance and budgets. Media and civil society can play key roles in checking arbitrary power and demanding accountability and transparency in governance.

95. Election-related violence requires a wide range of counter actions that focus on the various goals of the perpetrators, undermine attainment of these goals, and hold perpetrators accountable. Popular mobilization through community-based anti-violence campaigns, development of systematic violence monitoring and early warning networks, and use of citizen reporting through hotlines and websites, in combination with verified information from trained observers, can help to deter violence and limit its impact. Accurate characterization of the integrity (or lack thereof) of various electoral processes, including the accuracy of the official vote tabulation, can remove the basis for unwarranted charges, build public confidence, improve the chances of finding remedies for problems and mitigate the potential for the large-scale violence that sometimes follows elections. Training electoral officials and public safety officers can help to break impunity and deter politically biased actions as well as the disproportionate use of force.

96. Full citizen participation in government and public affairs is a foundation of democratic governance and requires active approaches to removing barriers to participation for women, youth, minorities, people with disabilities and other traditionally marginalized groups. Governments should take affirmative steps, such as quotas, to overcome legacies of disenfranchisement of women and others, review laws and procedures to remove barriers to full participation, and invest in education and other campaigns to encourage it. Political parties should take affirmative steps, including quotas and other means, to promote the leadership and broad participation of women and others who are traditionally underrepresented as party leaders and candidates. Civil society organizations should actively promote the full participation of all citizens, call on the government and parties to do so, and monitor and report on the advances made.

97. In order to protect the integrity of elections and limit the nefarious impact of money on democratic governance, regulation of political finance, and public confidence in that regulation, are essential. Although there is no one formula for addressing the threat of unfettered political finance, good practice requires robust disclosure and transparency of donations and expenditures, reasonable control of individual and corporate donations, judicious control of spending, sensible public financing, and stringent sanctions and penalties for non-compliance.

98. These actions can be pursued from the top down by governments and politicians who seek to infuse politics and institutions with a democratic ethos, and from the bottom up by citizens and civil society organizations that seek to pressure governments for elections with integrity.⁵⁷ Ideally, the top-down and bottom-up approaches work together, as top-down reformers are supported by bottom-up mobilizers and government performance is monitored by citizen organizations. Finally, top-down and bottom-up reformers can strengthen their efforts by linking up with like-minded democratic governments and civil society organizations in other countries.

Top-Down Efforts

99. Elected officials can pursue policies that promote and protect the integrity of elections, and use the power of their office to make sure those policies are adopted and practised. Electoral reform, however, is rarely so simple, if only for the basic reason that incumbents who have been elected using rules and practices that benefit them and their party usually have a strong interest in keeping those rules and practices. Nonetheless, there are powerful examples of politicians who have insisted on improving the integrity of elections, even though such improvements were not in their short-term interest. Such leaders are 'principled principals', who by their actions show a commitment to democracy, the rule of law and the public good.⁵⁸ Such 'principled principals' can have a formative influence on popular attitudes towards the integrity of elections and the rule of law that supports those elections.

100. But even 'principled principals' come under enormous pressure to renege on their commitments when rules are costly to them and to their supporters. Even if they maintain their commitments under pressure, they must worry about whether the reforms they enact will survive once they leave office. Top-down commitments are always strengthened, therefore, when politicians can be bound to their pledges.

Bottom-Up Efforts

101. The most important force for elections with integrity is citizen pressure. When citizens demand electoral integrity, elected officials and political parties have incentives to pursue electoral reform.

102. Citizen groups have been instrumental in many countries in voter education and motivating citizens to vote, as well as monitoring the performance of politicians and parliaments in carrying out promises about and addressing citizen concerns regarding improving elections with integrity. Non-partisan citizen groups have successfully monitored elections in over 90 countries, and have made critical contributions to improving the quality of elections. Citizen groups are increasingly playing a front-line role in advocating for electoral law reform, monitoring election violence, and educating citizens about elections.

103. Alongside the development of non-partisan election observers, bottom-up efforts require the development of a professional, independent media. Indeed, one important study of electoral malpractice points to an independent media as the single most important factor differentiating countries with elections with integrity from those that lack integrity.⁵⁹

104. Voters must be appropriately informed in order to make genuine electoral choices, and that requires receiving adequate and accurate information from multiple sources. Media pluralism in ownership and voice, as well as the obligation of state-controlled and public media to provide access to political contestants and to remain free of political bias, are central to voters making informed choices. New communications media, using the Internet and mobile communications technologies, open important channels for information sharing and political expression. They can simultaneously improve electoral

integrity and create new risks of abuse. Citizen monitoring and reporting of media behaviour is another bottom-up activity that can contribute to accountability. Associations of journalists and media owners, too, can contribute significantly to developing responsible media behaviour that fosters elections with integrity.

105. Because of the media's watchdog role, journalism has become a dangerous occupation in some democratic countries. Since 1992, almost 900 journalists have been killed worldwide. The vast majority of journalists killed are local reporters (87 per cent) and in only about 10 per cent of cases are killers brought to justice. Some of the deadliest countries for journalists hold regular elections, such as the Philippines, Russia, Colombia, India, Mexico, Turkey, Sri Lanka, and Brazil. Not all of these deaths have been related to election coverage per se, but such attacks have the potential to diminish the media's role in holding candidates and incumbents accountable. Where a culture of intimidation thrives against the media, its role in upholding the integrity of elections is threatened.

106. Beyond civil society organizations and the media, political parties can be important forces for elections with integrity. Parties serve to articulate and aggregate citizens' choices and, when they win, represent those choices in government. Strong opposition parties can hold incumbents accountable, offer voters a viable alternative, and check any tendencies of their competitors to cheat. Without strong parties in opposition, experiments in democracy remain at the mercy of incumbent holders of power. When multiparty competition wanes, so does political participation.

NAMFREL in the Philippines

One of the earliest and best-known examples of bottom-up electoral reform comes from the National Citizens Movement for Free Elections (NAMFREL) in the Philippines. Philippines President Ferdinand Marcos called snap presidential elections in 1986, just two years after parliamentary elections that were widely viewed with suspicion.⁶⁰ NAMFREL, a non-partisan election watchdog, had organized observers for the 1984 elections, and in 1986 it was able to build on this experience to effectively expose the electoral manipulations of the Marcos regime.

With the help of the Catholic Church, NAMFREL mobilized half a million Filipinos to observe the polling process. The centrepiece of their work was Operation Quick Count, an effort to provide a comprehensive tally of the results from all 85,000 polling stations

in the country as a check on the official count provided by the election commission. In the end, NAMFREL tabulated results from 70 per cent of polling stations, showing enough of a discrepancy from the official results to convince the Filipino public of fraud, thus helping to kick off the People Power revolution that forced Marcos from power.⁶¹

The 1986 elections in the Philippines were the first in a series of electoral revolutions over the next two decades that spanned from Chile in 1988 to Ukraine in 2004 and beyond, all of which featured domestic observation groups organized to promote electoral integrity in their own countries. These groups show the power of domestic advocacy from civil society groups and the broader public to support the cause of elections with integrity.

107. In order to act as a bottom-up force for elections with integrity, political parties must be built or reformed as open, democratic and responsive vehicles for addressing citizens' needs. Political parties must vitalize their structures, including internal education, communication and discipline, while improving public outreach to learn about citizens' views and engage citizens in the development of party positions. Civil society can call on parties to take such measures, and can monitor and report on their progress. Governments can facilitate the development and functioning of democratic political parties through the reform of political party laws, the structuring of electoral laws and the provision of public financing as incentives for parties to function democratically.

Enhancing National Action

108. Concerted efforts are needed to focus attention and help galvanize commitment to create incentives for governments to improve their elections, and disincentives for those governments that continue to hold flawed elections. To increase the likelihood that incumbent politicians and governments will strengthen the integrity of national elections, synergies are needed among top-down, bottom-up, transnational, and international efforts. Reinforcing commitments and pressures can enhance the promotion and protection of elections with integrity.

109. These efforts should be advanced on several fronts. In the next chapter we address how donors and democratic governments can further this agenda. Here we focus on four cross-border initiatives that can enhance top-down and bottom-up efforts to improve elections:

The Global Network of Domestic Election Monitors

110. Bottom-up efforts by civil society can strengthen themselves by reaching out to like-minded organizations in other countries. For example, over 150 citizen election monitoring organizations and regional monitoring networks from 65 countries started the Global Network of Domestic Election Monitors beginning in 2009. Created to integrate internationally accepted best practices into the work of citizen election monitoring organizations and to ensure greater transparency, accountability and credibility in electoral processes, the Network pioneered the setting of standards for domestic election monitors through the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations, launched at the United Nations (UN) in April 2012.

111. The Network exemplifies how national actors can help inform each other on topics such as voting technology, public outreach, and maintaining impartiality in the observation process in order to advance citizen participation and electoral integrity.

The Open Government Partnership

112. The Open Government Partnership (OGP) is a new multilateral initiative founded by Brazil, Indonesia, Mexico, Norway, the Philippines, South Africa, the UK and the USA ‘to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption and harness new technologies to strengthen governance’. The OGP seeks to encourage governments who support greater transparency to work with their own civil society to develop specific, measurable goals for transparent government and then pledge simultaneously to their own citizens and to a group of like-minded governments their commitment to meeting those goals. The OGP involves new and old democracies from around the world, and includes input and advice from transnational civil society organizations such as the Open Society Foundation and Transparency International.

113. We urge principled governmental and political leaders to join with like-minded states and partner with their own civil societies through the OGP to make public commitments and take actions to promote and safeguard elections with integrity, including through opening dialogues in their countries with interested constituencies and translating action items identified in those dialogues into policies, legislation and implementation mechanisms—including action on the independence of EMBs and regulation of political finance.

114. Among these commitments and actions should be specific initiatives to promote plurality in media ownership, to require state-controlled and public media to function free of political bias, and to provide accurate and balanced information about electoral competitors. The commitments and actions should also remove any barriers to public access and use of new communications technologies, and prevent abuse of such technologies for incumbent political gain or retribution.

Global Certification of National Electoral Management Bodies

115. As discussed in Chapter Two, ensuring the independence and professionalism of EMBs is one of the foremost challenges facing elections with integrity. To help promote the independence and professionalism of EMBs, the Commission recommends the creation of an international certification process for EMBs.⁶²

116. EMBs from around the world should organize and create a voluntary certification process in which EMBs submit to peer review of their professionalism, independence, and competence. An important part of creating such a process requires developing a declaration of principles and a code of conduct for administering elections with integrity, which EMBs would endorse and follow.

117. Certification would create a signalling mechanism. By earning gold standard certification, an EMB signals that it values its professional reputation and, as importantly, its government signals that it values electoral integrity. In turn, governments that want a reputation for electoral integrity would need to avoid encroaching on EMB independence for fear of endangering the EMB's gold standard.

118. Certification would reinforce the self-identity of electoral officials as members of a profession, with a set of qualifications, training, and ethics. Certification would provide EMBs with access to peer support, international professional networks, and capacity-building resources that would help them achieve this goal. Certification would also put normative pressure on EMBs that fail to meet standards of professionalism and independence, encouraging improvement even in countries where elected officials try to bend EMBs to their will.

119. Such a mechanism could take advantage of existing initiatives. Regional EMB networks exist in most parts of the world, and groups like the Global Electoral Organization and the ACE Electoral Knowledge Network already bring together election administrators and experts from around the globe.⁶³ For example, the Organization of American States holds an annual Inter-American Meeting of Electoral Management Bodies, at which electoral authorities from member states can share knowledge and best practices. In addition, in close collaboration with the International Organization for Standardization (ISO), a working group from the OAS has recently drafted the first International Standard for Electoral Assurance, ISO 17582, which will establish minimum requirements that EMBs should meet in order to guarantee the integrity of elections. This standard, which is expected to be approved by the end of 2012, could provide an important first step in establishing the process proposed above.

Electoral Integrity International

120. To augment and amplify the above efforts, we propose the creation of a new civil society organization—called Electoral Integrity International—that is dedicated to bringing global attention to countries that succeed or fail to organize elections with integrity. Such an organization could be to electoral malpractice what Transparency International is to corruption. It would fill a key niche in helping to promote accountability on electoral issues by providing an avenue for increasing normative pressure on governments to hold elections with integrity.

121. At present, there is no transnational organization dedicated to publicly pressuring governments to improve the quality of their elections. It is often assumed that this is the job of international election observer groups, but such groups are sometimes hesitant to publicly criticize the governments of the elections they observe, for two reasons. First, observer groups need continued access, without which they are unable to provide information on election quality on an ongoing basis. Second, many observer groups believe it is their job to report, and not to shame governments. They want elections to improve, but insist it is not their job to publicly pressure governments to improve their election quality. As we explain in the next chapter, international observers have made important contributions to improving electoral quality worldwide, and donors can make better use of observer reports to further strengthen the integrity of elections.

122. The job of publicly pressuring governments should fall to others—to domestic citizens foremost, but also to donor governments and transnational democratic civil society organizations. But as we discuss in the next chapter, donors, democratic governments, and international and regional organizations have not been adequately engaging on questions of electoral integrity in the run-up to elections, and they have been weak in following up on questions of electoral integrity after elections.

123. A transnational civil society organization like the proposed Electoral Integrity International would allow citizens and civil society to engage where governments fear to tread. Such an organization could compile information from noted international and domestic observers and other reliable sources, particularly for key elections projected in an upcoming two-year period, and grade the electoral environment in the countries concerned. A yearly election report on every such country would allow citizens to see how their country's elections fare against international standards and, over time, to track whether electoral integrity in their country is getting worse or better. Such information could form the basis for domestic pressure on national governments to improve the integrity of elections and on democratic governments to engage more actively in promoting and protecting electoral integrity elsewhere.

“ We still live in a world in which states act on their strategic interests. The key lies in reminding democratic governments that their strategic interest is best served by supporting elections with integrity. ”

Chapter 4:

International Action for Elections with Integrity

124. Democracy is a universal aspiration and a transnational norm. International support for elections with integrity—from citizens, civil society organizations, democratic governments, and regional and intergovernmental organizations—should be encouraged and welcomed. At the same time, international support for elections with integrity incurs responsibilities, including honouring the principle of local ownership, committing to build the local capacity and institutions necessary for democracy to be self-sustaining, and being transparent and accountable. Like international efforts at development and humanitarian action, supporters of democracy should strive to ‘Do No Harm’. For democratic governments to be effective in promoting the integrity of elections in other countries, they should ensure that their own elections are conducted with integrity.

125. Different types of international actors promote and protect electoral integrity globally. A non-exhaustive list includes transnational civil society organizations that help citizens mobilize for clean elections, help political parties to be effective and constructive political competitors, assist parliaments to be more effective in representing constituents, and empower women to have a greater voice and participation in electoral politics; international organizations that help organize and manage elections and attempt to build local capacity for elections with integrity; civil society organizations and intergovernmental organizations that observe elections; international and regional organizations that mediate electoral conflicts; and democratic governments that fund governments and civil society organizations to support democracy, and which occasionally engage diplomatically to promote and protect the integrity of elections.

126. The most controversial of these international actors are democratic governments. They are controversial because their support for genuine elections too frequently tends to be haphazard and compromised by competing national interests. While their rhetorical support for elections with integrity may be constant, their record of responding to flawed elections is not. In some cases, their interest lies in bolstering a preferred candidate, not in an election with integrity per se. Too often, democratic governments have turned a blind eye to electoral malpractice by regimes and incumbents with whom they have friendly relations. Extending back to the Cold War era, the historical record includes support for coups and interventions that undermined popularly elected governments.

127. We still live in a world in which states act on their strategic interests. The key lies in reminding democratic governments that their strategic interest is best served by supporting elections with integrity. Not only do democratic governments share an interest in the spread of democracy as a bulwark for international peace, but they must also learn that their bilateral relations are strengthened when their partners have democratic legitimacy earned through genuine elections.

International Support for Democracy: Best Practice Begins at Home

128. One of the most important roles that democracies can play in helping to support elections with integrity elsewhere is to model best practice through their own electoral behaviour. Democracies that honour the integrity of elections provide compelling examples for others. When they are older democracies, which traditionally have been donors of international assistance, it provides evidence of sincerity and commitment: they walk the walk and don't just talk the talk of elections with integrity. When they are younger, poorer democracies, they give lie to the myth that elections are a luxury that the poor cannot afford.

129. We are concerned when older democracies send harmful signals to the rest of the world regarding the integrity of elections. For example, in the USA, hundreds of millions of dollars spent on non-stop attack ads with little disclosure of who is responsible for funding is doing palpable damage to the USA's democratic reputation. Such behaviour sends the message that anything goes with regard to political finance, and that moneyed interests are more important than elections with integrity.

130. In Europe, economic recession and the pressure of bad debt are putting democracy under great strain. The politics of spending cuts and budget austerity, whatever their merit, are difficult for all modes of governance, democracy included, but it is striking how quickly European leaders have fallen into a technocratic trap, believing that public legitimacy is not needed to make and implement difficult economic decisions. When the European Union (EU) tells elected politicians that they have no choice but to implement radical austerity measures, it tells the people of those countries that they can 'choose governments but not policies'.⁶⁴ When leaders in older democracies appear to fear their own voters, it sends a chilling message to the rest of the world about basic confidence in democratic practice.

International Engagement with Flawed Elections

131. Egregiously flawed elections undermine all of the goals to which democracies and international organizations aspire. Electoral violence undermines basic security and human rights. Political instability undermines economic confidence and contributes to capital flight. When elections lack domestic legitimacy, the likelihood of political violence increases. Political violence is often perpetrated by those seeking to hold on to power by suppressing opposition support in the lead-up to polls, though it can break out on a large scale when election results themselves are not accepted as credible, and when the aggrieved sides seek to overturn the official outcome.

132. When overwhelmingly flawed elections take place, governments and international organizations are far too often unwilling or not in a position to respond. Only in a small percentage of cases of flawed elections do international actors respond with either positive incentives to address the flaws or punitive action to punish electoral malpractice. The reasons are straightforward and relate to larger state considerations of vital interests, fears of stoking instability, a lack of confidence that the domestic opposition will prevail, and in some cases, uncertainty about whether flaws were the product of electoral malpractice or electoral mismanagement, though both negate the electorate's will.

133. In some cases, usually because of large-scale violence, governments or international organizations respond with mediation. Such efforts have a mixed record. When undertaken to simply end post-election violence, such mediation runs the risk of providing political opponents with the incentive to foment such violence in the first place. If politicians face the choice between losing an election and giving up power, or using violence to extort their way into a government of national unity, we will likely see more, not less, violence from post-election mediation.

Kenya and DRC: A Contrast in International Engagement

Kenya's 2008 post-election violence was ended through international mediation by Kofi Annan, Benjamin Mkapa and Graça Machel, under the aegis of the African Union, with broad but coordinated international support. After 41 days of negotiations, the presidential contenders, Mwai Kibaki and Raila Odinga, signed the National Dialogue and Reconciliation Accord. The accord established a coalition government on a 50–50 basis, with Kibaki as President and Odinga as Prime Minister. It also produced a roadmap for a constitutional review process that granted Kenya a new constitution in 2010.

Synchronized international pressure was critical in bringing the principals to the table in a timely manner. The African Union Panel of Eminent Persons, composed of Kofi Annan, Graça Machel and Benjamin Mkapa, was charged with the role of facilitating negotiations. The panel was also mandated to support the

coalition government in implementing the agreements that were reached.

The Panel insisted that in order to end the cycle of violence during elections, any ceasefire agreement must include a long-term reform agenda. The Kenyan National Accord succeeded in this regard. By outlining a detailed reform agenda, it guaranteed space for the renegotiation of Kenya's institutions of governance by all interested groups.

The implementation of the National Accord has been the responsibility of the coalition government, but has also been effected through various stakeholders including religious leaders, the business community, civil society, the media and Kenya's development partners. All sectors of Kenyan society are now vested in the implementation process, which provides an invaluable check on Parliament and the coalition government. International actors continue to work with

the government and these stakeholder groups. The Panel's engagement still continues in anticipation of next year's elections in Kenya.

The Kenyan model—sustained international engagement with empowered local ownership—stands in dramatic contrast to approaches to electoral malpractice in the Democratic Republic of Congo (DRC) during roughly the same period.

In the Democratic Republic of Congo, the 2006 presidential elections were also clouded in controversy. Despite massive international support, these elections were also accompanied by violence, but not at the levels of Kenya in 2008. Nonetheless, the conduct of the elections threw the country into an extended crisis that lasted nearly six months.

While there was much international involvement and assistance to the DRC in the run-up to the 2006 election, little follow-up occurred in its aftermath. International and domestic actors quickly returned to business as usual, and little thought was given to how the

DRC could assure that its next elections in 2011 would be peaceful and win public confidence and legitimacy.

Over a year before the November 2011 election, national and international democratic organizations and human rights groups warned that President Joseph Kabila was manipulating election rules and institutions. Such alarms went unheeded.

The 2011 polls in the DRC were abysmally run, prompting local groups to cry fraud and opposition politicians to claim that the election had once again been stolen by Kabila. International observers reported that it was impossible to ascertain who had won. Violence broke out throughout the DRC, prompting thousands of citizens to flee their homes.

Despite it being an egregiously flawed election, little diplomatic attention and energy was spent to try to manage the conflict. There continues to be no concerted effort to ensure that the next elections in the DRC are not a repetition of 2006 or 2011.

134. Research for the Commission suggests that if international actors have not engaged with a country during the run-up to a flawed election, they are extremely unlikely to engage once such an election takes place.⁶⁵ And when international actors wait until egregiously flawed elections take place, their choice of instruments tends to narrow: they can rely on punitive measures and sanctions, risking that there will be little short-term effect on the election results, or they can engage in mediation that risks abrogating the legitimacy of an election by producing an outcome that does not reflect the people's will.

135. The same research shows that when international actors engage before potentially flawed elections and use positive incentives or mixed positive/punitive strategies, the quality of the elections often improves on voting day. Early international engagement does not turn egregiously flawed elections into exemplars of electoral integrity. But we do see evidence of positive change in election quality that can be built upon. And it suggests that if there is follow-up, if there is long-term attention, and if election observation reports are used as part of a long-term dedicated process of improving electoral integrity, then we will see even greater positive change.

The International Community Must Have Red Lines

136. An international programme to promote and protect the integrity of elections should include 'red lines', a standard that can compel a more unified international and regional response to address the most egregious examples of electoral malpractice. One possible 'red line' is electoral malpractice that rises to the level of unlawful constitutional seizure of power. Several regional organizations, such as the AU, the OAS, and the Commonwealth, pledge to respond forcefully to military coups. Regional organizations should extend that pledge to include cases in which losing incumbents refuse to stand down and relinquish power, as recognized in the African Charter on Democracy, Elections and Governance (Art. 24.4.) and should institute mechanisms to hold accountable those responsible for cases involving the intentional use of political violence to disenfranchise voters and suppress opposition or otherwise negate elections with integrity.

137. Here again, preparedness is the key. International actors must be attentive to problems well before voting day. They must be clear in terms of expectations throughout the electoral cycle. Early signs of electoral malpractice should prompt high-level political engagement. If elections then still cross red lines, international actors must react promptly and forcefully in condemnation.

International Election Observation

138. Election observation is a critical tool for promoting and protecting the integrity of elections. International donors and democratic governments, however, have not used the tool to its greatest effect. In particular, they have not fully taken advantage of pre-election observation reports to do more to prevent egregiously flawed elections and the political use of violence during elections. Nor have donors and democratic governments done enough to use observer reports after elections to strengthen political processes of electoral integrity and democratic change throughout the electoral cycle in advance of the next election. Finally, donors and governments have not done enough to build up domestic electoral observation capacity.

139. Election observation has been a potent tool for democratic change in three ways: first, it has assisted democratic transitions in authoritarian countries; second, it has improved the quality of elections over time; and third, it has aided diplomacy that seeks to remedy flawed elections, either preventively before voting takes place or during voting and post-election counting.⁶⁶

140. Between 1990 and 2005 international election observation became a global norm, and the numbers of observation missions expanded dramatically. Given this expansion, if observation was an effective tool for expanding democracy, one would expect that all things being equal, observation would make it more difficult for authoritarian incumbents to be re-elected. And indeed, the data bear this out. In that period of electoral observation, the percentage of authoritarian incumbents who were re-elected declined by almost 40 per cent.⁶⁷ In certain parts of the world, most notably Africa, the decline was even greater. Obviously, many factors contribute to transition elections, and electoral observation is only one. Nonetheless the results over time and across regions are strikingly consistent with the hypothesis that electoral observation promotes democratic change. The fact that elections that are observed lead to greater incumbent turnover than elections that are not observed is again consistent with the idea that electoral observation helps to produce democratic change.

141. Many observation groups aspire to assist the long-term improvement of elections in countries that claim to desire democratic change. Here the results are mixed, with one scholar reporting that where observation missions repeatedly deploy to a country over time, the quality of elections tends to improve; for another scholar, this result holds for Central and Eastern Europe but not elsewhere.⁶⁸

142. For the most professional and experienced observation groups, the old stereotype of observers parachuting into a country a week before elections, and focusing solely on malpractice on voting day, is simply wrong. The best observers have learned that electoral fraud and malpractice often take place months and sometimes years before an election, and that election observation must be engaged much earlier in the electoral cycle. Empirical evidence shows that even as early as 2005, the most experienced observer missions were much longer than they were in the early 1990s. Key observer organizations endorsed the 2005 Declaration of Principles for International Election Observation and its code of conduct, which harmonized the standards for observation. The net result is that observers now regularly produce information that would enable democratic governments, international organizations, and regional organizations to engage more knowingly (and earlier) on more fundamental processes of electoral integrity.

143. As we noted previously, early action and attention, when tied to positive incentives, often improve election quality. Such early action should be the norm, not the exception. And beyond the use of pre-election reports for early action, long-term donor assistance should be explicitly linked to recommendations by electoral observer reports in order to achieve greater synergy of efforts at building self-sustaining, local democratic governance. It should become common practice that there is in-country, post-election dialogue among international observer groups, domestic observer groups, electoral authorities and political actors in countries in which elections have been observed. Such dialogue should identify areas for reform efforts, consider potential international assistance for such reforms, and enhance the joint preparedness for the next elections.

144. These changes should be matched by a large investment in building the capacity and credibility of domestic election observation. In the long run, domestic actors are the critical constituency for elections with integrity. As we stated in Chapter Three, non-partisan citizen groups have successfully monitored elections in over 90 countries, often making critical contributions to elections with integrity. In turn, these citizen groups now form a promising global network of domestic monitors that routinely share best practice and discuss strategies for best achieving results.

Capacity Building for Democratic Governance

145. Democracy must be locally owned. There must be an energetic and mobilized constituency for democratic change. And there must be domestic institutions that respect democratic norms and have the capacity to deliver services.

146. International donors invest several billion dollars every year to build local capacity for democratic governance. Despite the size of this investment, it is difficult to evaluate whether the assistance is effective in building such capacity. While some of the difficulty lies in the nature of the task, some fault lies with donors, aid providers, and project developers and managers who have not prioritized evaluation and have not incorporated best evaluation practice into the design of their projects. All too often, projects are evaluated by output, rather than outcome. All too often, projects are aimed at improvement of public administration and have little or no connection to democratic governance and the political process that is required for it to function.

147. Capacity for democratic governance involves both technical advice and political incentives. International assistance is often bemoaned as supplying technical fixes for political problems, but technical advice, resources, and innovation can be key ingredients for improving electoral integrity. To give two important examples, the technique of parallel vote tabulation by independent civil society organizations and political parties can improve confidence in results and diminish post-election volatility. Community-based anti-violence campaigns, development of systematic violence monitoring and early warning networks, and use of citizen reporting through hotlines and websites in combination with verified information from trained observers can deter and limit the impact of electoral violence.

148. Where international assistance falls short is in addressing the political aspects of democratic capacity building. Often projects underachieve, not because of the failures of project designers, but because national governments and local leaders see few incentives to go beyond cosmetic changes and fully embrace the democratic ethos behind projects. Just as frequently, donor governments do not provide political support, encouragement and incentives for national governments to implement them. That is to say, donors often fail to provide the political stewardship that facilitates successful implementation. International assistance must go beyond technical advice and create political incentives for implementation.

149. Assistance must also adapt to new challenges facing democratic governance. For example, international donors need to consider what EMBs require to respond to new challenges such as oversight of public and private funding of parties and campaigns, regulation of political media and advertising, and ensuring the transparency and accountability of technological innovations.

The Egypt-Indonesia Dialogue on Democratic Transition

In 2008, Indonesia inaugurated the Bali Democracy Forum (BDF), bringing together representatives from both within and outside the region to foster dialogue and generate ideas on democracy in Asia. As an intergovernmental forum, the BDF has grown from 42 countries in its first year to include more than 80 in 2011, in addition to groups like ASEAN, the EU and the UN. The BDF has come to signal a real commitment by Indonesia to promoting democratic values in Asia.

One concrete manifestation of this commitment is the Egypt-Indonesia Dialogue on Democratic Transition, a series of workshops organized through the Bali-based Institute for Peace and

Democracy to share experiences from Indonesia's transition to democracy with Egyptian activists and leaders. These workshops provided a forum for discussion on issues like media freedom, electoral management, transitional justice, the role of the military in democratic politics and the role of Islam in democracy.⁶⁹

The BDF is just one example of the growing potential for a new kind of international engagement to promote electoral integrity and democracy. Emerging and consolidating democracies like Indonesia can take a more prominent role in this area, and increasingly they are.

150. Another worrying trend of international capacity building is encouraging the adoption of electoral technologies that are more expensive than their countries are likely to be able to afford over the long run, which results in dependency on international vendors to operate and control critical technologies and processes. Much assistance for capacity building misses the point that if you build local capacity, there will be less need for reliance on international assistance. All assistance should have national ownership and sustainability as its goals. Democracy assistance, although it is a long-term effort, should not result in dependency on international intervention and supervision. Assistance must be cost effective, sustainable, and technologically appropriate, with attention given to benchmarks for ending international assistance.

Overcoming Strategic Incoherence in Democracy Assistance

151. Democracy assistance, as designed and delivered today, suffers from two types of incoherence. First, international supporters of democracy disagree on priorities and strategies for assisting democracy and promoting elections with integrity. Second, democracy assistance is usually an afterthought in development and security assistance. The former incoherence prevents the best use of limited resources, and the latter means that other donor agendas and interests often trump democracy assistance.

152. A strategy of promoting and protecting the integrity of elections can overcome both of these problems. Such a strategy has several dimensions:

153. *First*, donors should prioritize helping governments and citizens overcome the five basic challenges to the integrity of elections described in this report: building the rule of law; creating professional, capable, and independent EMBs that conduct transparent elections that merit public confidence; building democracy as a mutual security system by diminishing winner-take-all stakes and supporting political opposition and parties; removing barriers to equal participation; and controlling political finance.

154. *Second*, donors must help build the capacity of local citizens to monitor, report, and assess their own elections. For democracy to be self-sustaining, domestic election observation must complement—and ultimately supplant—international election observation.

155. *Third*, there must be much better strategic use of election observer reports, both international and domestic, to improve the long-term integrity of elections. Donor governments should use observer pre-election reports to engage with governments and civil society before troubled elections take place. In the aftermath of elections, it should be standard procedure for international and domestic observers, civil society, donors, and governments to assess their performance and set benchmarks and priorities for greater integrity of elections in anticipation of the next polls.

156. *Fourth*, in order for this approach to work, donors will have to change their approach to funding election activities, which tends to boom and bust—vast amounts spent near election day, and little spent before or after. The approach put forward here requires that donors spend more outside election years to strengthen EMBs, voter education, electoral reform and other long-term activities that can level the electoral playing field, and less on elections themselves.

157. *Fifth*, donors will need to understand the critical truth that elections are part of the broader political process and fabric of a society that must be scrutinized and held to account. Without a democratic political process leading to and beyond elections, there will be neither elections with integrity nor a democratic relationship between citizens and their government. While there is a role for technical assistance in promoting and protecting the integrity of elections, it is not a substitute for political attention and engagement. Technology for democracy must be accompanied by diplomacy for democracy. This need not be heavy handed; indeed, it is best done with a soft touch. Some of the most important assistance in building democratic governance capacity is through dialogue and sharing of experiences. One of the most important developments in this regard is the willingness of newer democracies—many of which face challenges that the traditional democracies do not, such as poverty, societal divisions, religious and ethnic polarization, and military interference in politics—to share lessons with one another while making it clear that the integrity of elections is necessary for democratic legitimacy.

158. *Sixth*, donors must strive to overcome their own assistance incoherence, in which democracy assistance, development assistance, and security cooperation are treated as separate activities. Democracy, security, and development are linked. International security and development policies profoundly affect the opportunities for strengthening electoral integrity and other aspects of democracy. All too often, development and security assistance take forms that undermine democratic processes.

159. *Seventh*, changes are needed in international development assistance and security cooperation; in particular, support for elections with integrity, and the capacity and institutions that make such elections possible, should be treated as integral to development and security assistance. This will require a framework in which development is concerned with basic freedoms, political rights, and citizen empowerment—and security is best guaranteed through democratic governance.

160. *Eighth*, in such a framework, development should contribute to building political pluralism as well as modes of democratic governance and political culture that lower the stakes of elections. Much of today's international development assistance effectively favours the executive branch of government. Even civil society support, if it is not sensitive to political and economic inequalities in societies, can exacerbate political imbalances in the democratic process. Donors and partner countries should give priority to strengthening the full range of political actors involved in a country's democratic process, including parliaments, political parties in opposition, and government, independent media and independent EMBs.

161. *Ninth*, international security cooperation needs to give far greater consideration to policies and programmes that bolster the integrity of elections. Security assistance and partnerships should value and foster the political pluralism and rule of law that sustain stability and democracy in the long run. Fraudulent elections are associated with civil violence and instability, and put human security at risk. If the political events of 2011–2012 have demonstrated anything, it is that security partnerships with leaders who maintain power through sham elections are built on sand. True security is best established on the bedrock of democratic legitimacy.

162. Post-conflict countries require special attention in this regard. International organizations and donor governments should approach peace building as a long-term process that requires open political competition in order to structure societal conflict and its resolution. Democratic competition should not be sacrificed on the altar of short-term stability. This requires international custodians of peace agreements to take seriously the task of building democracy as a mutual security system, and the need to craft agreements among former warring parties that diminish winner-take-all politics.

Democracy and Elections with Integrity and the Post-2015 Development Framework

163. As we finish our work, governments and civil society have begun to consider the post-2015 development framework, when the deadline that was set for meeting the MDGs will expire. We urge that the new framework acknowledge that freedom and political equality are essential to development, and emphasize the need for people everywhere to participate in the political decisions that affect them. Important work has already been done on this by newer democracies, led by Mongolia, which felt that the original eight MDGs ignored the centrality of democracy in development and created a ninth MDG that focused on human rights, democratic governance and anti-corruption.

164. In this new framework, elections with integrity are both benchmarks and instruments. Elections with integrity best guarantee freedom, political equality, and democratic accountability. A programme for delivering elections with integrity—with its emphasis on inclusion, transparency, and accountability—can be catalytic for better governance, more substantiated rights, greater security and human development.



Chapter 5:

Recommendations

Recommendations at the National Level

1. To promote and protect the integrity of elections, governments should:
 - build the rule of law in order to ensure that citizens, including political competitors and opposition, have legal redress to exercise their election-related rights;
 - create independent, professional and competent EMBs with full independence of action, including the assurance of timely access to the necessary finances to conduct elections and mandates to organize transparent elections that merit public confidence;
 - develop institutions, processes, and networks that deter election-related violence and, should deterrence fail, hold perpetrators accountable;
 - reform and design electoral systems and pursue policies to diminish winner-take-all politics;
 - remove barriers to the participation of women, youth, minorities, people with disabilities and other traditionally marginalized groups, and take affirmative steps to promote the leadership and broad participation of women, including through the judicious use of quotas; and
 - control political finance by regulating donations and expenditures, public financing of political campaigns, disclosure and transparency of donations and expenditures, and sanctions and penalties for non-compliance.
2. Citizen organizations should monitor government performance in meeting the challenges of electoral integrity through impartial and systematic election monitoring, in accordance with international principles; through civic action to prevent electoral violence; through monitoring media accountability, diversity, and independence; and through demanding that political parties are responsive to citizen needs.

Recommendations to Enhance National Action Through Citizen Empowerment and Transnational Partnerships

3. Citizen election observers should commit to global standards for domestic election monitoring with the Global Network of Domestic Election Monitors and adhere to its Declaration of Global Principles and code of conduct. Donors should invest in building the capacity and credibility of domestic election observation and support the Global Network and its members.
4. Governments should join with like-minded states and partner with their own civil society organizations to embrace specific commitments on electoral integrity, the financing of elections, and the protection of free media through the OGP, an international initiative that encourages governments to improve their performance on transparency, accountability, and inclusion.

5. National EMBs should organize and create a global certification process with which to evaluate and grade EMBs on their professionalism, independence, and competence—including developing a voluntary declaration of principles and a code of conduct for administering elections with integrity.
6. Foundations and democratic shareholders should create and fund a new transnational civil society organization—called Electoral Integrity International—that is dedicated to bringing global attention to countries that succeed or fail in organizing elections with integrity. Such an organization could be to electoral malpractice what Transparency International is to corruption. It would fill a key niche in helping to promote accountability on electoral issues by providing information, analysis, and other avenues for increasing normative pressure on governments that fall short of elections with integrity.

Recommendations at the International Level

7. Donors should prioritize funding of the activities to promote and protect elections with integrity that we have highlighted in this report, with priority given to helping countries overcome the challenges of holding elections with integrity, and investing in building the capacity and effectiveness of domestic election observation.
8. High-level international and regional attention should be directed and appropriate measures taken to address the growing threat to democracy that is posed by the financing of political campaigns, parties and candidates by transnational organized crime.
9. Democratic governments, regional organizations, and international organizations should stand up for electoral integrity before elections take place. To do so, they must be more proactive and engaged throughout the electoral cycle of countries with problematic elections. If mediation is needed, it should be undertaken well before voting takes place, and aim to ensure that in divided societies elections do not yield winner-take-all results. Follow-up should not focus solely on technical improvements to elections, but should seek to open the dialogue and citizen participation required for the democratic political process that elections with integrity both need and serve to create.
10. Regional organizations should create and clearly communicate their ‘red lines’—prohibitions of egregious electoral malpractice that, if violated, would trigger multilateral condemnation and sanction. These organizations must then take action if these lines are crossed.

11. Long-term donor assistance should be explicitly linked to recommendations by election observers, starting at the beginning of the electoral cycle rather than shortly before new elections. It should become common practice that there is in-country, post-election dialogue among international and domestic observer groups, electoral authorities and political actors to identify areas for reform efforts, consider potential international assistance for such reforms, and enhance preparedness for the next elections. Subsequent electoral observation and revised recommendations can then form the basis for changes in assistance strategies to ensure that the fundamental principles of electoral integrity are being respected.
12. Donors should better integrate democracy and the integrity of elections with development and security assistance. Development should contribute to building political pluralism, as well as modes of democratic governance and political culture that lower the stakes of elections in insecure environments. Donors and partner countries should give priority to strengthening the full range of political actors involved in a country's democratic process, including parliaments, political parties in opposition and government, independent media and independent EMBs. International security cooperation needs to adapt to give far greater consideration to policies and programmes that foster political pluralism and competition to sustain stability and democracy in the long run.
13. As governments, international organizations, and civil society consider the post-2015 development framework, greater priority should be given to political freedom as a building block of development and the need to provide much greater scope and capacity for people everywhere to participate in the political decisions that affect them. The post-2015 framework should include specific programmes and goals for delivering elections with integrity, with an emphasis on inclusion, transparency, and accountability.

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Abbreviations

ASEAN	Association of Southeast Asian Nations
AU	African Union
BDF	Bali Democracy Forum
DRC	Democratic Republic of Congo
ECK	Electoral Commission of Kenya
EMB	electoral management body
EU	European Union
FMLN	Frente Farabundo Martí para la Liberación Nacional (El Salvador)
IDP	internally displaced person
INEC	Independent National Electoral Commission (Nigeria)
ISO	International Organization for Standardization
MDG	Millennium Development Goal
NAMFREL	National Citizens Movement for Free Elections (the Philippines)
OAS	Organization of American States
OGP	Open Government Partnership
PAC	Political Action Committee (USA)
UN	United Nations

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