

# The 2007-2012 ELECTORAL CYCLE IN THE AMERICAS

A REVIEW BY THE  
OAS GENERAL SECRETARIAT



Organization of  
American States



# The 2007-2012 Electoral Cycle in the Americas: A review by the OAS General Secretariat

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# PREFACE

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**M**ore than 70 electoral processes took place between 2007-2012 in Latin America and the Caribbean. This intense electoral cycle, in which different types of elections were organized -ranging from presidential, parliamentary and local elections to referenda- is a symbol of one of the fundamental democratic achievements of the countries in the Hemisphere since the return to democracy from authoritarian rule: the holding of free, periodic and fair elections. The electoral cycle studied in this publication in part demonstrates that elections, the minimum requirement of any democratic regime, are in fact more competitive than ever in the region.

In this context, the Organization of American States (OAS) was invited to observe 60 of these 70 elections through its Electoral Observation Missions (OAS/EOMs). From 2007 to 2012, the Department of Electoral Cooperation and Observation (DECO) of the Secretariat for Political Affairs (SPA) at the OAS, responsible for organizing, deploying and following up on all OAS/EOMs, has professionalized its work through the design and implementation of methodologies that allow for a more objective and rigorous international electoral observation. This includes instruments to moni-

tor aspects critical to the quality of electoral competition, such as political finance, women's participation, and media bias. Similarly, during this period DECO has significantly expanded its technical cooperation efforts throughout the region, while reinforcing its relationship with Electoral Management Bodies (EMBs) that have become key actors in electoral processes.

By way of a compilation of articles written by experts and practitioners in the electoral field, this publication provides an overview of the work carried out by DECO over the 2007-2012 period. But most importantly, this study offers an opportunity to identify those areas that need improvement in order for the OAS to better and more effectively contribute to the strengthening of political processes of its member States.

Kevin Casas-Zamora, Ph.D.  
Secretary for Political Affairs

# INTRODUCTION

## Electoral Observation Missions: Some Reflections

José Miguel Insulza

OAS Member States are today enjoying a historic period of democratic stability. The celebration of periodic elections in each and every member state has contributed to the consolidation of institutions in the region and the increased stability of governments. International electoral observation is one of the principal instruments of the international community to support this process of democratic consolidation.

Elections are an essential pillar of democratic regimes, because they confer a legitimacy of origin to the political process, through a selection that is made by the people in a free, transparent and inclusive manner. The Inter-American Democratic Charter, signed by all OAS countries in September 2001, consecrates this fundamental principle, and assigns the Organization of American States the function of observing electoral processes in the region.

For 50 years, the Electoral Observation Missions of the Organization of American States (OAS/EOMs) have served as an instrument of cooperation between the OAS and its members, and amongst the countries themselves. Today the countries of the Americas organize dozens of electoral processes (elections, plebiscites and referenda, on a national, regional and local level) with systems that are continually improving; it can now be said that the vast majority of countries operate with electoral systems that are fully transparent and trustworthy.

Nonetheless, as electoral processes have become more participative, the demands of the electorate for

greater transparency have also increased. In order to adapt to the changing needs and demands of citizens and governments, OAS/EOMs have needed to become more comprehensive. Missions are now some of the most visible and relevant activities carried out by the OAS. Though OAS/EOMs have become more comprehensive in the way in which they analyze and support electoral processes, they also face a series of challenges which must be confronted in order to maintain the relevance of OAS electoral observation.

This publication presents six years of work by the Department of Electoral Cooperation and Observation of the Secretariat for Political Affairs of the OAS. It compiles a series of articles from different authors familiar with the topic of international electoral observation, providing a space for reflection on the progress that has been made as well as the work that remains to be done.

It is clear that the mere holding of elections is not a sufficient condition for deeming a country fully democratic. Our Inter-American Democratic Charter consecrates a number of principles relating to respect for human rights, the rule of law, the functioning of institutions, and government management. I have attempted to summarize these principles in one sentence, “to be considered democratic, a government must not only have been elected democratically; it must also govern democratically.” However, this sentence, which synthesizes the need for democracy in origin and in practice, reaffirms the fundamental theme of this publication: only a government generated by

free, transparent, and participative elections can be considered democratic.

Through a brief review of the development of OAS Electoral Observation Missions over various decades, one can refer to “three generations” of OAS/EOMs. The “first generation” includes missions, best deemed symbolic, that merely aimed to accompany member states in the organization of elections. Beginning in February of 1962 in Costa Rica and in December of the same year in the Dominican Republic, electoral missions of that time had no clear structure. In the latter example, then-Secretary General Alejandro Orfila simply sent Galo Plaza Lasso, former President of Ecuador, and Misael Pastrana Borrero, then-Minister and later President of Colombia to observe the elections in the Dominican Republic. In other words, these missions basically consisted of renowned people going to observe the election, inasmuch as it was possible. Furthermore, the Missions of that time were limited and testimonial, basically serving to stimulate countries to choose the democratic path.

The so-called “second generation” of OAS/EOMs was carried out during the transition from authoritarian regimes to democratic systems in the region. As the demand for democratic elections increased, the missions became a key instrument of cooperation for the OAS. An exemplary OAS/EOM of this second generation is the 1990 mission to Nicaragua. This OAS/EOM marked the beginning of a new era of more ambitious missions in terms of size and scope, replacing mere presence with a greater focus on the quality of electoral processes and of its different components, such as electoral organization, voter registration and the training of polling station staff.

The beginning of democratic consolidation in these countries prompted the emergence of what could be called the “third generation” of Electoral Observation Missions. Electoral authorities strengthened their

institutional structures and their capacity for organizing elections. Against this backdrop, the OAS recognized the need to professionalize its observation methods in order to better analyze specific aspects of the electoral process that went beyond the presence of international observers on election day. Special tools were developed to evaluate the quality of electoral processes, addressing aspects such as the financing of campaigns and the equal participation of men and women in the process.

In order to confront this new era in a comprehensive manner, in 2006 OAS/DECO developed a Manual for Electoral Observation Missions<sup>1</sup> that synthesizes the practices of OAS/EOMs based on the democratic principles laid out in the Inter-American Democratic Charter, the signing of which marked the culmination of the process of hemispheric democratization.

During the last few years, OAS efforts to expand technical instruments at its disposal, in order to analyze the main challenges facing electoral processes have led to the development of specific methodologies to more profoundly evaluate equity in electoral processes. As of this writing, four tools have been developed: the Methodology for Media Observation during Elections; the Methodology to Observe Political and Electoral Financing; the Methodology for Integrating a Gender Perspective into OAS Electoral Observation Missions and a Manual for the Observation of the use of Electoral Technology.

Given that situations in which people or organizations call into question the results of an election are less and less common, it has become necessary to focus on the issues that affect the equity and fairness of an electoral process as a whole - beyond Election Day. In this regard, there are specific issues which would benefit from improvement in the majority of countries.

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1. “Manual for OAS Electoral Observation Missions” available at: [http://www.oas.org/sap/docs/DECO/2010/EXOR0903\\_MANUAL.pdf](http://www.oas.org/sap/docs/DECO/2010/EXOR0903_MANUAL.pdf)

Without disregarding the electoral observation that is carried out within the framework of the Inter-American Democratic Charter, OAS/EOMs have become an instrument for identifying such problems and for proposing specific solutions, ranging from legislative reforms to capacity building, in terms of both personnel and procedures, of electoral authorities in the observed country.

OAS/EOMs are never an end in and of themselves. On the contrary, they are instruments that allow the OAS to make a concrete contribution to the development of democracy in its member states, through an objective analysis of an electoral process, exchanging information and perspectives with key actors and producing a solid report that includes concrete recommendations aimed to support the pertinent authorities in the strengthening of electoral organization, and of the inclusivity and equity of electoral processes.

In order for a Mission to fulfill its objectives, it is important that the host country makes an effort to implement recommendations, and that the OAS follows up on these recommendations. Such an effort would allow for a more thorough evaluation of the efficacy of the Missions and the compilation of experiences that can be of use for future processes in other member states.

The question before us is then: what can be done, by the OAS, in order to guarantee a greater likelihood that the recommendations produced by an OAS/EOM are implemented? Today, there is no OAS follow-up mechanism. The establishment of such an instrument is a priority issue for the Organization. One of its most recent projects involves the development of a recommendation follow-up mechanism. The first post-electoral visit of a group of experts of the OAS/EOM was recently carried out to Honduras, following the primary elections in November 2012.

In conclusion, during the last half of the 20<sup>th</sup> century and the beginning of the 21<sup>st</sup>, our region has presided over an unparalleled progress in terms of the fundamental aspect of democracy. As democracies have consolidated, so has electoral observation. Electoral observation remains an internationally recognized technical and political tool that is fundamental to strengthening the quality of electoral processes. The practice faces a series of challenges that must be faced in order to deepen its progress, and thus effectively contribute to the strengthening of democracies in our region. This publication is one more effort from the OAS to rethink its work in light of contemporary challenges in the area.

# CHAPTER I

## OAS Electoral Observation Missions: 50 Years Contributing to the Strengthening of Democratic Systems in the Region

**Betilde Muñoz-Pogossian, Ph.D.,  
Sara Mía Noguera and Tyler Finn**

The role of international electoral observation as a tool to strengthen democracy is a topic of increased interest and urgency in public debate. In order to contribute to this debate, this chapter provides some insights into the electoral observation work of the Organization of American States (OAS), which commemorated fifty years observing electoral processes in the region in 2012. The OAS has taken important steps to professionalize its electoral observation work in the past decade, adapting to the new challenges and complexities of the political processes in the countries of our Hemisphere.

First of all, it is important to highlight that the prevailing vision of the scope of Electoral Observation Missions is somewhat limited. In practice, the purpose of an OAS/EOM extends far beyond the exposition of irregularities that undermine the integrity of the electoral process or the certification of an election as “free and fair.” Some fundamental characteristics of OAS Electoral Observation Missions (OAS/EOMs) are frequently unnoticed. OAS electoral observation has evolved towards a focus on the “quality of electoral processes;” work which greatly transcends the reporting of irregularities on Election Day. This focus, adopted in recent years, reflects the changes undergone in the region, in which most countries have made significant efforts to strengthen their electoral processes and to provide the guarantees necessary to make such processes truly democratic. Given the misconceptions regarding the very purposes of electoral observation, any discussion about the value that the work provides must begin with a precise definition.

One of the myths about OAS electoral observation, linked to the past historical tradition in this region, holds that the only purpose of OAS missions is to determine whether there is fraud on the day of the election. Although OAS/EOMs may sometimes serve as a deterrent against potential situations of fraud in the electoral process, their principal objective is to observe the conduct of the key actors in the electoral process in order to confirm compliance with the electoral regulations that are in force in the host country, and to analyze the electoral process in the context of the instruments ratified by the member states of the Organization: 35 countries in this Hemisphere. To carry out its electoral observation work, the Organization employs criteria derived from the fundamental rights enshrined in the instruments of the Inter-American system<sup>2</sup>. These criteria have been systematized in a standard methodology to guarantee that the same aspects, and the same benchmarks for defining an election as democratic, are evaluated in all electoral processes observed by the OAS. The four aspects of a democratic election are: first, elections must be inclusive, that is, all citizens must be effectively enabled to exercise their right to vote in the electoral process; second, elections must be clean; in other words, voter preferences must be respected and faithfully registered; third, elections must be competitive, that is, they must offer the electorate an unbiased choice among alternatives; and fourth, the main public offices must be accessed through periodic elections and the results expressed through the votes of the electorate must not be reversed.

2. IACHR, American Declaration of the Rights and Duties of Man: <http://www.oas.org/en/iachr/mandate/Basics/declaration.asp>

In this regard, it is important to highlight that the Election Observation Missions of the OAS implicitly serve as an *accountability* mechanism; they place the whole electoral process under international scrutiny in light of international and national agreements to which the host country has made a commitment. The invitation to observe an election also means that the country which invites the OAS to deploy an observation mission assumes responsibility for accepting the results and recommendations resulting from that observation. Such an arrangement implies a mutual responsibility between the host country, to make efforts to implement recommendations, and by the OAS, to professionalize its observation work in such a way that the conclusions and recommendations that result from observation reflect the crucial issues that must be addressed by that country in order to strengthen its electoral system.

### 1. Professionalizing the work of the OAS Electoral Observation

Based on its extensive experience conducting Electoral Observation Missions, in 2006 the Organization of American States began a process to professionalize and standardize its electoral observation work. The result of this process was, as mentioned above, the definition of a standardized methodology to guarantee that the same criteria to define an election as democratic are used in all electoral processes observed by the OAS, based on the fundamental rights recognized in the legal instruments of the Inter-American system.

Following the development of this standard methodology for OAS electoral observation as defined in the Manual for Criteria for Electoral Observation Missions, all procedural aspects of OAS/EOMs, such as the composition of a mission team, terms of reference and selection criteria of its members, the

conditions to accept an invitation to deploy a mission,<sup>3</sup> the questionnaires to be completed by international observers and all standardized formats for collecting information about the mission, the presentation of results and recommendations<sup>4</sup> as well as the final narrative reports produced by these missions were compiled in the Manual for OAS Electoral Observation Missions.<sup>5</sup> The manual also includes the definition of the functions of the Chief of Mission, who according to the manual, is designated by the Secretary General of the OAS based on “the person’s high level of experience and sound judgment.” Chiefs of missions are generally figures acknowledged for their political and/or academic background. Because the Chief of Mission serves as the official spokesperson of the OAS/EOM, and is responsible for maintaining fluid communication with the key actors of the electoral process as well as mediating tense situations with distinct political actors, OAS/EOMs have been headed by figures from across the political spectrum.

The development and implementation of the aforementioned manuals represented a fundamental step forward in the process of institutionalizing and standardizing OAS electoral observation practices. At the same time, this exercise demonstrated the need to create new methodological instruments that would allow the OAS to conduct an exhaustive analysis of an electoral process, extending beyond the technical and procedural aspects of Election Day to account for

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3. Article 24 of the Inter-American Democratic Charter states that, “the electoral observation missions shall be carried out at the request of the member state concerned (...)” Although the OAS can receive observation invitations by any Member State, the “Manual for OAS Electoral Observation Missions” available at [http://www.oas.org/en/spa/docs/Manual\\_Misiones\\_publicado\\_en.pdf](http://www.oas.org/en/spa/docs/Manual_Misiones_publicado_en.pdf) sets out special criteria which determine the conditions that must be fulfilled in order for the OAS to accept an invitation to observe the electoral process of a member state.

4. All this information is collected in the “Manual for OAS Electoral Observation Missions” available at: [http://www.oas.org/en/spa/docs/Manual\\_Misiones\\_publicado\\_en.pdf](http://www.oas.org/en/spa/docs/Manual_Misiones_publicado_en.pdf).

5. Ibid

the structural components of the electoral process. The emphasis would be on “quality,” and includes the evaluation of conditions of equity in political participation at all levels of the electoral process as well as the assessment of the ability of all citizens to exercise their political rights.

As of this writing, methodological tools have been created to observe specific aspects of the electoral process, such as the participation of men and women in elections, media coverage of the electoral process, the use of electoral technologies, and systems of political and electoral financing. The OAS is currently in the process of developing a tool to assess the participation of vulnerable groups.<sup>6</sup> All of these methodologies were developed in collaboration with renowned experts in their fields, and passed through a validation process involving the major organizations that conduct international electoral observation as well as a group of prominent politicians, academics and electoral observers.

At the end of the electoral cycle which ended in 2007 and involved the deployment of more than 130 missions over a 44-year period, the OAS was well recognized for the contribution of its missions as mechanisms of solidarity between countries of the region who organize their own elections. Nonetheless, after the 2005-2007 cycle and following an evaluation conducted for the period starting in 2007, the Organization identified a series of gaps and inconsistencies which led to the production of the aforementioned tools and methodologies. It should be noted that the OAS was somehow lagging behind other institutions such as the Organisation for Security and Co-Operation in Europe (OSCE) and others in producing rigorous observation

6. Published manuals: Manual for OAS Electoral Observation Missions [http://www.oas.org/en/spa/docs/Manual\\_Misiones\\_publicado\\_en.pdf](http://www.oas.org/en/spa/docs/Manual_Misiones_publicado_en.pdf); Methodology for Media Observation during Elections: A Manual for OAS Electoral Observation Missions [http://www.oas.org/en/spa/docs/deco/ManualMedia\\_WEB.pdf](http://www.oas.org/en/spa/docs/deco/ManualMedia_WEB.pdf). The manuals for a methodology on finance and gender are also available on the OAS website.

instruments, such as the ones described above. Today, however, it can be fairly said that the OAS is on the same level as, and in some ways is at the forefront among the other signatory institutions to the Declaration of Principles for International Election Observation that are intentionally working on adding rigor to their work. In addition to facilitating the development of more professional, technical and serious missions, these advances have also positioned the OAS as a reference point in international forums on electoral observation.

## 2. OAS Electoral Observation Missions

The Inter-American Democratic Charter explicitly stipulates that “electoral observation missions shall be carried out at the request of the member state concerned (...)”. Given its extensive experience in electoral observation in the region, the OAS receives invitations from nearly all member states. However, it can only deploy a mission after having received a formal invitation by the member state. Furthermore, any request to deploy an Electoral Observation Mission must comply with certain conditions established in the “Manual for OAS Electoral Observation Missions.”<sup>7</sup>

Apart from these conditions for the acceptance of an invitation, the actual deployment of an Electoral Observation Mission is contingent on financial conditions. In this respect, it is important to clarify that there is no specific fund for Electoral Observation Missions that guarantees that a mission can be deployed upon request. The implementation of an OAS/EOM depends on the receipt of funds from donors. This situation invariably limits the work of

7. Some of these conditions are: the electoral process is explicitly provided for in the legislation of the host country, the organization of the process is exclusively the purview of the electoral body, the invitation originated from the electoral body, the OAS/EOM is not subject to any legal or regulatory limitations, and conditions are guaranteed for security, free access to information, and broad cooperation with the OAS/EOM. Apart from these conditions, the electoral observation of the OAS is contingent on fundraising from Member States and observer countries.

OAS electoral observation, making it impossible, for example, for OAS/EOMs to be deployed for the period of time required to carry out more comprehensive information collection. In our view, the physical presence of an Electoral Observation Mission should begin with the official call for elections and/or the beginning of the campaign, in order to complement the remote monitoring that is carried out well in advance.

The position of the Organization was that the willingness to carry out its electoral observation work should prevail over any financial limitations. One example of how electoral observation work has adapted to financial limitations, whilst trying to minimize the influence of these factors on the quality of the work, is remote follow-up and shorter visits to the countries during the pre-electoral period. As the experience of the OAS and other organizations which carry out international electoral observation has demonstrated, some of the most serious issues related to the electoral process occur in this period.

In response to this challenge to “traditional” electoral observation, the OAS has made great efforts to strengthen its monitoring during the pre-electoral period. In fact, although the mission’s highest visibility occurs when international observers arrive at the host country, there is an entire follow-up process during the pre-electoral period, which is often disregarded because it does not garner the same media coverage as the deployment of observers but it is equally important. This process begins when the invitation for the deployment of the OAS/EOM is accepted, or even before, and it consists in the follow up made by a group of experts who are responsible for researching specific issues and assessing challenges and opportunities in those areas. Moreover, preliminary visits to the country are conducted before the full deployment of the mission. During these visits, the OAS/EOM leadership meets with electoral authorities, candidates, members of civil society and other key

actors to listen to concerns and receive complaints about the electoral process. These preliminary visits help to identify key issues as well as the principal concerns of the main actors regarding the election process and to begin to identify possible challenges in the electoral process ahead of Election Day in order to recommend appropriate changes which can be implemented before the election.

In this regard, it can be said that the value of OAS electoral observation does not only consist in technical improvements, but also in its capacity to adapt to continuous challenges. The OAS has been able to successfully transform these challenges into opportunities to better adapt electoral observation to the prevailing conditions, which are often far from ideal. These strengths are reflected in a trend in recent years in which new countries have joined the list of those which have traditionally contributed to OAS/EOMs.<sup>8</sup> Another important indicator for assessing the electoral observation work of the OAS in the region is the fact that the number of countries who invite the OAS to observe, as well as the type of elections observed, has increased in recent years. This is the case of the 2012 elections in Mexico, to which the OAS was invited to observe a presidential election for the first time. Likewise, in 2012 the OAS received an invitation to observe an election in the Bahamas. This occasion marked the first time that the Bahamas had invited an Electoral Observation Mission of any kind.

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8. During the last three years, the group of donor countries has diversified (countries such as Chile, Mexico, Bolivia and Argentina joined the group), and observer countries such as France, the European Union, Korea and Sweden have increased their contributions. The United States, for example, has maintained its contributions, and Canada, another traditional donor to OAS observation, has continued to contribute significantly to this important task. See annexes for details.

### 3. The Added Value of OAS/EOMs: A General Assessment of its Impact

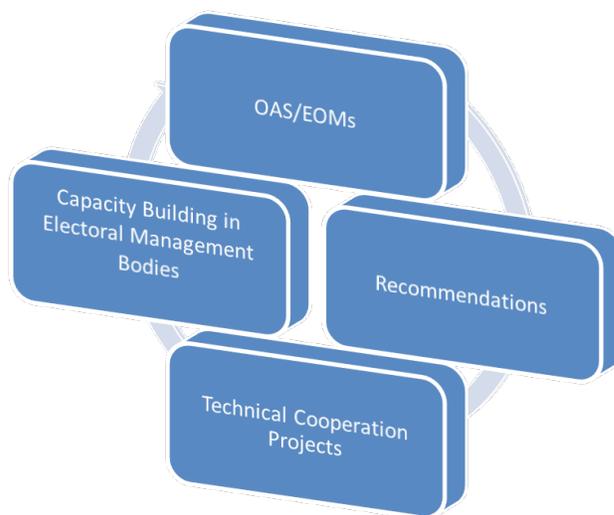
OAS/EOMs present a snapshot of the electoral process that provides the basis for the elaboration of specific recommendations for its strengthening. These recommendations are the way in which OAS/EOMs can most directly contribute to electoral processes in the observed countries. However, how the countries implement these recommendations is completely autonomous. In a number of cases, electoral bodies of the region have adopted OAS recommendations on their own accord. In short, the principal added value of an OAS/EOM, in a time when Election Day fraud has become less and less common, is the rigorous analysis of those aspects that affect the quality of an election, and more importantly, the production of precise, realistic and feasible recommendations to make adjustments or changes, related not only to Election Day, but also to the pre-electoral and post-electoral periods.

To understand the added value of OAS electoral work, one must not evaluate observation in isolation; on the contrary, it must be viewed as one element of a larger process, which includes post-mission cooperation work and institutional strengthening. These activities allow the OAS to be present, if not in the whole, then at least in the majority of the electoral cycle.<sup>9</sup> OAS/DECO provides support throughout the electoral cycle. OAS/DECO is dedicated to technical cooperation: OAS accompaniment of electoral reform processes, upon request by the country in question. A second part of its work is dedicated to institutional strengthening; the OAS trains decision-makers within electoral management bodies in specialized areas that are considered relevant in order to improve the organization and management of elections. Nevertheless, the principal

9. The electoral cycle considers elections as continuous processes instead of isolated events. In general terms, the electoral cycle is divided into three main periods: the pre-electoral period, election day and the post-electoral period (ACE Project, the electoral knowledge network).

contribution of missions is related to the observation of conditions for the exercise of political rights, and the subsequent emission of recommendations via OAS/EOMs. In fact, the recommendations published in OAS/EOMs final reports have contributed directly to 17 technical cooperation projects carried out by the Department of Electoral Cooperation and Observation between 2007 and 2012. It should be noted that apart from successful experiences in the implementation of these recommendations, there have been important cooperation initiatives between countries that have permitted the systematization of solutions and good practices on electoral issues for the region.

**Figure 1. OAS Electoral Support Roadmap**



One specific example is the OAS technical cooperation project carried out in Bolivia in 2009. In that case, the international community had concluded that it would be impossible to implement the biometric voter registration system for the elections in 2009 within the 90-day timeframe established by the law. The OAS was the only international organization that believed that it was feasible and thus the only organization to offer technical cooperation and accompany the implementation process. As a result, the voter registration process was carried out successfully

and within the established time frame. Furthermore, the amount of people registered surpassed the quantity of previously registered voters, as well as the expectations of the Bolivian electoral authority. Not only was an OAS recommendation from the 2008 mission implemented, the project also served to reduce political tensions related to this technical issue, which had the potential to generate a highly complicated electoral atmosphere. Just as it is difficult to empirically measure fraud that does not occur due to OAS presence in a country, measuring the impact of an EOM on intangibles or on the prevention of election conflicts undoubtedly remains a challenge for the Organization and for the electoral field in general.

Nevertheless, it is recognized that these successful efforts to implement OAS/EOM recommendations have so far occurred in an *ad hoc* fashion, since there is no mechanism to monitor the implementation of the recommendations resulting from an Electoral Observation Mission. Recognizing this lack of standardized link between OAS/EOMs and technical cooperation projects, OAS/DECO is currently developing mechanisms to improve the follow-up of OAS/EOM recommendations in order to bolster their implementation. The aim of the OAS in this regard is to be able to perform an effective review of the implementation of recommendations through communication mechanisms with key actors in all observed countries, and link this effort to future Electoral Observation Missions.

In addition to the impact of recommendations for electoral reform following deployment, OAS/EOMs also make an important contribution in generating a climate of confidence and international support. The case of the general election in Haiti in 2010-2011 is the best example of such an impact. After the first round of elections, the Haitian President invited the OAS to send an expert mission to support the verification process of the vote count, and to provide technical and legal cooperation during the period of electoral challenges.

This work consisted in analyzing the mechanisms employed by the tabulation center and recommending measures that could, on the one hand, contribute to greater confidence in the process, and on the other hand, ensure that the results registered reflected the will of the citizens as expressed at the polls. At the same time, the OAS/EOM called on all actors involved in the electoral process to make use of institutional channels to resolve their complaints and disputes, in order to create conditions in which the results would be recognized by all actors. In short, and as stipulated in the agreement signed with the Haitian Government, the purpose of the OAS Electoral Observation Mission was to help foster the confidence of the Haitian people in the final result of the November 28, 2010 election. Overall, this OAS mission contributed to the peaceful transition of power in Haiti in May 2011.

#### **4. Outlining an Agenda of Improvements: Some Conclusions about OAS Electoral Observation**

As alluded to above, OAS Electoral Observation Missions have evolved to adapt to the challenges and complexities of political processes in the region. These missions have undergone a process of professionalization, evolving from ad-hoc processes to real tools of technical and political cooperation. Consequently, the electoral observation work of the OAS has become a cornerstone of its work to strengthen democracy in the Hemisphere. This value placed on this work by Member States of the Organization is reflected in the fact that a whole chapter of the Inter-American Democratic Charter (IDC) is dedicated to Electoral Observation Missions.<sup>10</sup> The responsibility conferred to the OAS by the IDC in terms of carrying out Electoral Observation Missions has allowed the Organization to observe more than 200 electoral processes in 28 of 35 Member States. Between 2001 and 2012, 82 Electoral Observation Missions were deployed with an average of 63 international observers and a duration of 35 days per mission.

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10. Chapter V of the Inter-American Democratic Charter.

Another illustrative indicator of how this cooperation instrument of the OAS is valued is the fact that the OAS has observed at least ten elections in eleven different Latin American countries.<sup>11</sup> Moreover, seven countries, mostly from the Anglophone Caribbean but also including the emblematic case of Mexico, have invited the OAS to observe their electoral processes for the first time during the last five years. This increasing demand for electoral observation not only reflects the appreciation of its relevance but also its contribution to the organization of truly democratic electoral processes in the region. Nonetheless, the progresses achieved in the field of electoral observation over the past decade serve as a reminder to the Organization of the work that remains. To conclude, it is important to refer to a few aspects for improvement, which have already been identified.

International academic literature and various political actors continue to assert that the principal purpose of electoral observation is to discourage fraud. The OAS, as one of the few organizations that conducts international electoral observation in the Americas, should commit itself to educating these audiences about the importance of focusing on the pre-electoral period. Progress in the development of OAS methodologies for the observation of media coverage, access to political financing, the participation of women and men, or the access to electoral technologies must be better publicized. Meanwhile, the OAS must set an agenda for the production of other tools to document its observations as well as other aspects of elections related to electoral quality.

Other critics point to the lack of force of some observations and recommendations emitted by the institution following the mission. In this regard, the response of the OAS has been to ground its observations and recommendations in rigorous

instruments and methodologies that are recognized on an international level. A comparison of the reports published prior to 2007 with current reports, reveals that such a focus has translated into more informative and more specific recommendations that are better supported by hard data. The support of the donor community to these missions has been vital, in order to enable the Organization to carry out the work during the pre-electoral period and to be present during a longer period of time in the host countries. Such criticism also neglects the need for the OAS to continue working with the actors who will be part of future reforms beyond one single observation mission. It is a delicate balance to report on the weaknesses of a process and produce proactive recommendations while maintaining communication and good relations with those actors who will be the protagonists of future reform processes.

Internal discussions within the OAS about electoral observation have made it increasingly clear that more information about the precise purposes and value added of electoral observation missions must be better disseminated to experts, academia, the donor community, the citizens of the region and the general public. It would also be strategic to disseminate more information about the methodological advances of the past few years and to more explicitly state the commitment to systematic observation of the pre-electoral period. For these reasons, the fiftieth anniversary of OAS electoral observation serves as a moment to reflect on the development of an agenda of future OAS Electoral Observation Missions, aimed at adapting electoral observation to the changes and needs of the region, whilst maintaining its value as a key instrument for the strengthening of the electoral processes and democracy in the region.

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11. Bolivia, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Nicaragua, Paraguay, Peru, the Dominican Republic and Venezuela.

## CHAPTER II

### Methodological Consolidations of OAS Electoral Observation Missions: One Step Further Towards the Professionalization of Electoral Observation

Betilde Muñoz-Pogossian, Ph.D.

**A** look at the cycle of elections between 2007 and 2012 needs to include a review of the advances that have been made in terms of the professionalization of OAS observation. During this last cycle, a comprehensive approach of OAS electoral observation was consolidated, employing innovative and internationally recognized tools to produce concrete recommendations that could feasibly be implemented by political actors in the host countries, and ultimately improve electoral systems.

In this latest era of electoral observation, the challenges have evolved, political actors demand more of observation and the OAS observation team has had to adapt itself to meet the specific needs of member states in order to stay relevant. Since 2007, the institution has focused on improving its capacity to carry out professional electoral observation, a push that came from within the organization but also received support from other actors, including the donor community (Canada, Germany, Spain and the United States). These countries provided resources so that the OAS could further refine its work.

This chapter documents the methodological progress of the GS/OAS over the past six years, explaining the rationale behind the political and institutional decision to make systematic improvements in this area. Highlighting the context in which these methodologies are implemented, the document describes the content and aims of each methodology, identifying their relevance among the community of organizations that conduct international electoral observation. The goal

is to specify the value added by these methodologies as well as their potential impact on the work of electoral observation work, on the mandates of the Organization, and on the electoral systems of observed countries.

#### **1. A Different Political Context: A Different Observation**

As democracies have consolidated in the region and citizens are now able to exercise many political rights which they did not enjoy before the democratic transitions, they have begun to expect more from their democracies. In other words, citizens have become more sophisticated in their demands. In the same way, the demands and expectations of electoral observation have evolved. Responding to the new challenges of member states, the OAS had to respond to these new developments by preparing its observation work for the challenges wrought by the consolidation of democracies.

Electoral observation is often associated with deterring fraud. This was most likely an accurate reflection 20 years ago. However, although electoral observation today involves a certain amount of deterrence, it is increasingly concerned with the structural aspects of an electoral process. During the last cycle of elections, the OAS committed itself to identifying many of these structural aspects and creating tools for their systematic and rigorous observation in the next electoral cycle, which begins in 2014.

The OAS began to document, for example, the frequency in which issues regarding political financing were identified in observation mission reports, coming to the conclusion that at least 60% of the reports addressed the topic. The same was observed regarding the participation of men and women in the elections. At least 40% of our reports discussed the issue of gender quotas and their effectiveness. At the same time, it was realized that the reflections on these and other topics were treated in a very general manner. The OAS did not have the tools at its disposal to document evidence, or to produce recommendations that could be implemented by key actors in the host country after the election.

At the same time an idea emerged within the Organization, later becoming a political and institutional decision, to work systematically on the production of methodologies. A notable example was the creation of a methodology to observe the participation of women and men in elections. With a bottom-up approach, OAS/DECO personnel interested in gender issues started to raise questions that went beyond what was traditionally observed in the missions; they promoted an approach in which the Missions would continue observing the same issues, but from a different perspective, taking into consideration the fact that women and men do not always exercise their political rights in equal conditions. These interests aligned with a GS/OAS policy of mainstreaming a gender perspective in all actions of the Organization,<sup>12</sup> and the crucial commitment of donor countries who saw the added value of creating an observation methodology with a gender perspective.<sup>13</sup>

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12. The Interamerican Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP) was conceived within the Interamerican Commission on Women (CIM) and adopted in 2000 by the OAS General Assembly through AG / RES.1732 (XXX-O/00) Adoption and implementation of the IAP.

13. Germany, Spain and Canada.

## 2. Filling the Gap: From Procedures to Criteria

Before entering into a discussion of structural issues, it must be mentioned that in 2006, there was an OAS observation group which, though lacking in standardized tools, operated with a very valuable institutional memory. This institutional memory, however, was not reflected in manuals or guidelines. In 2007, the process of professionalizing and standardizing electoral observation began building on the basis of the important progress that the OAS had already achieved in this area between the 1990s and that time.

This process began with filling an important gap with the production of the manual "Methods for Election Observation: A Manual for OAS Electoral Observation Missions." Under the leadership of political and technical experts, such as Dante Caputo, Elizabeth Spehar and Gerardo Munck, a document describing the concept of democratic elections was developed based on fundamental rights established in legal instruments of the Inter-American system ratified by the member states. These fundamental rights were associated with four key components related to voters and candidates: inclusive elections; clean elections; competitive elections; and periodic elections including that the candidates for whom the electorate voted actually assume their offices.

This manual systematizes and shares the conceptual framework of OAS Electoral Observation Missions in one document, specifying the principles, components and objectives of OAS/EOMs. One step, though seemingly minor, that was achieved with this manual was the standardization for the first time of the questionnaires used by OAS observers on Election Day, ensuring that these questionnaires are implemented, as far as possible, in a representative sample of polling stations. This methodology provides quantitative and qualitative data to enable the OAS/EOMs to create

a final report based on first-hand observations. Additionally, the functions of Core Group experts are briefly summarized in the methodology. In sum, the manual defines the OAS concept of democratic elections and standardizes the questionnaires, which were previously created *ad hoc* in each individual mission.

Because electoral observation was carried out without established rules, procedures to organize missions varied according to the people involved in their organization. It was therefore necessary to standardize such processes, from the definition of the conditions for observation to the roles of the members of the missions and organizational structures. As stated in the previous chapter, the Manual for OAS Electoral Observation Missions summarizes and standardizes all procedural aspects of the OAS/EOMs. The manual also defines the theoretical and legal framework of OAS/EOMs, as well as the methodology for observation in the pre-electoral period, Election Day and the post-electoral period, describing step by step how the information should be collected. After a nearly two-year process, with the participation of many technical areas of the GS/OAS, a document was produced which established the procedures for the organization of mission; it was adopted in 2009 as an Executive Order of the General Secretary. In this manner, that document became a key element in the group of regulations and procedures that governs the deployment of OAS electoral observation missions.

### **3. Specializing the Task of Electoral Observation: Evaluating Electoral Equity and the Full Exercise of Political Rights**

After identifying the precise aspects of Election Day that required focus by means of a standardized tool, and determining parameters for the organization of observation missions, the OAS was able to now look more rigorously at those aspects related to the quality

of an election.

To accomplish this task, OAS/DECO prioritized work to measure the most evident element relating to electoral inequity: media coverage and access to the media. The “Methodology for Media Observation during Elections: A Manual for OAS Electoral Observation Missions” allows a quantitative analysis of equity in the conditions for electoral competition, focusing in particular on the access of parties and candidates to the media, balance in coverage, compliance with media laws (if applicable) and voter education<sup>14</sup>. This methodology is generally implemented in presidential elections, though it can be applied in other contexts, and also measures gender indicators, and provides hard data on media access, purchases of media space, and governmental advertising. The main challenge for the implementation of this media methodology has been its cost. Although the model created has proved much more cost-effective in comparison to that of other institutions, it has still been a great endeavor for the OAS to raise the necessary funding for the adequate implementation of this methodology; the methodology requires a media sample of at least 21 days before Election Day. The OAS is often faced with the dilemma of how to best allocate its energy and human and financial resources, either in the implementation of this type of methodology or in a massive physical presence on the day of election. In practice, and in light of the situation in which funds arrive too soon before Election Day, the OAS is often obliged to invest resources in a massive presence on the day of election. This is so given that missions do not always rely on resources with the anticipation that media observation requires.

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14. Project was implemented with support from the United Nations Democracy Fund (UNDEF).

Parallel to this effort, the OAS developed the tool “Observing the Use of Electoral Technologies: A Manual for OAS Electoral Observation Missions”. Complementing previous documents, the technology manual outlines the aspects to be addressed when observing elections that include high-tech processes such as the registering of candidates, voter registration, electoral mapping, electronic voting, preliminary results transmission and the modernization of the necessary documentation for the electoral process, among others. The methodology details the functions of IT specialists within the Core Group and specifies what aspects to observe in relation to the organization and the administration of processes in which information technologies could be employed. This document often serves as an introduction to electoral management bodies in terms of what technological aspects are considered by OAS missions. In this regard, the manual has proven to be an instrument to promote transparency in a topic which is often not as clear.

In line with these efforts, we came across “the responsibility to expose,”<sup>15</sup> that is to say, to incorporate a gender perspective into electoral observation missions. This focus has been converted into a tool that allows the GS/OAS to systematically analyze the participation of men and women in the electoral process: as voters, as candidates in national and local elections, as leaders of state institutions and within electoral bodies and political party structures. The implementation of the gender methodology, first as a pilot project in various missions, and more recently as a full-fledged part of OAS/EOMs, has generated unintended consequences: even when the methodology is not fully implemented, OAS/DECO personnel and the observers under their charge are watching the election with an expanded scope. As has been mentioned, OAS observer groups

are observing the same realities, but from another perspective, one that addresses how men and women exercise their political rights.

The most recent effort to expand the focus on observation was prompted by one of the main problems of our democracies, the relation between money and political power. The next step taken by the Organization was to develop an instrument that facilitated rigorous determination of many of the aspects related to financing, aspects which were observed ‘instinctively’ prior to the implementation of a formal methodology. The Methodology for the Observation of Political-Electoral Financing Systems allows OAS missions to observe the flow of money into campaigns, with the aim of formulating higher quality recommendations that ultimately contribute to strengthen the systems that govern the financing of political activity. The methodology focuses on the way in which financing systems affect the equity in electoral competition and transparency in the electoral process in general. In this context, OAS/EOMs observe whether public financing exists in law and in practice. Other topics observed include use of state resources and the restriction of private sources of funding, as well as the accountability of parties, governmental control and public access to relevant information, among other things.

Developing and implementing the aforementioned methodologies has constituted a fundamental step forward in the process of institutionalizing and standardizing the practice of OAS electoral observation, highlighting the importance on the “quality” of these processes and using equity in conditions of participation as the common thread of observation activities.

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15. Muñoz-Pogossian, Betilde. 2012. “The responsibility of making women visible: the role of the OAS Electoral Observation Missions in the promotion of the political rights of women,” Year 5 No. 14 May 2012, available at <http://www.mundoelectoral.com/html/index.php?id=907>.

#### **4. Beginning to define a new Electoral Observation Agenda**

A new agenda of observation must begin with reflection and analysis of progress achieved as well as those areas in which improvement is still needed. Given that the OAS is the political forum par excellence of the Western Hemisphere, the OAS electoral agenda is also influenced by the member states themselves, and therefore must respond to those topics which are of the most relevance to the political realities of these countries. In 2013, to celebrate the 50<sup>th</sup> anniversary of OAS International Electoral Observation, a process was initiated to discuss progress, achievements and limitations of observation which should result in guidelines for future evolution.

Nonetheless, the very same political moment that is occurring in the region has allowed the Organization to better identify where to focus its energy. The efforts to produce methodologies have focused on the observation of conditions of equity, and on the ability of citizens to exercise their political rights. One pending topic for observation missions is, for example, the observation of the political participation of under-represented groups; or in the terms defined by the Inter-American Commission on Human Rights, groups that have historically been target of discrimination. In this regard, a tool which allows the evaluation of conditions, such as the voting access of citizens who have been displaced due to situations like the earthquake in Haiti, are of utmost importance. To add an example, in countries with populations of African descent, the methodology must observe how this ethnic group participates as voters, candidates or members of an electoral authority.

Another item on the agenda is harmonizing the various methodologies that have been produced to date with the aim of refining the packet of tools implemented in the missions. An even more important

task is the effort to transfer the knowledge acquired by the OAS to other institutions that conduct electoral observation; as well as to civil organizations that play a crucial role in observing electoral processes but do not always possess the capacity to carry out this task. In this regard, the OAS is working on identifying areas of collaboration with domestic observer organizations thereby promoting the Declaration of Principles for Election Observation by Citizen Organizations, signed in New York in March of 2012.

#### **5. Some Conclusions**

Producing methodologies for the sake of producing methodologies does not serve the purpose of democracy building via elections. The methodological refinement by the OAS in the 2006-2012 electoral cycle is a direct result of the willingness and commitment of the Organization to promote elections that are increasingly democratic. The added value of these methodologies has four specific dimensions.

First of all, the implementation of these methodologies in the missions provides a rigorous framework for the gathering of information and the production of informed recommendations that are both specific and feasible. The emphasis lies undoubtedly in ensuring that recommendations are applicable. What is the purpose of producing general recommendations that do not contribute to improve the observed electoral system? The methodologies allow the OAS to document progress in the relevant issues and to recommend possible improvements, based on rigorous information.

Secondly, these methodologies produce data that have never before been produced or published. There is, for example, no tool that measures the level of men's and women's participation as poll workers. Nor is there an instrument that establishes indicators for equitable conditions in political-electoral financing, or

nor is there a better opportunity to collect such data than within the framework of an Electoral Observation Mission.

Third, the implementation of these methodologies, and the data and recommendations resulting thereof, are positioning the issues of gender and financing, for example, as key topics of public debate. The fact that these issues are part of public declarations made by the mission in the observed country places these topics, which are not always considered key issues, at the top of the list in the national debate.

To conclude, it bears emphasis that international academic literature and some political actors continue to assert that the principal purpose of electoral

observation is to deter fraud. As one of the few organizations carrying out international observation in the Americas, the OAS should make an effort to guide discussions on electoral observation beyond the concept of fraud, and to include the importance of placing emphasis on the pre-electoral period. The professionalization of electoral observation is only valuable in so far as it responds to the needs of the democracies in the region. These instruments are not perfect, but they have been designed with the institutional will to respond to the challenges in the region in a versatile fashion, and with the aim of continually consolidating the electoral observation work conducted by the OAS.

## CHAPTER III

### From Observation to concrete changes: Electoral Cooperation Projects

María T. Mellenkamp

The alternation of power and the succession of governments elected in free, inclusive and transparent elections are faithful examples of the continuous consolidation of democracy in the countries of the region. In this process, there has been no institution more relevant than the organizations that make up the electoral system: those authorities responsible for the administration of electoral justice and the organization of elections.

The establishment of specialized electoral bodies is a recent phenomenon in many countries of the region. In some cases, this change was precipitated by political reforms that separated electoral functions and created institutions with specific and limited responsibilities. The emergence of these new institutions has engendered eagerness within these institutions to carry out their work as efficiently as possible and to strengthen their internal capacities.

It is in this process where international organizations such as the OAS have played a leading role, accompanying electoral authorities in processes of institutional strengthening, and offering cooperation for the implementation of programs of diverse characteristics. The joint efforts of electoral management bodies and the OAS to promote quality and continual improvement, amongst other factors, has led to an electoral environment in the region, in which many electoral institutions are at the forefront in terms of organizing their elections.

The use of new technologies at all levels of electoral administration is one example of this modernization process. During the last few years, the application of technologies to simplify functions, accelerate and more closely monitor processes and procedures has become more relevant. Nowadays IT programs can be observed in the whole electoral cycle, from voter registration, to modern systems of preliminary results transmission, to the use of electronic voting machines.

The capacity and willingness of electoral management bodies to be evaluated, receive recommendations, to correct deficiencies and to carry out improvements that strengthen their ability to meet the needs of citizens has undoubtedly had a positive effect on the confidence enjoyed by these institutions. There are electoral bodies that audit tools of such paramount importance as the electoral registry, and others that have initiated work in quality management systems (QMS) in order to improve their services.

The OAS Department of Electoral Cooperation and Observation (OAS/DECO) has accompanied these processes to modernize and improve electoral services in the region through the implementation of cooperation projects. Most of the projects have focused on preserving and strengthening institutional frameworks, and on professionalizing, improving and legitimizing electoral management bodies.

Between 2007 and 2012, in order to better respond to the needs of Member States, the General Secretariat

of the Organization of American States (GS/OAS) has focused on staying abreast of new tools that allow electoral bodies to modernize and improve the quality of services offered to citizens, and to strengthen their institutional capacity to organize and administer elections.

Since 2007, OAS/DECO has implemented a total of 26<sup>16</sup> technical cooperation projects in a variety of areas, particularly the following: audits of electoral registries, electronic voting, electoral mapping and quality management, among others. Furthermore, a total of 27 inter-institutional technical cooperation agreements have been signed during the same period.<sup>17</sup>

As of 2007, technical cooperation has changed its focus as well as the way in which it implements its programs for the benefit of Member States. This change is due to various factors: however, the most relevant ones are related to what we call the “graduation” of certain electoral bodies, the decrease of available financial resources, and a change of philosophy within the Organization.

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16. In the following countries: El Salvador, Honduras, Bolivia, Guatemala, the Dominican Republic, Costa Rica, Peru, Mexico, Panama, Paraguay, Antigua & Barbuda, Argentina, Chile, Brazil and Ecuador.

17. With the following institutions: Federal Electoral Institute of Mexico (IFE), Supreme Electoral Court of El Salvador (Tribunal Supremo Electoral, TSE), National Election Court of Bolivia (Corte Nacional Electoral, CNE), National Jury of Elections of Peru (Jurado Nacional de Elecciones, JNE), Electoral Tribunal of the Republic of Panama (Tribunal Electoral, TE), Supreme Electoral Court of Costa Rica (Tribunal Supremo de Elecciones, TSE), National Electoral Council of Ecuador (Consejo Nacional Electoral del Ecuador, CNE), Federal Electoral Court of the Federation of Mexico (Tribunal Electoral del Poder Judicial de la Federación de México, TEPJF), Supreme Court of Electoral Justice of Paraguay (Tribunal Superior de Justicia Electoral, TSJE), Supreme Electoral Court of Honduras (Tribunal Supremo Electoral, TSE), Supreme Electoral Court of Brazil (Tribunal Supremo Electoral, TSE), National Electoral Chamber of Argentina (Cámara Nacional Electoral de Argentina), Federal Institute for Elections and the Citizens’ Participation of the State of Jalisco (Instituto Electoral y de Participación Ciudadana del Estado de Jalisco), Electoral State Commission of Nuevo León, Mexico, Province of Cordoba, Province of Santa Fe, Central Electoral Board of the Dominican Republic (Junta Central Electoral, JCE), Electoral Court of the Federal District of Mexico (Tribunal Electoral del Distrito Federal de México).

Clearly, many electoral bodies of the region have experienced significant growth in terms of the organization of elections. As a result, traditional long-term projects (in some cases with an implementation period of more than a decade) were no longer necessary. Moreover, an evaluation of long-term programs showed that it was important to prevent dependency on OAS projects. Technical cooperation projects aim to provide tools and specific knowledge in such a way that electoral bodies are able to continue on their own path, after the specialized technical group has completed its accompaniment. In other words, the aim is to create capacities in the countries and to install them so that the effects are sustainable beyond the timeframe of external cooperation.

Furthermore, the decrease of resources made it necessary for the OAS to reconsider cooperation projects with feasible short-term objectives, with more efficient and effective use of resources, and with specific and measurable results. Due to various factors, the availability of resources is unfortunately not the same as one or two decades ago. This change necessitated a reconsideration of the ways in which cooperation is provided in order to reach more countries at different stages of institutional development and through specific programs, all of which are results-oriented and measurable.

The philosophy of the OAS has also gone through an important change. We no longer speak about ‘assistance,’ but refer to this support as ‘cooperation’. The concept of assistance implies a vertical and asymmetrical relationship characterized by experts who carry out long-term projects and later leave the country. On the other hand, cooperation implies a relationship between equals, between partners, one that promotes the exchange of electoral experiences between peers (South-South cooperation) using consultants and experts from the countries of the region. Thus conceived, cooperation becomes a tool to promote or facilitate internal changes within the

electoral bodies, with the explicit understanding that the protagonists of this internal change are the very members of the electoral bodies, and that the final aim is the strengthening of their institution. Seen in this light, cooperation is a transformative tool that promotes sustainability; and it is the electoral bodies themselves, their personnel and their authorities who are the protagonists of their institutional development.

### 1. Taking a look at Electoral Registration

Voter registration is one of the most important tasks of electoral administration and an integral aspect of the electoral process as a whole. A reliable and precise electoral register (the list of people eligible to vote) is crucial for the holding of democratic elections as it promotes participation and the exercise of a political right, and creates confidence in the validity of electoral results of the elections and legitimizes the electoral process. Voter registration should be inclusive, ensuring that all people who have the right to vote are able to exercise their right on Election Day. By the same token, people who are not entitled to vote should not be allowed to do so.

Electoral registries support democratic principles *promoting political equity* for all citizens and the inclusion of eligible voters in the electoral process. The latter aspect is fundamental considering the efforts that states can make to register all voters, and in particular underrepresented sectors or those groups with low registration rates, such as women, young people, and members of ethnic minorities, among others.

With the establishment of electoral bodies in the 1990s, reliability in the process of registration became an indispensable prerequisite for a transparent electoral process. Inclusive, transparent and precise registration of voters guarantees citizens the free exercise of their right to vote, while helping to protect the electoral process against any form of external manipulation.

Contemporary challenges to the accuracy and modernization of electoral registries are more and more related to technological innovations facilitating the updating and purging of voters' lists. The incorporation of new technologies and IT tools like those used for *biometric* registries, such as the case of Bolivia in 2009<sup>18</sup> in which more than five million citizens were registered, demonstrate the important steps that have been made in Latin America to improve electoral registers, the results of which are reflected in increased confidence in institutions and electoral processes. Moreover, in 2006, within the framework of cooperation provided to the electoral body in St. Lucia, specialized recommendations focused on the electoral register and the need to update it.

Voter registration systems and the systems that regulate such systems can vary considerably from country to country, as can the various institutions involved in different aspects of the process. In this regard, it is crucial that the legal framework that regulates the registration system, including the updating and the cleansing of an electoral register, specifies clearly divided responsibilities between the different institutions and individuals involved.

Furthermore, political parties and citizens play crucial roles. The supervision of political parties, on one hand, and the responsibility of the citizens in maintaining updated information, on the other, are crucial elements that guarantee the quality of the electoral registry, and which go beyond the type of registration system employed in the country.

Nonetheless, the verification of the quality of information in the electoral register, and of respect for the basic principle of "one voter, one vote", is a delicate and highly important task. Audit processes can be initiated through a decision by electoral bodies themselves or as a result of political agreements, which employ this mechanism to evaluate the quality

18. Biometric Voter Registration Project, GS/OAS Bolivia 2009.

of the electoral register of a country; in all cases, the integrity of the voter registration process is an essential part of the electoral debate, as it provides the basis for the conformation of the voters' list. In this regard, it is crucial that the grade of reliability, transparency, cleansing and updating of an electoral register is determined prior to any electoral process. Determining the current status of an electoral registry and establishing mechanisms to carry out adjustments generates higher levels of confidence within civil society, political parties and other sectors.

The GS/OAS is firmly convinced of the fundamental importance of the audit as a mechanism to revise procedures, to obtain a "picture" of an essentially dynamic instrument, which if subject to assessment by an external and objective entity, can benefit from recommendations aimed at encouraging its continuous improvement.

The technical cooperation of the GS/OAS in terms of audits of electoral registries began in 2007, when the "primary sources" of the registration process were audited upon request by the Supreme Electoral Tribunal (TSE) of El Salvador. The GS/OAS operates with its own "two-way methodology"<sup>19</sup> to audit electoral registries. This methodology has evolved significantly since the first experience in the field in 2007 with the TSE of El Salvador. Since that point, comprehensive two-way audits of electoral registries have been carried out in Paraguay (2010), Guatemala (2010) and the Dominican Republic (2011).

On the basis of the audits carried out in these countries, important short, medium and long-term recommendations have been formulated for the

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19. Described as "comprehensive" due to the fact that the components of the electoral register are audited through the systematic revision of a number of fields and processes. Described as "two-way" because field work is used to verify the information contained in the electoral registry against information about the electorate in two ways: from the list to the person, and from the person to the list.

electoral authority. These recommendations are directed not only at the electoral authority, but also to each and every one of the institutions involved in the elaboration, updating and cleansing of the electoral registry.

## **2. Quality Management: A Tool to Promote the Professionalization of Electoral Institutions**

To think about the meaning of the concept of *quality* and its applicability within the *electoral context* is a practical exercise. This is especially so if one seeks to evaluate the existence of clear and documented processes and criteria for measuring how effective an electoral body is in providing services to electors. The concept of quality is closely related to the concept of democracy, given that the satisfaction of citizens and the manner in which they perceive the management of their institutions have a direct impact on the legitimacy of electoral processes and electoral results.

The experience of the last few years has led the GS/OAS to focus its view on new more modern mechanisms to improve electoral management. Within this wave of changes and new tendencies, in 2007 the GS/OAS entered the field of quality through the implementation of *quality management systems* and the *certification under ISO standards*.

The question then arises: why is a concept which, up until a few years ago, was only used in the private sector being employed in the public sector, and more specifically to the electoral field? The answer lies in the specific, tangible and measurable results that quality management can provide to all levels of the electoral arena. No other tool is able to obtain these results in their entirety, with such a degree of detail, and in such a comprehensive fashion. Quality management aims to systematically integrate all the areas, processes, activities and functions within an institution so that said institution works as one unit.

Although the region has achieved enormous progress over the past few decades and its electoral institutions have made important efforts to improve and strengthen their processes, the challenge of strengthening public confidence and credibility remains. The level of confidence of political parties and citizens in their electoral authorities, specially their capacity to carry out their functions, is crucial for both the credibility of the electoral process and the recognition of the elected government.

The quality management applied in electoral bodies focuses on preserving and strengthening institutionality and promoting the professionalization, improvement and legitimacy of their work. Applying the principles of quality management contributes to improvements in the services offered to citizens and other organizations. Establishing and implementing a Quality Management System (QMS) can facilitate the regulation of different fields, such as procurement, logistics, arrangement of polling stations, electoral calendars, citizen services, manuals, electoral and civil registries. The regulation of each process or procedure can contribute to a higher level of “accountability,” strengthening institutionality, since processes no longer depend on the people who execute them.

Electoral bodies such as the Electoral Tribunal of Panama (TE) exemplify the advantages and benefits that the implementation of QMS and certification has brought the institution. The quality management system has brought about changes and results in all processes and areas that were certified under ISO. Among other advances, the standardization of processes on a national level was achieved, transforming routine to documented processes, with clearly defined results controlled by internal follow-up audits. This allowed the TE to improve and strengthen its system from the point of view of citizen satisfaction.

*“In order to achieve quality, the institutions that subject themselves to certification must change their attitude comprehensively, in order to systematically document each action, so that their processes become as transparent as possible and the product of this effort has an impact on the satisfaction of those using it on a daily basis.” Electoral Tribunal of Panama.*

The GS/OAS has provided technical cooperation to the electoral bodies of Panama, Peru and the Dominican Republic through the implementation of quality management systems and their subsequent certification against ISO standards. The GS/OAS has also provided technical cooperation for the Costa Rican electoral body through support in the diagnosis of some of its key processes.

The benefits resulting from the implementation of Quality Management Systems during the last few years, as well as the lessons learned by both the countries themselves and the GS/OAS, demonstrated a clear need to establish requirements directly related to the electoral context, against which the electoral body can certify. In order to make progress in the field of quality management, the GS/OAS took the initiative to develop and promote an ISO international electoral standard against which electoral bodies in the region and around the globe can certify.

The new standard, developed by a group of officials from electoral bodies in the region, experts in the field of ISO standards, certifying organisms and the GS/OAS, consists of a total of eight “vital” processes<sup>20</sup> of electoral body management. Some countries have already initiated actions to certify against this standard. The ISO electoral standard will be the first norm in the social domain that establishes requirements against which electoral bodies can certify, and that can be

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20. 1) Voter registration, 2) The registration of political organizations and candidates, 3) Electoral logistics and planning, 4) Vote casting, 5) Vote counting and results transmission, 6) Voter education, 7) Oversight of political financing, and 8) Electoral dispute resolution.

applied respecting the legal framework of each country. The ISO 17582 is at this moment a draft international standard (DIS) and finds itself in its final stage for the approval of the central secretary of ISO.

While the electoral bodies of the region have achieved different levels of development, which affect the advances and achievements of the quality model of the organization, it is also important to point out that the institutional structure as well as the processes and procedures conducted by each body constitute a sovereign decision of each state.

The decision to implement a quality management system is absolutely voluntary. It implies an organizational mentality open to change, and a convinced and engaged senior management capable of extending this motivation to all organizational personnel. The decision of an electoral body to adopt a quality management system (QMS) is strategic and creates conditions for change, growth and ultimately social progress.

### **3. The Application of Common Criteria for the Resolution of Disputes in the Electoral Field**

Electoral jurisprudence comprises all resolutions, sentences and/or judgments issued by bodies with jurisdictional power.

A regional tendency can be observed, in which the resolution of conflicts of an electoral nature are carried out by courts, either common or electoral tribunals, which are in charge of interpreting and applying the electoral law and creating jurisprudence in this matter.

Electoral jurisprudence is in a state of continuous development and evolution, so it could be said that it goes hand in hand with the political institutional development of each country and is based on the guiding principles of the electoral law, such as respect for the will of the electorate as freely expressed in

the polls. In this regard, the competent constitutional electoral court has the responsibility for law enforcement through the implementation of specific regulations for each country.

Electoral jurisprudence also refers to matters governed by the laws that regulate voting processes and determine electoral systems, such as complaints against electoral acts and issues relating to the application of the laws regulating the registration, the organization, the functioning and the disappearance of political organizations, for example.

The holding of periodic elections with universal, equal and secret suffrage should be established within a framework of necessary guarantees that guarantee that electoral results represent the will of the people. This also includes the possibility that the voters can, if such is the case, effectively appeal against an electoral process in which there are perceived irregularities. Such a possibility underscores the importance of the function and role of electoral justice.

Electoral jurisprudence is of great importance, given its role as a precedent to be considered in future decisions in the application of the laws in the electoral field, and in the improvement and adjustment of electoral norms and regulations. In this sense, the adoption of similar procedural standards for a standardized and consistent processing of electoral disputes is a challenge on the regional level. The GS/OAS has started initiatives in this field, such as systematizing jurisprudence on affirmative actions like gender quotas that favor women, the aim of which is to strengthen and enrich the management of these bodies from a perspective where common positions in jurisprudence are exchanged and enforced.

The Electoral Jurisprudence Portal<sup>21</sup> is a tool that was developed to systematize court sentences on electoral issues; its aim is to provide relevant case law of electoral organizations to other electoral organizations, investigators, students and the public in general. Thanks to the efforts of different courts, three volumes of “Judicial Sentences on Electoral Issues” have been published as of this writing. The first volume addresses principles of electoral interpretation, the second addresses Electoral Justice, and the third addresses Electoral Rights. There have also been two special volumes, one about the political inclusion of women, quota and parity measures; and the other about the political financing of campaigns.

Regarding future initiatives, the creation of an annual exchange forum among electoral courts has been planned, to discuss topics and cases on matters concerning jurisprudence. Another similar planned initiative is an electoral jurisprudence observatory to discuss recurrent topics of case-law, international standards and different decisions of different courts.

In an effort to provide continuity, and to deepen the connections and the knowledge achieved, the courts have also shown interest in creating a group of experts, which will provide an advisory body in support of those countries that so require in matters of electoral law, and promote the debate and study of different aspects related to electoral jurisprudence. The idea of an expert group was also motivated by the experience of the European Commission for Democracy through Law, better known as the Venice Commission, which brings together independent experts who either have extensive experience in democratic institutions or have made significant contributions to the development of law and political science.

Finally, and to conclude, it bears reiterating the importance for the OAS to continue promoting initiatives in a variety of fields of cooperation, particularly, the creation and application of the international electoral ISO standard, the strengthening of electoral registries, and at the same time to continue promoting initiatives of horizontal cooperation between electoral bodies, with the aim of strengthening the exchange of experiences and the promotion of good practices in the region.

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21. See at <http://www.jurisprudenciaelectoral.org/>

## CHAPTER IV

### The Role of International Electoral Observation Missions in the Promotion of the Political Rights of Women: The Case of the OAS

Kristen Sample and Betilde Muñoz-Pogossian, Ph.D.<sup>23</sup>

The community of international organizations that signed, in 2005, the Declaration of Principles for International Electoral Observation (DOP) defines *international election observation* as “the systematic, comprehensive and accurate gathering of information concerning the laws, processes and institutions related to the conduct of elections and other factors concerning the overall electoral environment; the impartial and professional analysis of such information; and the drawing of conclusions about the character of electoral processes based on the highest standards for accuracy of information and impartiality of analysis”<sup>23</sup>. The Organization of American States characterizes it as the process whereby an organized group of individuals from outside the host country systematically carries out a series of complex actions and activities to observe an electoral process in a direct, complete, and precise manner.<sup>24</sup> These definitions refer to the process of assessing compliance with international standards and national legislation for democratic elections, and observing conditions for the full exercise of political rights of citizens within the context of electoral processes.

The full exercise of political rights is, in our view, directly related to the existence of electoral equity, defined as the existence, in all three phases of the electoral

process<sup>25</sup>, of conditions of equitable access as well as impartiality and freedom, which ensure that all voters are able to exercise their franchise and all candidates are able to participate on a level playing field in the competition for public office. The observation of conditions of equity in electoral competition necessarily involves paying close attention to whether such conditions hold in the exercise of political rights. From the perspective of gender equality, electoral equity is thus understood as the existence of conditions in which women and men are able, in an equal manner, to exercise their rights of political citizenship. Political citizenship exercised in the three substantial manifestations of these rights: the right to elect and to be elected; the right to participate in the management of public affairs and the formulation of public policy; and lastly the right of access to public service, namely the right to hold political office.<sup>26</sup>

With few exceptions, gender has not typically been addressed in electoral observation missions. In fact, in the Third International Meeting on the Implementation of the Declaration of Principles for International Election Observation, held in 2008 in Maputo, Mozambique, international organizations that monitor elections in the Americas, including the

22. The authors would like to thank OAS/DECO team members, Tyler Finn and Sara Mía Noguera, for the research and editing support provided for the preparation of this paper.

23. Declaration of Principles for International Electoral Observation, available at [http://www.ndi.org/files/1923\\_declaracion\\_102705\\_0.pdf](http://www.ndi.org/files/1923_declaracion_102705_0.pdf).

24. Manual for OAS Observation Missions, p. 10. Washington, DC 2010.

25. The three phases of an electoral process include the pre-electoral phase, the day of elections, and the post-electoral phase. For detailed information on this, please see OAS Manual for Electoral Observation missions found at [http://www.oas.org/en/spa/docs/Manual\\_Misiones\\_publicado\\_en.pdf](http://www.oas.org/en/spa/docs/Manual_Misiones_publicado_en.pdf)

26. BAREIRO, Line y TORRES, Isabel: Igualdad para una democracia incluyente. Instituto Interamericano de Derechos Humanos, San José, Costa Rica: IIDH, 2009, página 30.

National Democratic Institute (NDI), the European Union, The Carter Center (TCC) and the OAS, noted that although mandates and commitments exist at the higher institutional level to consider gender issues in their work, there tends to be a palpable reluctance to spare actual time and resources on the issue, as well as an overall lack of political will to follow-up on promises to do so.

There are recent encouraging signs, however, that observer organizations are beginning to give serious consideration to the issue, increasingly incorporating gender analysis into their planning, mission composition, resource allocation and recommendations. This chapter offers a review of the various actions being carried out by electoral observation organizations, both national and international, to observe the exercise of political rights by men and women in their electoral observation missions. Similarly, it describes recent efforts by the Organization of American States, in close collaboration with International IDEA, to develop a rigorous and systematic tool to assess how women and men participate in elections.

### 1. A Principled Approach to Gender?

The DOP guides the work of the 45 signatory international election observation groups. While affirming a general commitment to non-discrimination in various instances, only one of the principles explicitly addresses gender concerns: *“The endorsing organizations also recognize the importance of balanced gender diversity in the composition of participants and leadership of international election observation missions, as well as diversity of citizenship in such missions.”*

An analogous experience at the level of national election observation groups can be seen in the 2012 Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations, which was coordinated by the National

Democratic Institute in partnership with networks of national observer groups and is endorsed by over 160 nonpartisan election monitoring organizations. This document goes much further than the International DOP text in terms of promoting an explicit commitment to gender equality, as seen in the following pledges. The institutions commit to:

- Include findings and recommendations in their reports concerning the participation in election processes of women, youth, indigenous peoples, national minorities and other traditionally underrepresented portions of the population, such as, those with disabilities and internally displaced persons (IDPs), as well as concerning steps taken by authorities, electoral contestants and other actors to encourage full participation of such groups and/or to remove barriers to their participation, including those affecting voter registration, candidate selection and qualification, voting and receiving accurate and adequate information in minority languages in order to make informed electoral choices.

The non-partisan citizen election observation and monitoring organizations commit their effort to

- Help to safeguard the rights of voters and prospective voters to exercise their electoral choice freely and without improper discrimination, unreasonable restrictions, interference or intimidation, which includes promoting respect for the secrecy of the ballot, the rights of eligible persons, including women, youth, indigenous peoples, members of national minorities, persons with disabilities and other traditionally marginalized populations, to register to vote, to receive in languages they understand sufficient, accurate information in order to make an informed choice among the political contestants and

to engage in other aspects of the election process;<sup>27</sup>

The reference made by the International Declaration of Principles (DOP) signatory institutions must mimic that of the Citizen Observers and, without a doubt, go further than the mere recognition of diversity in the composition of the observer teams, and its leadership, but integrally mainstream an approach that allows for the assessment of how women and men participate in an election, as voters, as candidates, as members of the electoral authorities, among other things. Although the DOP document does not explicitly say this, in practice, signing institutions have been incorporating tools to conduct gender analysis into their election observation work, and to produce concrete and feasible recommendations to promote the full exercise of the political rights of women.

## 2. The Gender-Sensitive Approach in Practice

Electoral observation by international organizations must go beyond the DOP's rhetorical call for diversity in the composition of its teams to integrally mainstream an approach that allows for the assessment of how women and men participate in an election, as voters, as candidates, as members of the electoral authorities, among other things. Fortunately, a number of the signatory DOP organizations have begun to incorporate tools for gender analysis into their election observation work, and to produce concrete and feasible recommendations to promote the full exercise of the political rights of women.

Over the last decade, two organizations have stood out in particular in terms of the incorporation of a gender-sensitive approach in EOMs: the **Organization for Security and Cooperation in Europe (OSCE)** and the **Electoral Institute for Sustainable Democracy in**

27. Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organization available at <http://www.gndem.org/declaration-of-global-principles>

**South Africa (EISA).** As far back as 2000, the inter-governmental OSCE published the Handbook on Monitoring Women's Participation in Elections, which provides guidelines for observers to identify those elements of an election process that affect gender participation. It was developed as part of OSCE's effort to enhance equality between women and men by mainstreaming gender issues into all areas of its work. The handbook includes steps that EOMs should implement to ensure the integration of a gender perspective and has been implemented in numerous EOMs by the OSCE.

The Electoral Institute for Sustainable Democracy in Southern Africa (EISA), a non-profit organization based in Johannesburg with offices in six countries, stands out for disaggregating gender information within its checklists including aspects such as accessibility for women, and percentage of women officials. EISA mission reports consistently include recommendations aimed at ensuring gender equality in elections.

The **European Union (EU)** has made strides towards a gender-sensitive approach in recent years, particularly in terms of the incorporation of gender within its electoral cycle framework. Notably, the 2007 **EU Methodological Guide on Electoral Assistance**<sup>28</sup> provides a breakdown of the gender-related issues that should be examined<sup>29</sup>. With the support of the **Network for Enhanced Electoral and Democratic Support (NEEDS)** project<sup>30</sup>, the EU has developed detailed gender guidelines for each Core Team position in Election Observation Missions. After much internal

28. To be found at:

[http://ec.europa.eu/europeaid/multimedia/publications/documents/thematic/ec\\_methodological\\_guide\\_on\\_electoral\\_assistance\\_en.pdf](http://ec.europa.eu/europeaid/multimedia/publications/documents/thematic/ec_methodological_guide_on_electoral_assistance_en.pdf)

29. EU Methodological Guide on Electoral Assistance, 2007, Chapter 3

30. The **Network for Enhanced Electoral and Democratic Support (NEEDS)** was a project funded by the European Commission, designed to enhance the quality and capacity of European Union Election Observation Missions and support domestic observer organisations around the world, by providing guidelines and training opportunities for observers.

discussion, the EU opted for a cross-cutting approach, rather than dedicated specialists, meaning that gender is mainstreamed into the responsibilities of the legal analyst, political analyst, media expert, observer coordinator and deputy chief observer.

The 2012 Egypt mission represented **The Carter Center's** first truly gender integrated EOM. Observers collected both quantitative and qualitative data regarding women's political participation across the board, including voters, candidates, media, electoral management bodies, and civil society. In partnership with five civil society organizations in Latin America, **International IDEA** and **UNWomen** developed a gender-sensitive media monitoring methodology that was implemented in eight countries between 2009 and 2012. The use of a common methodology has permitted cross-country comparisons on both candidate and platform (gender issues) coverage. According to their study, the inequities found in terms of the level and quality of press coverage received by male and female candidates call into question the possibility of an "equal playing field" in campaigns.<sup>31</sup>

**Asociación Civil Transparencia from Peru** is among the world's strongest national observation organizations. Election monitoring was first introduced in 2000, with the gender perspective incorporated in 2006. Transparencia's work on gender sensitive campaign expenditures is particularly innovative.

It is estimated that **Building Resources in Democracy, Governance and Elections (BRIDGE)**, a professional development program focused on electoral processes, has reached over 12,600 individuals through more than 630 workshops. A "Gender and Elections" module, first developed in 2004, and later revised and expanded by IDEA and UNDP has been held 43 times as a stand-alone module with an approximate total

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31. Beatriz Llanos, *Ojos que No Ven: cobertura mediática y género en las elecciones latinoamericanas*, published by International IDEA and UNWomen

of 860 participants. Over the last few years, specific gender facilitator trainings have also been carried out around the world – with the aim of accrediting facilitators with a strong gender focus. Gender is also a cross-cutting theme which has been mainstreamed in every single one of the 24 modules of BRIDGE.

### **3. International Electoral Observation with a Gender Perspective: The Case of the OAS**

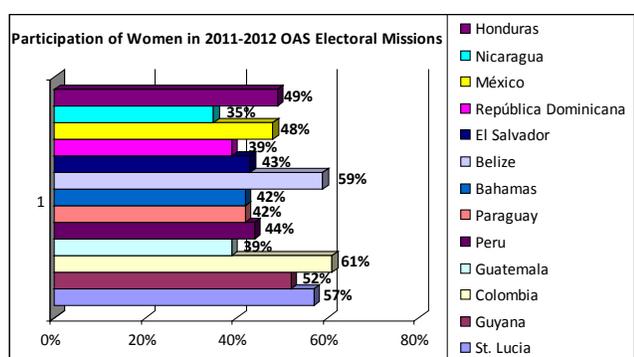
Since 2006, the Organization of American States (OAS) has taken significant steps to professionalize and systematize the observation of electoral processes in the Americas. To this end, the Organization has created tools to standardize the observation process through quantitative and qualitative inputs that will provide the basis for an overall assessment of elections. This standardization process has been vital in steering OAS Electoral Observation Missions towards a "third generation" of electoral observation, that is, long term, comprehensive missions that focus on the overall quality of an electoral process from a wider perspective<sup>32</sup>, as opposed to limiting observation to the day of the election. In this context, the OAS, as the leading intergovernmental regional organization that monitors elections in the Americas, has taken on the task of mainstreaming a gender perspective into its election observation methodology. The methodology developed with International IDEA will allow the OAS to assess, as well as contribute to, the full and equal participation of women and men in the electoral process, at all levels: as voters; as candidates in national and local elections; as leaders within state institutions (cabinet members); within electoral management bodies (EMBs); and within political party structures, with the overall objective of identifying and exposing the barriers that still exist regarding the full political participation in a given country, within

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32. Elizabeth Spehar and Betilde Muñoz-Pogossian with Raúl Alconada Sempé (eds.), *The 2005-2006 Electoral Cycle in the Americas: A Review by the OAS General Secretariat* (Washington, DC: General Secretariat of the OAS, 2007).

the context of the electoral process observed. This methodology puts emphasis on the conditions for access to political participation and, using data from the media observation methodology as well as the political financing tool, makes an effort to identify, firstly, whether there is a level playing field for men and women to participate in elections, and secondly, and if a difference is identified, what the roots of this difference are.

How to expose? How can the OAS, from its electoral observation mandate, contribute to making women visible? Incorporating a gender perspective into electoral observation goes beyond numbers. Without a doubt, this is important and the OAS has aggressively pursued more balanced representation of men and women in its missions (see chart below), thereby complying with the Principle established in the 2005 Declaration of Principles to have a *balanced gender diversity*. However, it is not sufficient to ensure gender balance and the equal representation of both sexes in the composition of missions, though this is a necessary step as well as a policy of the OAS Department for Electoral Cooperation and Observation (DECO) and the OAS as a whole.<sup>33</sup> Gender-focused electoral observation has to go beyond this to identify, describe and analyze the causes of those inequalities that affect the political rights of women in an electoral context.



Source: Prepared by the authors for this publication

Focusing on the OAS definition of Democratic Elections, OAS/EOMs assess the conditions for the exercise of women’s political rights from four perspectives. The OAS observes 1) that the elections are inclusive, in which all citizens - both male and female - enjoy conditions that allow them to exercise their right to vote and are effectively given conditions to exercise this right; 2) that the elections are clean, in which the electoral preferences of both male and female voters are respected and faithfully recorded; 3) that elections are competitive, in that diverse options are offered to the electorate and both male and female candidates can participate in conditions of relative equality; finally, 4) that the main public offices are filled through regular elections, and that those elected are not removed once in power. Based on the attributes of democratic elections, OAS/DECO has systematically identified quantitative and qualitative indicators to assess gender equality in every aspect of the observed electoral process from registration and polling station access to the freedom of association and right to access to information, among other things.

Thus, OAS/EOMs provide an ideal space to assess and expose the gap between formal and actual equality; to reveal the disparities between the rights and guarantees enshrined in international treaties and a reality in which women still confront a series of barriers impeding their ability to vote and in which, in many cases, women do not enjoy equal opportunities to compete for public office. Furthermore, the inclusion of this gender focus, beyond being an institutional obligation, also entails substantive benefits to the work of democratic strengthening carried out by the OAS through its missions.

The most significant of these benefits is the possibility that the conclusions and recommendations formulated by the OAS in its observation missions and presented to the governments and electoral authorities of the host country will serve as springboards for

33. For more information, please see: <http://www.oas.org/en/cim/docs/CIM-StrategicPlan2011-2016-ENweb.pdf>, OAS-Interamerican Commission of Women Plan of Action 2011-2016.

change. Ideally, recommendations result in technical cooperation projects directed at strengthening the capacity of electoral authorities to promote gender equality. In general, they serve as an impetus for OAS member states to initiate or strengthen processes to transform the asymmetrical relationship between men and women in the political-electoral arena. After all, the underlying goal of this observation methodology is to find solutions to one of the biggest problems facing democracy in the Latin American and Caribbean region: gender inequality.

#### **4. The Methodology at Work: *Beyond the theoretical framework***

In order to ground this theoretical vision in practice and to determine exactly how it should be implemented within the framework of an OAS electoral observation mission, the methodology was tested in various electoral processes in 2010 and 2011. Pilots were carried out in the municipal elections in Paraguay (November 2010), presidential elections in Peru (April 2011), presidential elections in Guatemala (September 2011), municipal elections in Colombia (October 2011) and general elections in Guyana (November 2011). The experience of the observation team deployed to the Saint Lucia general elections of November 2011 is also included. Given the diversity of political contexts and types of elections observed, each mission presented distinct challenges. Each shed new light on the best ways to practically apply gender observation methodology in the context of an OAS/EOM, and revealed recurring themes and challenges to the full exercise of political rights by women.

##### ***Paraguay***

In order to conduct the first pilot of the observation methodology during the 2010 municipal elections in Paraguay, the OAS brought a team composed of an OAS/DECO specialist and two gender experts from International IDEA. As a signatory of the major international legal instruments on gender equality, and a

country with constitutional guarantees of equal political rights for men and women as well as a quota, Paraguay was an ideal case in which to test whether there were gaps between norms and practices. Despite Paraguay's favorable legal environment, the Mission's analysis of candidate lists revealed a low percentage of female candidates, 9.6%. Women were often placed towards the bottom of the lists. In the context of Paraguay's closed-list electoral system, such low placement severely jeopardized the electability of female candidates. Even considering that its threshold of 20% is the lowest in the region, the quota proved ineffective in its avowed aim of increasing the political participation of women. Through interviews with stakeholders, the Mission concluded that the quota was ineffective for several reasons: 1) its application is limited to primary elections; 2) the lack of adequate mechanisms to ensure compliance, and 3) the lack of political will within state parties to include women at the top of the lists. During the mission in Paraguay, the team encountered an obstacle that has since been seen in a number of countries in the region, the lack of available electoral information disaggregated by sex. In this case, information gaps prevented the team from verifying the total percentage of female candidates on a national level, a vital data point.

The Gender Analysis team gathered information regarding the voting process by incorporating gender-specific questions into the standard questionnaires filled out by international observers. This tool allowed the Mission to receive critical and unprecedented data on the gender composition of voting tables, as well as the percentage of women serving as presidents, party agents and domestic observers. Observer testimony revealed that women made up high numbers of all of these categories, as indicated by the following chart:

Table 1. *Electoral Participation at Polling Stations, Disaggregated by Sex: Paraguay Municipal Elections, 2010*

	Poll Workers	Presidents of Voting Tables	Party Agents	Domestic Observers
Women	54.2%	57.1%	54.6%	72.2%
Men	45.8%	42.9%	45.4%	27.8%

Source: Prepared by the authors for this publication

The discrepancy between high numbers of women participating in the administration of the electoral process and low numbers as candidates and positions of authority has unfortunately proved a recurring theme in the region. In Paraguay, observers noted that this tendency is reflective of a “secretarial” conception of women’s role in the political process held by political parties. The obstacles presented by entrenched cultural norms proved to be an important explanation of gender inequality in Paraguay. Incorporating gender perspectives into state and electoral bodies was identified by the Mission as a possible way forward. In this sense, the establishment of a specialized Gender Unit within the Paraguayan Electoral Justice Tribunal represented a promising development, one that will hopefully lead to an increased focus on the promotion of female political participation and training.<sup>34</sup>

### Peru

As was the case in Paraguay, the team conducting the gender pilot in the Peruvian presidential elections consisted of OAS/DECO gender specialists as well as gender experts from IDEA. As a result of this pilot, it was decided that in the future the gender methodology will be implemented largely by the Mission’s core group, with the help of a gender specialist responsible for training observers, conducting interviews and compiling the information received. The idea was that a gender perspective would be “mainstreamed” and incorporated into every aspect of the Mission’s work.

34. Detailed information on the Gender Unit in the Electoral Justice Tribunal of Paraguay can be found at <http://www.tsje.gov.py/unidad-de-genero.php>

The team in Peru found that, as expected, the passage of a gender quota in 1997 had contributed to a notable increase in the political participation of women at the legislative level. The percentage of female candidates running for Congress rose from 11.3% in 1995 to 40% in the 2011 elections. Not only did more women candidates appear on the ballot, but as the results showed, the electorate actually voted for female candidates when they were given a chance to rank their preferences at the ballot box. Nonetheless, analysis of candidate lists revealed persistent gaps between men and women. Despite the strong performance of female candidates at the polls—Peru is among the countries with the most women legislators—women rarely appear at the top of the lists put forward by political organizations.

Table 2. *Electoral Participation at Polling Stations, Disaggregated by Sex: First Round of Peruvian Presidential Elections, 2011*

	Primary Poll Workers	Presidents of Voting Tables	Party Agents	Domestic Observers
Women	45%	40%	52%	58%
Men	55%	60%	48%	42%

Source: Prepared by the authors for this publication

Another obstacle for female candidates in the Peruvian elections as identified by key political stakeholders was inequality in terms of access to political financing. Economic disparities between women and men proved especially determinant in the context of the Peruvian electoral system. With preferential voting, electoral performance depends to a large degree on the amount of money spent on the media and other types of publicity. Considering the discrepancies in salary between men and women in Peru, the Mission recommended the implementation of gender-focused public financing to level the playing field for female candidates. In general, the Peruvian elections exposed an important truth. Under the closed, unblocked lists of the Peruvian electoral system, the quota does not guarantee an increased number of women elected.

Rather, it simply provides voters with a more equitable electoral list. The Peruvian pilot proved that equity in the political system must go beyond compliance with formal regulations. It involves imbuing the system and the involved political actors with a gender perspective and with a substantive commitment to gender equality in political participation.

**Guatemala**

By September 2011 and the third pilot for the Presidential elections in Guatemala, the gender observation methodology had largely been defined and the gender analysis team was reduced to two DECO specialists, one female and one male. Findings from the Guatemala OAS/EOM revealed significant progress in an area that, despite its fundamental importance to the political participation of women, is often overlooked: registration. The fact that the female electorate for the first time constituted the majority of the electoral registry represents a historic achievement for Guatemala, especially in light of the fact that women make up 52% of the Guatemalan population. Unfortunately, the increased number of registered women was not reflected in greater female participation in the electoral competition; less than 15% of the total candidates were women. Representation was even lower at the local level, as only 6% of the nearly 2500 mayoral candidates were female.

The Guatemalan elections exemplified the important role played by political parties as the bodies responsible for deciding which candidates are presented to the electorate. The combination of a lack of internal democracy within political parties, a closed-list electoral system in which voters cannot express their preferences for individual candidates, and the rising cost of electoral campaigns (in which the candidates themselves are often responsible for their own fundraising) makes for an unfavorable climate for the participation of women. This was reflected in the 12% figure of women actually elected to serve in

Congress in 2011 and the 2.1% percentage of female mayors as well as the low presence of women in Guatemalan politics since democracy was restored in 1985. As a result, the OAS Mission recommended the serious consideration of a comprehensive affirmative action measure, that had been proposed by several parties and civil society groups and was then being debated in the legislature, that goes beyond quotas, a transition measure, to parity, a permanent one in which more women enjoy equal representation.<sup>35</sup> This measure proposes a reconceptualization of democracy with parity, in which men and women have equal representation.

Women represented a majority of poll workers in this election, but were not assigned leading roles in the administration of the voting tables, their participation as party agents and domestic observers was less significant, as the table below suggests.

Table 3. *Electoral Participation at Polling Stations, Disaggregated by Sex: First Round of Guatemalan Presidential Elections, 2011*

	Primary Poll Workers	Presidents of Voting Tables	Party Agents	Domestic Observers
Women	54%	36%	40%	36%
Men	46%	64%	60%	64%

Source: Prepared by the authors for this publication

However, one positive aspect observed during the Guatemalan elections was the presence of women in positions of authority within the electoral management body. Three out of the five magistrates of the Supreme Electoral Tribunal, including the president, were women. This is an interesting point given data as of 2012 indicating that only 22% of the region’s EMBs were led by women. Largely as a result of female representation in the leadership of the tribunal, gender

35. This measure, Initiative 4088, aims to reform Article 212 of the Law of Elections and Political Parties, and would institute gender parity and alternability in candidate lists and enforce sanctions for failure to comply with its requirements. More detailed information can be found at: <http://200.12.63.122/archivos/iniciativas/registro4088.pdf>

issues had begun to enter the administrative agenda, as evidenced by the dissemination of gender-sensitive training materials and the creation of a unit dedicated to the political training and to the promotion of the political participation of women. As these groups had recently formed, their effect on the political landscape in the short and long term has yet to be determined. However, the importance attached to such issues by the supreme electoral authority must certainly be interpreted as progress. In its final report, the Mission commended the work of the units within the Supreme Electoral Tribunal dedicated to political training for women and recommended compliance with legislation that stipulates that the staffing of regional electoral bodies should take gender into account.

### **Colombia**

The OAS had the opportunity to send a gender observation team through its mission to the October 2011 municipal elections in Colombia, the first in which a gender quota was in effect. The measure, passed in December of 2010, obligates parties to grant at least 30% of spaces to women on lists of candidates for municipal councils, municipal assemblies and Congress. Prior to the 2011 elections, the country had experienced stagnation in terms of the number of women serving as members of congress. Female representation was even lower at the municipal and mayoral level; only 3% of governorships were occupied by women. In that context, the Mission was pleased to note that the application of the quota was instrumental in increasing the percentage of women candidates: from 19.6% in the 2007 municipal elections to 35.2% for the 2011 electoral process.

That female participation exceeded the baseline stipulated in the quota is a sign for optimism for the future of gender equality in Colombia. Furthermore, the Mission was encouraged by the fact that the quota law also instituted more substantive affirmative action measures, namely the obligation to incorporate

gender equity in candidate selection into political party statutes and public financing incentives for parties according to the number of women elected to public councils. In light of legislative efforts to repeal certain parts of the bill, the Mission recommended that the Colombian legislature continue in its efforts to promote the political participation and training of women.

### **Guyana**

Because OAS observation missions are deployed to the Caribbean as well as Latin America and in light of the inherent differences in terms of political systems (presidential vs. parliamentary) between the two regions, pilot projects were carried out in both regions. The Guyana general elections in November 2011 provided the venue for the first OAS gender observation in a Caribbean country. Guyana is the only country in the Caribbean with a gender quota for party lists, a policy instituted in 2000. As such, women represented almost 40% of total candidacies in 2011. The stipulation that a minimum of one-third of all candidates be female has coincided with a significant progress towards gender equality in political participation over the past two decades. In 1992, 12 of the 70 members of the National Assembly were women, or 18.5%. Following the 2011 elections, the number of female lawmakers had grown to 21, representing 30% of the total. Guyana currently ranks 25<sup>th</sup> in the world in terms of the percentage of women in the legislature.

Though the implementation of the quota must be considered a significant step towards the promotion of female participation in politics, Guyana's electoral system grants party leaders complete discretion in deciding which candidates from the list actually gain seats in the assembly. Such a system renders the number of women candidates on an electoral list virtually irrelevant and severely weakens the effectiveness of the quota. The OAS/EOM noted with concern that in the 2011 election, only one of the

four major political parties fielded a woman at the top of its ticket. Furthermore, female representation at the upper levels of electoral administration was minimal: all seven commissioners at the Guyana Elections Commission were male. Yet over 75% of the poll workers at observed polling stations were women. As such, the Mission recommended that the Guyanese government consider working closely with political parties to implement effective measures to ensure that female candidates are guaranteed fair representation among those designated by the party to serve in the national assembly. The mission also recommended that the legislature strengthen its efforts, in cooperation with civil society, to promote training programs for female candidates and to enact legislation that proactively promotes gender equality in all spheres of life in Guyana.

***Mainstreamed perspective into OAS/EOMs: The example of Saint Lucia***

The process of gender mainstreaming is also having unintended, albeit positive, effects. The OAS did not formally carry out an implementation of the methodology for the Saint Lucian general elections in November 2011, but gender “lenses” were indeed used to observe the same issues covered by the OAS in every mission. Indeed, issues of registration, political financing, registration of candidates, among other things, were seen from a perspective that seeks to expose differences in the exercise of political rights of men and women. In terms of the election observation tools, the standardized questionnaire to collect gender-disaggregated data was used. The mission noted that all observed polling stations were staffed with the designated polling officials; and of those, 13% were men and 87% women. Alternate polling officials were 40% men and 60% women. Among presiding officers, 20% were men and 80% were women.

The evidence suggested that women also face challenges for the full exercise of their political rights in Saint Lucia. Women composed the majority of poll

workers, with an average of 87% participation in the polling sites observed by the OAS. The majority of party agents were also women. Nevertheless, the number of female candidates remained limited. The Mission recognized the progress in the percentage of female candidacies from 8.3% in the 2006 election to 10 out of 52 candidates or 19% in 2011, but there is still much to be done. In terms of actual political offices, only two out of the four women contesting the general election for the Labour Party won seats; each won a closely-fought election by a single-digit vote margin. In the case of the government party, two women contested the election, but only one won a seat. Therefore, the St. Lucian parliament will have 17% female representation. Based on these numbers, the Mission recommended that efforts need to be put in place so that the active participation of women as voters, polling clerks, and party agents is also reflected in the lists of candidates.

**5. Conclusions**

A number of specific conclusions emerged from this limited implementation of the methodology to incorporate a gender perspective into electoral observation missions. These lessons will serve as guidelines for determining which aspects merit the most emphasis in order to achieve a gender observation that is both comprehensive and effective in its aim of promoting equity in electoral competition.

First, low levels of female political representation particularly in high-level positions are a consequence of the hierarchical organization of political parties. The ability of women to occupy these positions relates to the nature of recruitment processes for party leadership and the way in which party leaders are named or elected. Considering the fact that political parties are the organizations exclusively responsible for presenting candidates to the electorate, they effectively serve as gatekeepers of political office. It is therefore fundamental to observe how women are

represented in leadership positions within parties. Through the implementation of this methodology, the OAS has been able to document that women participate actively as party members and activists;

in fact, in the countries observed women made up a majority of the agents or poll-watchers employed by political organizations during elections.

Table 4. *Female Participation in Elections: Comparative Overview (data from pilots)*

	Voting tables	Presidents of Voting Tables	Party Agents	Domestic observers	Legislative Candidates
<b>PARAGUAY</b>					
Women	54.2%	57.1%	54.6%	72.2%	9.6% <sup>1</sup>
<b>PERU</b>					
Women	45%	40%	52%	58%	39.4%
<b>GUATEMALA</b>					
Women	54%	36%	40%	36%	24%
<b>GUYANA</b>					
Women	83%	72%	72%	71%	31%
<b>SAINT LUCIA</b>					
Women	87%	80%	83%	100%	17%

Source: Prepared by the authors for this publication

The significant female involvement in the logistical and administrative aspects of the electoral process is not reflected in terms of candidates, however. In the elections in which the OAS has conducted pilots, the percentage of women included in legislative electoral lists averaged 26%. In many cases the number was far lower. Even fewer were placed in winning positions within those lists, in most cases because of decisions made by party leadership. Such low levels of female candidacies may reflect the lack of political will on the part of political parties in the region to field female candidates or allow women to hold leadership positions.

Second, female representation in key decision-making positions tends to increase when governments implement gender “quotas”, following the strategic objective of having 30% women in positions at decision-making levels identified by the Beijing Platform for Action of 1995. Within the Hemisphere, only thirteen countries (12 in Latin America and one in the Caribbean)<sup>36</sup> have incorporated policies on quotas or parity for elections in the Lower Legislative Chamber.

36. In Latin America, Argentina, Bolivia, Brazil, Costa Rica, Ecuador, Honduras, Mexico, Panama, Paraguay, Peru, the Dominican Republic, Nicaragua and Uruguay operate with quotas. Guyana is the only Caribbean country that has adopted a quota.

Five countries in the region have incorporated such policies for the Upper Legislative Chamber.<sup>37</sup> Gender quotas have critics as well as adherents. Nonetheless, there is undeniable evidence that, on average, countries with gender quotas experience clear and in some cases very significant advances towards greater representation of women in the political sphere. As a result, current debate in the region has shifted beyond quotas towards discussion of gender parity, mechanisms to ensure that men and women assume equal representation in the different spheres of state administration. Ecuador, Bolivia and Costa Rica have moved in this direction through a series of legislative reforms.

Finally, a number of countries have adopted affirmative action policies that focus on increasing the access of women to political financing. There are two distinct models of gender-focused public financing within the region. In the first model, the law requires political parties to dedicate a certain percentage of their permanent (non-electoral) public financing to the training of women. In Mexico, for example, each political party must annually set aside 2% of its ordinary public financing for the training, promotion and political leadership development of women. Parties in Panama are obligated to devote 25% of their public financing to training activities, of which 10% must be directed towards women. The second model requires parties to allot a given percentage of their total public financing for the training of women or towards activities geared at increasing female political participation. In Brazil, for example, partisan organizations must designate a percentage, equal to at least 5% of the total amount of public financing received, for the promotion and political participation of women. In Costa Rica, a specific law (Law Promoting the Social Equality of Women) stipulates that political parties are obligated to

set aside a percentage of public resources received to promote the training and political participation of women.<sup>38</sup> The opportunity to participate effectively in politics may also depend on the capacity of candidates to obtain funds.

When money is indispensable to a real possibility of winning an electoral race, the difficulty of accessing financing may become an entry barrier that, by impeding the access of women to power, ends up altering the balance in political representation and affecting gender equality in democratic participation. Political financing is an issue that is fundamental to the effectiveness of the electoral system and the democratic process.

The incorporation of a gender perspective will allow OAS Missions to bring to light gender equity concerns and women's political rights and help place these issues on the political agenda. Making gender equity a focus of OAS/EOMs will not only stimulate dialogue but may also help identify new challenges and initiatives to strengthen the participation of women in political life. Failure to incorporate a gender focus, on the other hand, would simply reinforce existing conditions of inequality. It cannot be ignored that such inequitable conditions must be overcome in order to achieve a true democracy in which rights and freedoms are exercised fully by all people.<sup>39</sup> In this manner, the recommendations that emerge from Electoral Observation Missions are fundamental. These recommendations, aimed at strengthening electoral processes and continually increasing their inclusiveness, consolidate the impact of OAS/EOMs as entities that are capable of transforming this reality.

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37. In many cases, these quota laws establish a minimum percentage applicable to women or minimums/maximums that are applicable to both sexes. The legislation in Peru, for example, stipulates that the men or women must make up at least 30% of candidates.

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38. Urizar, Alejandro & Sara Mia Noguera, Working paper on Public Financing with a Gender Perspective, 2011 (unpublished).

39. *Manual for the Incorporation of the Gender Perspective in OAS/EOMs*, developed in collaboration with International IDEA (Unpublished).

## CHAPTER V

### Gender Equity in the Caribbean: A view on the exercise of political rights by men and women

Rosina Wiltshire, Ph.D.

This chapter seeks to review the status of women's political participation in the Caribbean with a particular focus on those countries which invited OAS observer missions during the period 2007-2012<sup>40</sup>. It addresses progress made and challenges that remain, with an emphasis on the English speaking Caribbean.

The English speaking Caribbean countries have enjoyed for the most part a tradition of stable democracies since independence.<sup>41</sup> They also led the way in the region with two women assuming Prime Ministerial positions in 1980. However, they have not capitalized on that legacy to strengthen their political institutions and governance by involving at least one third of women at the highest levels of decision-making. Guyana is the only English speaking country to have implemented a quota system and achieved 30% political representation of elected officials. Latin America, which until the decade of the sixties was often characterized by its military governments and a culture of machismo, has significantly strengthened its democratic governance institutions, by implementing quotas and surpassed the Caribbean in female political representation. The Caribbean now ranks at the bottom of the global community along with the Arab states in this regard.

40. Jamaica, Antigua and Barbuda, Dominica, Saint Kitts and Nevis, Bahamas.

41. Jamaica and Trinidad and Tobago were the first to gain independence in 1962 and St Kitt's and Nevis the last to become independent in 1983.

Caribbean women have outperformed men in the educational arena including tertiary level institutions. In spite of these achievements, while they theoretically have access to the enjoyment of full political rights, there remain powerful political and socio-cultural barriers to the realization and enjoyment of those equal rights. This has significant implications for the capacity of the region to continue to improve the quality of life of its people and compete effectively at all levels in the present global environment.

If the Caribbean is to sustain its social, political cultural and economic gains, the region needs fully to involve its best and brightest at the highest levels of governance. This implies urgent consideration and implementation of legislation that will ensure at least 30% elected female candidates to the highest levels of political office.

The Organization of American States (OAS) is playing an important role in monitoring and strengthening this democratic capacity and can support the Caribbean in building on the lessons learned.

#### 1. The Global Context

Globally "women have gained the right to vote and possess *de jure* equality, in nearly all member states of the United Nations. However, despite forming at least half of the electorate in most countries, they continue to be underrepresented as candidates for public office".<sup>42</sup> This under-representation holds true of Latin

42. UNECLAC Gender Dialogue, Dec 2007

America and the Caribbean, with the Caribbean trailing Latin American states.

While all countries signed on to the Beijing Platform for Action which established a 30% critical mass to realize the impact of the benefits that women bring to political decision making, only six OAS member states have achieved that critical mass.<sup>43</sup> It should be noted that in large part these countries established quotas. Apart from the Scandinavian countries, many of those that have achieved the 30% critical mass have been countries torn by war, civil conflict or military and authoritarian regimes. In these countries women fully grasped the importance of playing a more important role and supported the quota system as a central means of moving forward, while the male leaders were also more open to change. In addition to the Scandinavian countries which were in the vanguard, some of the countries that have achieved or approximate the thirty percent include Argentina, South Africa, Mozambique, Rwanda, Uganda and Nepal. Only Guyana in the English speaking Caribbean has established a quota and achieved this critical mass.

Democracy is a foundation for equality, justice and peace. Two fundamental pillars of democracy are the right to vote and the right to stand for election. The Human Rights Charter recognizes the inherent dignity, equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world. Healthy democracies actively observe and protect human rights in all its dimensions.

In addition to the fact that women's political participation as a critical mass enhances the quality of leadership and brings more balanced priorities to the political agenda, the Human Rights Framework is a foundation for the right of women to equal political participation. Chapter 21 of the Universal Declaration of Human Rights spells out that –

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43. The six countries are Argentina, Costa Rica, Cuba, Ecuador, Guyana and Nicaragua.

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right of equal access to public service in his country and
3. The will of the people shall be the basis of the authority of government, this will, shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent voting procedures.

## 2. The OAS Role

The Charter of the Organization of American States calls for the elimination of all forms of discrimination based on sex, and the Inter-American Democratic Charter adds the commitment of Member States to promote the full and equal participation of women in the political structures of their countries.

Additionally, the Declaration of Principles for International Election Observation—endorsed in 2005 by 21 election observation organizations around the world, including the OAS General Secretariat—contains the basic principles that these organizations must follow when carrying out observation activities. The signatory institutions start with a consensus that it is not possible to have “genuine democratic elections” unless other human rights and fundamental freedoms can be exercised on an ongoing basis without discrimination of any kind, including discrimination based on sex.

In its strategy to strengthen representative democracy and ground it in the respect for the human rights of the citizens of the hemisphere, the OAS has carried out Electoral Observation Missions in the Americas since the 1960s. In furtherance of the goal to strengthen democratic systems, including in the framework of the electoral process and election observation, the OAS seeks as a priority to draw attention to the obstacles

and discrimination that are keeping women from access to full political citizenship. To this end the OAS has established a gender tool for electoral observer missions which has been piloted in six countries including Guyana and the Dominican Republic.

### **3. The Caribbean Reality -Women in Politics: Historical Context**

The Caribbean, in spite of great progress in democratic governance and the status of women, still has far to go in its representation of women in politics at the highest levels.

Small geographic and population size, women's unequal responsibility for care and their limited access to finances are often cited as the reasons for Caribbean women's limited political participation at the decision-making levels. However, Caribbean women historically have never been deterred by these factors. They have stepped into the highest levels of political leadership nationally and globally since the period of slavery.

Nanny of the maroons led many of the enslaved Jamaicans to freedom and successfully commanded over 800 maroons against British forces. Her people remained free in the 18<sup>th</sup> century during a period of widespread enslavement, in what is now known as Nanny town.

Claudia Jones, a Trinidadian buried next to Karl Marx in London, distinguished herself globally as a powerful advocate of workers rights, women's rights and peace. Dr. Lucille Mair, a Jamaican Senator and Minister of State in the Ministry of Foreign Affairs was the first woman Under Secretary General of the United Nations and the first woman appointed as a mediator in talks between Israel and Palestine. Dame Nita Barrow was Barbados first female Ambassador to the UN and first female Governor General. She was appointed to the Commonwealth Eminent Persons mission to South

Africa under Apartheid. Clothilde Walcott championed the rights of workers and the rights of women workers and was instrumental in successfully seeking the formal recognition of domestic workers as workers under the International Labour Convention. These women played important leadership roles in shaping the global and regional human rights agenda and framework for gender equality.

Caribbean women were also central in the struggle for independence and continue to represent a significant base of the political parties. While the exact percentages are not known, it is widely recognized that women are the primary organizers at the community level on behalf of their parties.

It is significant, that historically women have presented themselves at the polls as candidates, but a very small percentage of those presenting have succeeded. This is an indication that the problem does not lie in small size or the unequal division of labor at home, but in systemic barriers.

While Caribbean women began to be granted the right to vote in 1944, it was not until 1980 that for the first time a woman assumed the top executive office through democratic elections in the region. That year, Dame Mary Eugenia Charles took office as Prime Minister of Dominica, a post she held for three terms. In addition, Janet Jagan was elected President of Guyana after having served as Prime Minister.

Between 1944 and 1991, less than 30 percent of women who presented themselves for electoral office were successful at the polls. Barbados, Dominica, Grenada, Jamaica and Trinidad and Tobago, demonstrated the most consistent commitment to presenting female candidates at the polls. In the other Caribbean countries the norm was that at each election a token number of one or two female candidates would be put forward. In 1980, the same year that Dame Eugenia

Charles became the first female Prime Minister in the region, Jamaica fielded 13 female candidates, 6 of whom were elected, while Dominica fielded 4 women, 2 of whom were elected.

Trinidad and Tobago, in general, seemed to be the consistent front runner in the region in fielding female candidates. An impressive 29, 18, 20 and 27 female candidates contested seats in the elections of 1976, 1981, 1986 and 1991 respectively. <sup>44</sup> These numbers yielded 3, 4, 6, 6 and 4 elected women Parliamentarians. However, the greater exposure of the electorate to female candidates and successful female Parliamentarians in both Jamaica and Trinidad and Tobago also paved the way for the enabling climate for women candidates and supported the emergence of the present female Prime Ministers in both islands in the 2011 elections.

Women have also been prominent as party observers at elections. This continues to be the reality as demonstrated in the 2011 Guyana and St Lucia elections where women comprised the majority of poll workers. In St. Lucia, women had an average of 87% participation while in Guyana they represented over 75% in the polling sites observed by the OAS. <sup>45</sup> The majority of party agents were also women. This grass roots support is, however, not matched by their presence as candidates.

#### **4. The Present Political Gender Landscape in the Caribbean**

Caribbean women played a leading role in UN conferences for women's empowerment and gender equality. This included active participation in the Beijing conference, which endorsed the Beijing

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44. Emmanuel, Patrick A.M; Elections and Party Systems in the Commonwealth Caribbean 1944-91. Caribbean Development Research Services, Bridgetown.

45. Data from OAS Pilot Guyana 2011 and Final Report for St Lucia 2011 election.

Platform for Action and the critical mass target of 30 percent women in political decision-making. However, since Beijing the Caribbean has lost significant ground in achieving these targets. The focus and policy commitment have been derailed by a popular thesis put forward by Errol Miller, that Caribbean men are at risk and are being marginalized.<sup>46</sup> The thesis is not supported by data on poverty levels, income and unemployment or participation in decision-making in business or politics. However, a few limited statistics, including the fact that women outperform boys in the educational sphere, have led to the assumption that women have achieved the goals of equality and overtaken men. The policy agenda has therefore shifted away from the challenges faced in achieving women's empowerment and gender equality, and the Caribbean has fallen behind all other regions except the Arab region in this important agenda.

While many Caribbean policy makers now speak of the marginalization of Caribbean males, the data demonstrate that there remain serious barriers to women's political leadership. This is contrary to the expectation that flows from the fact that women in the Caribbean outperform boys in the educational system and represent over sixty percent of students in the region's tertiary level institutions. While it is important to strengthen male educational performance, the region risks undermining its development gains if it continues to exclude its most highly educated women from equal representation at the highest levels of government.

Women's political participation and strong support of the political parties at the grassroots level is not matched by their presence as candidates. In the St Lucian example, which is typical, while their role as party observers at the polls exceeded 80%, the number of female candidates did not reach 20%. There was an increase from 8.3% of the candidates in the 2006

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46. Errol Miller, Men at Risk, Jamaica Publishing House 1991

election to 10 out of 52 candidates or 19% in the 2011 election. Three of the ten were elected bringing the percentage representation to 16.7percent.<sup>47</sup>

These advances combined with the election of the Trinidad and Jamaica female Prime Ministers during the 2006-2012 electoral cycle, may be interpreted as progress in a political landscape historically dominated

by men. However, as the figures below demonstrate, there is some evidence of regression. The data indicate that “there is a long road ahead to reach the point where the necessary conditions exist to ensure that Caribbean women can effectively exercise their political rights and participate as candidates in electoral contests under equal conditions.”<sup>48</sup>

Table 1. Caribbean women in Parliament: A Comparative Glance

Country	Election Cycle 1. 2001-2006				Election Cycle 2. 2007-2012				Difference
	YEAR	Total	Women	%	YEAR	Total	Women	%	%
Antigua/ Barbuda	2004	19	2	10.5	2009	19	2	10.5	0
Bahamas	2002	40	8	20	2012	38	5	13.2	-16.8
Barbados	2003	30	4	13.3	2008	30	3	10	-3.3
Belize	2003	30	2	6.7	2012	32	1	3.1	-3.7
Dominica	2005	31	4	12.9	2009	32	4	12.5	-0.4
Dominican Republic	2006	178	35	19.7	2010	183	38	20.8	1.1
Grenada	2003	15	4	26.7	2008	15	2	13.3	-13.4
Guyana	2006	69	20	29	2011	67	21	31.3	2.3
Haiti	2006	98	2	2.0	2010	95	4	4.2	2.2
Jamaica	2005	60	7	11.7	2011	63	8	12.7	1.0
St.Lucia	2006	18	1	5.6	2011	18	3	16.7	11.1
St.Kitts/Nevis	2004	15	0	0	2010	15	1	6.7	6.7
St.Vincent/the Grenadines	2005	22	4	18.2	2010	23	4	17.4	-0.8
Suriname	2005	51	13	25.3	2010	51	6	11.8	-13.5
Trinidad/Tobago	2002	36	7	19.4	2010	42	12	28	8.6

Source: compiled by the author based on data from IPU Women in Parliament

47. OAS Final Report St Lucia 2011

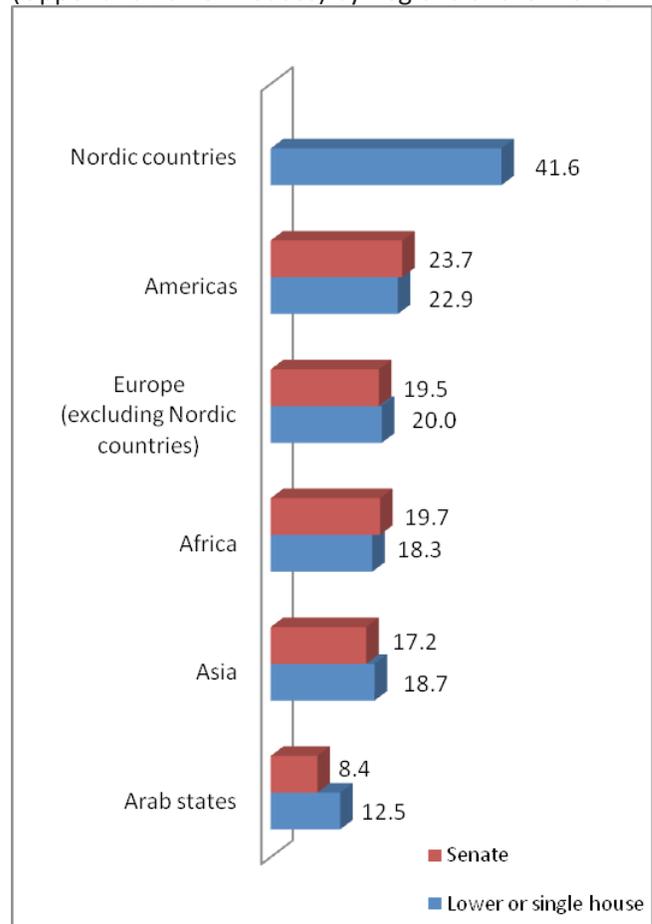
48. OAS Gender manual

### 5. Progress, Regression or Stagnation?

The comparative data for the two cycles indicate that there seem to be some indicators of progress with St Lucia reflecting an 11% increase in female representation, followed by Trinidad and Tobago with an increase of 8.6% and St Kitt’s Nevis with a 6.7% increase. However, over 50% of the countries revealed no movement or a decline in female representation during the 2007-2012 electoral cycle. A closer examination further suggests that the progress is not necessarily representative of a trend. The countries that have indicated progress are equally likely to regress as indicated by the small numbers of women elected and the results of the last cycle. Grenada and Suriname, which achieved over 25% female elected candidates in the previous cycle both suffered significant reversals in the 2007-2012 electoral cycle.

The fragile nature of progress is also demonstrated by the fact that St Kitts’ increase represents a movement from 0-1 female parliamentarians, while St Lucia’s reflects a movement from 1-3. Jamaica with a Parliament of 60 and 63 moved from 7-8 women Parliamentarians. Some of the countries have used the discretion permitted by the appointments to the Senate to approach 30% women. These include Belize at 38.5% Barbados at 33.3% and Antigua and Barbuda at 29.4 % female. However, this does not address the challenge that Caribbean women seem to face entrenched and systemic barriers to their full representation in the central elected legislative body. The experience of the St. Lucia election provides some insights. Female candidates personal and private lives, were used to discredit the female candidate. Party financing was also reported to be less available to female candidates in general than their male colleagues<sup>49</sup>. It is significant that the Caribbean has fallen behind the rest of the Latin American region and most of the rest of the world in this regard as demonstrated by the table below.

Table 2. Percentage of Elected Women in Parliaments (Upper and Lower Houses) by Regions of the World



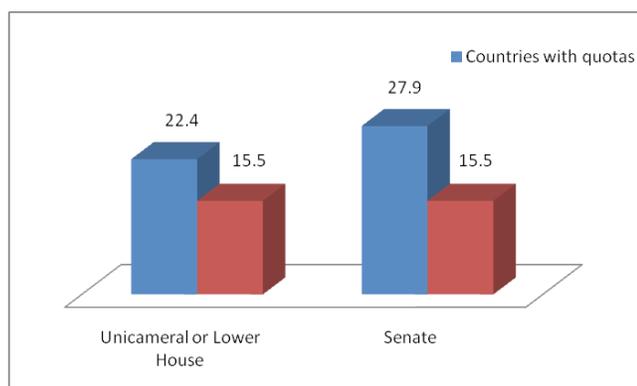
Source: OAS Gender manual based on data available in February 2010 from the Inter-Parliamentary Union, at [www.ipu.org](http://www.ipu.org).

As the OAS gender Manual points out, an analysis by sub-region reveals important differences. In the case of the United States and Canada, the average in the lower or single house is 19% and in the upper house, 25.4%; for Latin America, the average in the lower house is 20.2% and in the upper house, 20.4%. In the Caribbean, meanwhile, women hold just 12.9% of seats in the lower house or unicameral parliament and 26.7% in the upper house. It should be noted that in Canada as well as in most Caribbean countries, the composition of the upper house is decided through an appointment process and not by popular vote.

49. OAS/EOM Observer Mission, St Lucia, Final report

The report further emphasizes that in those countries that have adopted quota or parity laws to include women on candidate slates, women have a greater representation in the legislature, on average, than in countries where such measures have not been passed. Thus, in countries with quotas, women hold 22.4% of elected seats in the lower house, while in those with no quotas, the percentage goes down to 15.5%. In terms of the upper house, in countries in which Senate seats are elected by popular vote and a quota has been adopted, women hold 27.9% of the seats, compared to 15.5% in countries that do not have such measures (OAS Gender Manual).

Table 3. Percentage of Female Legislators (Upper and Lower Houses/Unicameral Parliaments) in 2010: OAS Member Countries with Quotas v. Countries without Quotas



Source: OAS Gender manual based on data available in February 2011 from the Inter-Parliamentary Union, at [www.ipu.org](http://www.ipu.org).

As the data reveal, the countries with the highest number of female congressional representatives are Costa Rica with 38.6%, Argentina with 38.5%, and Ecuador with 32.3%. All of them have incorporated quota or parity laws into their legislation. Before the quotas, women's representation in the lower/single chamber in Argentina was 6%, Costa Rica 14% and Ecuador 4% (OAS Gender Manual).

## 6. Women in Ministerial Positions

It is at the level of cabinet that political priorities are established and policy decisions made. The appointment of women to ministerial positions is therefore a critical aspect of their political participation. According to OAS data, in 2011 women held an average of 22.3% of ministerial posts in the 35 OAS Member States; in other words, only one of every five cabinet positions was held by a woman. Compared to the decade of the 90s where women held less than 10% of cabinet positions in Latin America, recent years have seen progress. This is a result of legislation, quotas and political will where many leaders have opted for parity in their cabinets. Currently, four countries are at or near parity (a balance between men and women ranging from 40 to 60%) in terms of cabinet composition. These are Nicaragua (54.5%), Ecuador (44%), Costa Rica (40%), and Bolivia (40%). In the case of Bolivia, in addition to the president's willingness to opt for a more equal composition, the new Constitution approved by referendum in 2009 establishes that in making ministerial appointments, it is the President's duty to respect gender parity in the cabinet. At the other end of the spectrum, however, are countries with a glaring absence of women in such positions. Belize and Guatemala do not have a single woman in the cabinet, and in The Bahamas, Suriname, Saint Lucia, and the Dominican Republic, the proportion of women is at or below 10%. There is also a clear disparity if we analyze the percentages in each of the three sub-regions that comprise the hemisphere. While in the United States and Canada the percentage of female cabinet members is 28.3% and in Latin America 26.7%, in the Caribbean region it is just 14.7%.

## 7. Lessons learned from OAS pilots

The Guyana OAS/EOM incorporated a pilot of the methodology for the observation of gender

participation in the electoral process. The results of this analysis show that Guyana has made significant progress in the promotion of gender equality and the empowerment of women in the political process, as Guyana is the only country in the Caribbean region with a gender quota in effect. The current composition of 30 percent female representatives in parliament demonstrates the country's commitment to female participation in politics. In this regard, the observed polling stations were comprised of more than 75 percent female poll workers, and the active participation of women as poll agents and police was also noted.<sup>50</sup>

Considering the predominance of women as poll workers and party agents, the mission recommended instituting gender balance throughout the electoral and political hierarchy to ensure equitable representation of both sexes at all levels. It also recommended that efforts be made by the government and the Guyanese electoral body, GECOM, to promote training programs for female candidates, support awareness on women's issues, and seek to support legislation to proactively promote gender equality in all spheres of life in Guyana.<sup>51</sup>

## 8. Conclusion and Policy Recommendations

The myth of the marginalization of the Caribbean male has shifted policy focus away from the challenges that continue to face Caribbean women in the socio-cultural, economic and political domains. These domains are intricately linked and manifest in the fact that the Caribbean now ranks lower than every other region except the Arab region in the participation of women in political decision-making. Except for Guyana which has adopted quotas, the Caribbean is far from attaining at least 30% of elected political representatives. These challenges remain in spite of the outstanding contribution of Caribbean women to the human rights and democratic agenda.

50. OAS/ EOM Guyana 2011report.

51. OAS/ EOM Guyana Report 2011.

While the region set the pace at one level with the 1980's ascendancy of Dame Eugenia Charles of Dominica to the position of Prime Minister, and Janet Jagan in Guyana to the position of President after serving as Prime Minister, the potential gains were not built upon and sustained. The region has now been surpassed by Latin America, Asia and Africa. The Nordic countries lead with 41% of elected officials followed by the Americas. It is significant that within the Americas, it is the Caribbean which lowers the regional average. Some progress has been made. Guyana has attained 30 percent of women elected to the lower house. This is the result of a legislated quota and thus is not subject to political whim. In addition, progress is also demonstrated by the fact that there are presently two elected women Prime Ministers in Jamaica and Trinidad and Tobago. However, this might not be indicative of a trend, particularly in light of the historical experience of Dominica and Guyana.

Half of the Caribbean countries have regressed since the last electoral cycle. This reflects a lack of political will and calls for policy action to increase women's political participation. The region is in danger of losing its gains and compromising its capacity to develop its societies and compete effectively in a challenging global arena, because of the political marginalisation of women, who have excelled educationally and proven their leadership capacity globally. The Caribbean continues to lose the best and brightest to migration. Increasing numbers of those migrants are female and highly skilled. The full integration of women in political decision-making can no longer be postponed.

Both the human rights and development perspectives imply urgent action. The global experience demonstrates that quotas work. A human rights perspective implies that at least 50 percent of the party list should be female to give the population a balanced basis for choice at the polls. This 50% parity is a model successfully adopted by Sweden. This model is even more relevant in light of the fact that the region is coming from so far behind other regions.

The implementation of quotas to meet the target of at least 30% female elected representatives must be made a regional policy priority. This will both ensure that the Caribbean benefits from the talents of the female half of its population and realize the gains of their participation at the highest levels of decision-making. The introduction of quota policies by all member countries is essential if the Caribbean is to reach its full potential, keep pace with the rest of the world and sustain and enhance the development gains.

The OAS has an important role to play in providing leadership and support to the region in building on good practices and lessons learned in this regard in the rest of the region.

## CHAPTER VI

### Equity and Transparency in Political Financing Systems: Lessons from OAS Electoral Observation Missions (OAS/EOMs)

Alejandro Urizar

This chapter provides a review of the conclusions and recommendations of OAS/EOMs in their observation of political financing systems over the last three years. The text is structured according to the characteristics that Article 5 of the Inter American Charter establishes for political financing regimes: equity and transparency. The aim is to provide an overview of the financing systems observed by the OAS within the framework of OAS/EOMs between 2009 and 2012, and to sketch a preliminary regional assessment on the subject. The first section begins by explaining the meaning of equity in the context of financing systems, followed by a presentation of OAS/EOM findings in this regard. The second section follows the same structure, but from the perspective of transparency in financing systems. The final section presents some conclusions that attempt to outline the general features of political financing in the region.

#### 1. Equity in Political and Electoral Financing Systems

Article 5 of the Inter-American Democratic Charter (IDC) stipulates that the financial regimes of political parties should be equitable. An analysis of the legal instruments that constitute the Inter-American Human Rights System allows us to deduce how to define equity in the context of political-electoral financing systems.

First of all, equity means that the financing system guarantees equal conditions for the exercise of the right to vote, that is to say, the right to elect. In structurally unequal societies, citizens with more resources use their economic power to increase the

impact of their right to elect by funding the campaigns of the candidates of their choice. In this context, an equitable financing system would have the necessary norms and practices in place to ensure that these structural differences do not affect the equal exercise of the right to vote.

Second, equity also implies equality in conditions in the exercise of the right to access power, that is to say, the right to be elected. In unequal societies, candidates with more resources or more fundraising capacity will be at an advantage in comparison to others. For this reason, an equal system would have the necessary norms and practices in place to balance the competition between contenders in an electoral process.

Equitable financing systems should, on one hand, stimulate those resources that promote equity in conditions for exercising the right to elect and to be elected. On the other hand, they should limit the resources that jeopardize equality in the conditions of an electoral competition. State resources favor equality of conditions in electoral competition, because they are intrinsically linked to the common good. The common interest inherently seeks conditions in which all citizens are able to exercise their rights in general, and in the electoral processes, in particular. However, the capacity of state resources to favor equity in the electoral competition is limited when such resources are used improperly. In these cases, candidates access to public resources through the positions of power they hold in public institutions, and not because

they are contenders in the electoral process. Parties without positions of power will logically not enjoy the same access to these resources, thus such a situation leads to conditions of inequality.

Personal resources, due to their inherent link to private interests, are not primarily intended to promote equity in conditions. The aim of private financing of campaigns is to increase the possibilities of certain candidates to win elections. However, the fact that public resources basically favor equal conditions and that private ones potentially harm equity, does not mean that an equal system is one in which campaigns are wholly financed by state resources. Political and electoral financing systems should be mixed, promoting a balance between public and private resources, generating equity in the particular context.

In addition, the IDC stipulates that efforts must be made to avoid the high costs of campaigns. Cost increases harm equity when such increases provoke an additive effect, in which the addition of private resources to public resources generates a level of expenditure that distorts equity. In these cases, the parties are only able to spend according to their capacity to pay out of pocket or to raise funds externally, leading to a situation in which resources may exert an excessive influence on electoral results.

### **1.1 Public Financing of Campaigns**

The Mexican Constitution establishes the preponderance of state financing of political parties over private financing, and the Federal Electoral Law stipulates that the public contribution should be at least 90% of the total cost of presidential campaigns (OAS/EOM 2009). The Colombian regulatory framework establishes a similar requirement for presidential elections, stating that public financing should make up 80% of total campaign costs (OAS/EOM 2011). The Mexican and Colombian financing systems are observed cases by the OAS, where the preponderance

of public over private financing is clearly established by law. The systems in question stimulate public financing with the aim of increasing equity in the competition, and of preventing the excessive interference of private interests in national political life. The financing systems of these countries are a positive example of how the stimulation of public resources can overcome private financing. However, these cases and others show that mere regulations are not enough. OAS/EOMs have confirmed that it is not sufficient to directly or indirectly increase public financing for party campaigns. The impact of public financing on equity in the electoral competition depends on the mechanisms of calculation, submission and distribution.

In accordance with the laws in force in Peru, the calculation of public financing depends on budgetary considerations and on a decision taken by the executive branch. During the elections in October 2010, in view of the fact that there were not enough resources in state coffers, the parties received no state financing for their campaigns (OAS/EOM, 2010). This case shows that discretion in the regulation affects the effective access to public financing and causes unequal conditions; the competitive capacity of those parties with less resources or fundraising capacity was affected.

With regard to the submission mechanism, the OAS/EOM observed that the Electoral Code of El Salvador stipulates that parties receive public financing after the holding of elections. It also provides that parties have the right to request advances once they have submitted a bond or proof of financial backing. OAS Electoral Observation observed that this requirement became an obstacle when a party did not possess the requisite financial security or relationship with the banking system. In practice, those parties with less economic resources or less connected with the banks, particularly smaller and emergent parties, confronted more difficulties in financing their campaigns with state resources in comparison with other parties, and

thus competed in unequal conditions in the elections (OAS/EOM 2012).

Finally, the distribution mechanism is fundamental for guaranteeing the efficiency and effectiveness of public financing in strengthening equity in electoral competition. The Electoral Law of the Dominican Republic establishes that 80% of state funds for campaigns are to be divided equally between those parties that obtained more than 5% of the votes in the previous elections. During the 2012 elections, more than four fifths of public financing was concentrated on the campaigns of three parties that complied with this requirement, while less than one fifth was shared between the other 23 contenders (OAS/EOM, 2012). The distribution mechanism was qualified as inequitable by nearly all parties with whom OAS/EOM experts met, and by public officials of the state institutions within the electoral system.

### **1.2 Use of Public Resources**

The prevention of the improper use of public resources is a fundamental element of equity in financing systems; in practice, this presents some challenges. On the one hand, those in power are the ones able to use resources improperly; they are the same actors who are responsible for establishing – implicitly or explicitly – the rules of the game. On the other hand, though there are generally many complaints, few formal challenges are presented. Even fewer cases are investigated and penalized.

During the 2009 constitutional referendum in Saint Vincent and the Grenadines, the OAS/EOM observed that the legal framework of that country does not effectively regulate the prohibition of the improper use of public resources in campaigns, which led to the initiation of legal proceedings: the opposition filed suit against the party in power because of their use of public resources for electoral purposes.

Other elections observed by the OAS have shown that the improper use of public resources is not an exclusive practice of political parties in the central government (OAS, 2010; OAS, 2012). Opposition parties also employ state resources for electoral purposes through the positions they hold at the local level or in parliament.

### **1.3 Private Financing of Campaigns**

The consolidation of a mixed system of political-electoral financing system, which promotes equity, involves stimulating public resources while limiting private sources of financing. The restriction of private financing should focus on prohibiting and limiting those resources which, due to their nature or size, harm equality in the electoral competition. The OAS/EOMs have been able to identify those regulations and norms that limit private financing and thus improve the conditions of equity.

The legal framework in force in St. Lucia does not contemplate prohibitions or limits on private financial sources, not even the most common and agreed upon prohibitions in the region: anonymous donations and financing from abroad. In this context, money from foreign governments is able to enter party finances without impediment. Furthermore, money from illicit sources can similarly creep into electoral campaigns without problems; anonymity is a guarantee of impunity. During the 2011 electoral process, through meetings with party representatives and public officials, OAS experts confirmed that foreign interference in political life and the illicit financing of campaigns were constant concerns by key actors. Apart from the negative effects on the independence of parties and politics, the weak regulatory framework tends to exacerbate inequality in electoral competition, as not all parties are willing to accept resources from abroad or from unknown sources (OAS/EOM, 2011).

The current Electoral and Political Parties Law in Guatemala establishes prohibitions and limits to direct private donations, but not to indirect donations by media groups. In that country, media owners can legally make unlimited donations to the campaigns of the party of their choosing. During the 2011 elections, the highest object of expenditure was media, especially television. Television expenditures comprised 90% of media costs, in comparison to radio and print media (OAS/EOM, 2011). The lack of limits or prohibitions on indirect media donations provoked a concentration of power. It was basically the owners of TV stations who controlled a high percentage of the access to publicity in the electoral campaign. The situation brought disadvantages for parties that were not related or did not have contacts in the media, while also contributing to an explosion of campaign expenditure.

#### **1.4 Control of Campaign Spending**

The control of expenditures must be considered a secondary measure, because once resources have reached parties, they will hardly refrain from spending them, particularly in an environment of high competition. Given its subordinate nature, it is best employed as a supplement to measures to control the influx of funds. Expenditure controls set parameters that discourage expenditure on electoral campaigns. However, OAS/EOMs have observed that there are difficulties involved in the implementation of expenditure limits for party campaigns.

The Electoral Code of El Salvador establishes a time limit for campaigns, but no limits to specific expenditures or total costs. In practice, the parties do not comply with the established limits and they are given sufficient discretion to spend as much as they like in whatever areas they wish, limited only by their ability to pay and raise funds (OAS/EOM, 2012). The lack of controls creates a level of expenditure that minimizes the equity effect that public financing is expected to produce. The expectation of winning the

elections is shifted to this margin of expenditure and also to the capacity of raising private funds.

The Electoral Law of Guatemala establishes a time limit and a total cost ceiling for campaigns. Specific limits on expenditure in the media are decided by the Supreme Electoral Court (TSE) and the parties. In practice, the limit that was established for the 2011 elections was 10.4 times higher than the total cost of the campaign. Apart from the fact that this is a legal incongruity, the case reflects the discretion afforded to the parties, which resulted in uncontrolled expenditure on media (OAS/EOM, 2011). The lack of effective and efficient limits on cost triggers in the campaigns in the case of Guatemala caused a margin of expenditure that reinforced inequality in the electoral competition.

#### **2. Transparency in Political-Electoral Financing Systems**

Article 5 of the Inter-American Democratic Charter (IDC) also stipulates that political party financial regimes shall be transparent. As with equity, the analysis of the legal instruments of the Inter-American System of Human Rights orients us as to the meaning of transparency in the context of the political-electoral financing systems.

First of all, the Interamerican system links transparency to freedom of expression defining the former as the right to seek and receive information. The definition supposes the right of citizens to receive data as well as the obligation to publish for those who possess such information. The underlying principle is that the freer the flow of information, the more transparent the financing system. Accordingly, a transparent system of political financing is one that is buttressed by regulations and norms that guarantee the right to seek and the obligation to publish information on the financing of campaigns.

Secondly, transparency also supposes adequate mechanisms to produce and to verify information, which is to say to guarantee that data accessed by citizens is relevant, reliable and intelligible. The concept of transparency therefore implies accountability on the part of political parties, and governmental monitoring by responsible public institutions. In other words, a transparent financing system has regulations and norms that guarantee that parties are accountable and that public institutions exercise oversight, with the ultimate aim of producing information allows citizens to make informed decisions.

### **2.1 Political Party Accountability**

Political party accountability mechanisms provide the basis for transparency. Thanks to these mechanisms it is possible to generate reliable and verifiable information about campaign income and expenditures. Without mechanisms for the registration and administration of resources and without procedures for presenting reports, data on campaign finance will be scarce and uncertain, or possibly not exist at all. OAS/EOMs have obtained some findings on political party accountability.

The laws in force in Panama in 2009 did not specifically require political parties to register the origin and amount of funds received from private sources. During the elections held that year, a scandal arose in which a suspected drug trafficker from Colombia had allegedly financed the campaign of the governing party. Since there was no obligation to register the origin and amount of funds, it was impossible to verify the identity of the donors and the veracity of the allegations (OAS/EOM, 2009). This case shows that the lack of mechanisms for registering income leads to information gaps that affect the transparency of the system and generate negative effects for the electoral process.

Another important element of accountability is a mechanism for the administration of resources. The current regulatory framework in St. Lucia does not require parties to operate with resource administration systems in their campaigns. In practice, the parties decide whether to use accounting systems, and to what degree. The lack of rules translates into a level of discretion which results in uneven and insufficient information on the financing of party campaigns (OAS/EOM, 2011). The low quality and insufficient quantity of available information generates precarious conditions for the exercise of the right to seek and receive data on political party finances.

In accordance with current regulations in Colombia, candidates for governor and mayors in departmental capitals must present weekly financial reports through an electronic application. The other competitors are not obligated to do so, although they can do so on a voluntary basis. As a result, 101.988 candidates participated in the 2011 elections, of whom only 387 were required to present the mentioned report. In practice, the system exempted more than 99% of candidates from this obligation (OAS/EOM, 2011). Of course, the case of Colombia is a positive example compared with those cases where there are not even regulations or norms for the presentation of reports. However, the Colombian system reflects another issue: focusing accountability on one aspect provides incentives to channel funds into those parts of the system that are less controlled and more opaque.

### **2.2 Government Oversight**

Oversight is the natural counterpart of accountability; it is necessary to have an independent actor that supervises the proper implementation of registration and administration mechanisms as well as the veracity of the information provided. Nonetheless, OAS/EOMs have observed cases in which government oversight over political-electoral financing suffered weaknesses

that had a negative effect on the quality and quantity of the information available to the public.

The Electoral Code of El Salvador does not delegate the monitoring of political party finances to the Supreme Electoral Court (TSE). Instead, the Organic Law of the Court of Audit establishes the oversight of all state resources as a function of this entity. From this regulation it follows that the Court of Audit should audit public resources received by parties for their campaigns. However, the Court does not exercise oversight over parties, on the basis that regulations define no such obligation. The resulting lack of oversight of party income and expenditure results in an insufficient quality and quantity of information on the subject (OAS/EOM, 2012).

In the case of Paraguay, the laws in force in 2008 grant the oversight of political parties to the Supreme Court of Electoral Justice (TSJE). However, the OAS/EOM found that the TSJE did not have the necessary resources to implement the regulations, and that there was limited capacity to exercise oversight over political parties in terms of campaign finance. Once again, the result was a lack of oversight over resources, particularly in terms of compliance with limits of electoral publicity in the media (OAS/EOM, 2008). While the case of El Salvador shows the negative impact caused by insufficient and lax regulations, the case of Paraguay demonstrates that mere regulations are not sufficient. It is equally crucial to strengthen the institutions responsible for the implementation of oversight and monitoring.

### **2.3 Access to Information**

The access to information is a corollary of a transparent financing system, providing citizens opportunity to gain knowledge on political party income and expenditure. Access to information depends on the public nature of the data, meaning that it is immaterial whether oversight institutions or political parties are the entities required to publish information. The expected

result is that citizens are able to access the information necessary to make an informed choice, implying that such access is timely and that the information is comprehensible.

In El Salvador, the Electoral Code does not establish measures to guarantee the right to seek and receive information about campaign finance from political parties. In 2010, a Law on Access to Information was approved, but Congress excluded parties from this obligation. As a result, during the March 2012 elections, citizens lacked a legal framework through which to exercise their right to access information. It was impossible to access information on party financing during these elections (OAS/EOM, 2012). The case of El Salvador demonstrates that the lack of appropriate regulations is the principal obstacle in accessing information on campaign financing.

The legal framework in force in Colombia establishes transparency as a governing principle of the financial system. However, in practice, it is difficult to access information. According to the National Electoral Council (CNE), 12,693 financial reports were presented before the day of election, including relevant updates. The reports were published on the CNE website. However, due to the volume of data, gleaning clear information about the financing of a political party proved difficult. Political parties are also required to present an integrated financial report that is published in a daily newspaper, although this only happens after the elections. In conclusion, Colombian citizens have little access to intelligible information prior to Election Day, in order to make an informed decision (OAS/EOM, 2011).

Though the Electoral Law of the Dominican Republic does not establish any transparency mechanisms, the Law on Access to Information stipulates that information on campaign financing must be published; parties are required to do so by law. However, in practice only 2 of 10 parties published their financial

reports (OAS/EOM, 2012). This experience reflects a contrast with the situation in El Salvador: regulations exist, but they are not implemented. The end result is the same in both countries: citizens do not have access to information on campaign income and expenditures made by political parties.

### 3. Conclusions

The analysis of political-electoral financing systems conducted through OAS/EOMs in this electoral cycle leads to several conclusions. First of all, it is fundamental that the mechanisms employed to calculate direct and indirect public financing calculation are objective, measurable and comparable. Secondly, access to public financing should not be conditioned on the logic and the regulations of the financial market since, in practice, the intended equity between candidates tends to be distorted. In fact, it is advisable for public funds to be provided prior to the elections, and only based on conditions related to the political system.

Third, the mechanism for the distribution of public financing should not be based on parameters of exclusion. On the contrary, it should distribute state resources according to criteria related to participation (party registration) and of electoral strength (votes obtained in the previous election). The aim should be distribution formulas that generate a balance between equity in competition and the desired party system. In general in the region, public financing has been stimulated over the last few years, but it has not achieved the desired results in terms of equity. The reason for this is that the increase in funds has not been accompanied by the implementation of mechanisms that calculate, provide and distribute state resources oriented towards equity in electoral competition.

On the other hand, the observed cases affirm that the restriction of private financing begins with the prohibition of anonymous donations and donations from abroad. The effects of donations from these

sources on equity in the electoral competitions are obvious. Moreover, they are associated with greater risks of impunity and with greater dependence within the political system. Nonetheless, these prohibitions to foreign and anonymous financing must be complemented by other measures that limit other sources. It is advisable to explore the establishment of limits to those donations that, due to their size, present risks to equity in electoral competition. This is the case of donations by the media, but also by individual people and legal entities.

In the cases observed by the OAS/EOMs, controlling expenditure has generally proven rather ineffective. The regulations and norms that limit the duration of campaigns, or general or specific costs related to campaigns, has succeeded in reducing campaign costs in general. This fact demands a complementary analysis of the efficiency of the controls on campaign income and the state capacity to comply with such limits. In any case, the observed cases show that focusing solely on controlling expenditure as the way to promote equity in the financial system constitutes a limited view.

In terms of transparency and accountability, the observed financing systems demonstrate regulatory weaknesses. There are still countries that have not established the legal obligation to register the names of donors and amounts of donations, or to use standardized systems for the administration of the resources or for presenting reports. However, those countries that have such accountability regulations suffer other problems related to implementation. In practice, the absence or imprecision of laws produces the same result, a lack of efficient and effective oversight over political party campaigns.

Government oversight confronts similar difficulties, since there are countries where the discretion and the vagueness of the regulations lead to inefficiency in the oversight of political financing. In countries with

appropriate regulations, responsible bodies often lack the necessary resources and capacity to carry out their functions. In practice, the vagueness in regulations or the lack of laws leads to the same result, namely inefficient and ineffective oversight of campaign finance.

Challenges in accountability and government oversight in the observed countries demonstrate that the quality and quantity of the information produced on campaign

financing renders it insufficient as a guarantee of access to information. Furthermore, there are also fundamental gaps in the regulations and norms that should guarantee the right to seek and receive information on campaign finance. The conclusion is that it remains difficult for citizens to know who finances political parties and where campaign resources are spent. Despite notable advances such as legal reforms, and the increasing political importance of access to information, challenges remain for the promotion of transparency in political finance in the region.

## CHAPTER VII

### Reflections of an Electoral Observer: Electoral Observation as a Social Tool

Alan Andrade

Over the last five years, hundreds of women and men from different nations and with different histories participated as observers in more than 45 electoral processes throughout the Hemisphere. Each one of them, bearers of different languages (accents and intonations), cultures, experiences and political ideas, engaged in a dialogue through OAS Electoral Observation Missions with the common purpose of contributing to the consolidation of democracies in the region.

What is the purpose of deploying 80 or 100 observers to different polling stations during the elections of a Latin American or Caribbean country? What kind of contribution can be made by an outsider to the process – regardless of the knowledge they may have about it – and somebody who will not live with its consequences? How can the democracies of the region be strengthened through electoral observation?

In 2009, there were general elections in Panama and as coordinator of the Darién region, I was able to observe the electoral process in Corregimiento de Taimatí, a village inhabited by around 50 families, mostly indigenous of the Emberá-Wounaan tribe. In order to be able to enter the region, I was asked to state the purpose of my visit. Whom did I represent? What were my intentions? And above all, how would they benefit from my presence? I needed to give a satisfactory answer to these and other questions, particularly the latter, since my only opportunity for obtaining shelter and food depended on it.

“The OAS Electoral Observation Mission, in an objective and neutral fashion, accompanies the different stages of the electoral process: the pre-electoral period, election day and the period after the election. The mission is grounded on principles of objectivity and neutrality as well as respect for domestic law and the non-substitution of domestic actors in the process. Through the observations of the members of the Mission in different parts of the country, a report will be drafted, which will include, among other things, recommendations aimed at improving the electoral system. The Chief of Mission will present this report to the Secretary General of the OAS and to all members of the Permanent Council of the Organization, including Panama.”

After listening to my arguments and discussing them, one inhabitant of the village asked me, “Does this mean that not only people in (the City of) Panama, but also people from all over this Hemisphere will know what has happened here?”

In order to prevent electoral observation from becoming an instrument that judges and criticizes from outside, it is necessary to engage in dialogue with the diversity that exists within each electoral process. This diversity is found between states, provinces and departments, between rural villages and urban centers, between political parties, social movements and the state, between women and men; it encompasses all of the diversity of the heterogeneous societies of Latin America and the Caribbean. By

listening to the voices of the different participants in the electoral process across the whole country, OAS observers collect different democratic experiences, which help to consolidate the memory of the different ways in which democracy is lived in Latin America and the Caribbean.

Observation missions have accompanied crucial moments in the recent political and social history of Latin America and the Caribbean. Elections have become a fundamental node through which political conflicts of the region are resolved. They are crucially important in the contemporary political context, not only as means to choose members of legislative and executive power on a local, state and federal level, but also as a means to decide on the continuation of elected officials through referendums, or to elect positions that have never been before subject to public scrutiny, such as the election of the members of judicial power or internal elections within political parties. In some cases, elections have contributed to reestablishing a country through votes on the adoption of new constitutions, or on the convening of constituent assemblies. Once electoral democracy, in this more expansive notion, begins to exert an impact on more areas of society and on different societies, it becomes necessary to listen to what the different members within a society and between societies have to say regarding democracy in its multiple dimensions.

This is why observation missions place such emphasis on engaging in dialogue with the multiplicity that is present within one single electoral process, in order to provide the basis for neutrality and objectivity of the missions. The diversity in which democracy lives and the diversity of democracies themselves mean that the terms “neutral” and “objective” do not refer to a principle in which observers view electoral in a “pure” way – we observers also have political sympathies- on the contrary, by gathering multiple experiences and voices, one breaks with the idea of one singular type of democracy. Objectivity and neutrality do not emanate

from any preconception about perfect elections or perfect democracy, nor from what the OAS, the Chief of Mission, or the observers may think about such a concept - a vertical point of view. Objectivity and neutrality are achieved by collecting the different voices and experiences within the electoral process in a horizontal conception of observation, without prioritizing one particular voice or one particular experience.

The principle of non-substitution of internal actors in the electoral process is therefore not only based on the implicit postulate, but also on the fact that the observers in the framework of their deployment recognize these actors as actors. The internal actors of the process, which on a macro-political level are subsumed by institutions such as the state, political parties, the police, electoral bodies etc., are personified in the field, with first and last names. When observers come face to face with the internal actors of the process, the recognition of their quality of actors is realized, going beyond rhetoric.

On a local level, in the field, the factors of the electoral processes multiply. Yes, the institutions “responsible” for the process are predominant: political parties, electoral bodies, the state. However, multiple realities call multiple actors to collaborate in harmony. During the activities that I carried out as Departmental Coordinator in Córdoba (Colombia) during the 2010 electoral process, there were meetings to monitor the different stages of the process in the Department. In the first meetings, only political parties, election officials and a member of the departmental government attended. However, during the last meeting, the room, which had seemed of adequate size in the original meetings, was bursting full of noise and people. There was no specific situation that had caused this uproar. In practice and in the current environment, democracies in Latin America and in the Caribbean are impossible without the joint efforts of an important multiplicity of actors. There were representatives of the federal

government, members of the departmental cabinet, representatives of the office of the ombudsman, of the prosecutor's office, of the police, of the army and the navy, of the electoral body, representatives of the judiciary, of all competing political parties, of the private supplier of electricity, of the private company that was responsible for transmitting the electoral results. They were all in the room connected via video conference, in real time, with all the other Departments of Colombia and with then-President Álvaro Uribe.

It is this combination of efforts, between women and men, between citizens, whether they are officials or public servants, some of whom are simply volunteers that make democracy possible. These people are products of democracy, they exercise democracy and they defend it, without recognition in most cases, despite exhausting workdays, precarious economic conditions, and the threat of political or criminal violence.

Observation is built on a foundation of this multitude of voices within the electoral process. This approach, however, only maintains coherence if it is sustained by the instruments of the mission. Observation through technical tools, with specific indicators equip missions with a rigorous and objective methodological framework, and allows OAS to obtain comparable criteria between elections within the same country. Moreover, by employing instruments such as questionnaires that are completed the day of election, the mission can obtain data regarding key moments in the election: the opening time of the polling place, the quality of the electoral material, the existence of conditions necessary for suffrage, etc. Through the systematic collection of electoral data, missions add rigor to their purpose, on one hand, and on the other, irregular practices and electoral crimes can be detected.

The systematic measurement of electoral variables does not mean that the observation is limited to

the completion of forms and questionnaires; these measurements adapt, change and expand as more elections are observed and observers gain more experience, with the aim of capturing key aspects of the electoral process that have never before been taken into consideration. The incorporation of a gender focus into OAS Electoral Observation Missions is one example of this. As a result, OAS observation begins to collect more complex information, which is of greater quality and more use for society in general. In this way, not only does the Mission facilitate dialogue between multiple actors, it also facilitates diverse dialogue among these actors, regarding the many aspects of an electoral process, which contribute to the enrichment of electoral democracy.

Electoral observation also enters the mute dialogue implied by its name: observing. Words, like silence, particularly when it comes to elections and politics, are often what is not said, but for various reasons are revealed in action. Observers may have witnessed the buying of votes, the coercion of votes through threats or violence, the burning down of polling locations or stations, the massive transportation of voters, defamation through local media, etc. Through deployment in the field, observers are also able to corroborate other elements that influence democracy such as poverty, marginalization, violence, famine, diseases, etc. There in the field, when violence has a face, when poverty penetrates, when marginalization strikes, these elements acquire the utmost relevance, impact and urgency that they represent and which is often forgotten and overlooked by analysts, politicians, businessmen and society in general. These elements are constant reminders of the necessity of democracy to go beyond elections.

Nevertheless, during the last five years, it has been observed how women and men as citizens have taken ownership of democracy, searching within democracy for a better way to resolve differences. This is why the

massive participation of voters, whether or not voting is compulsory, is observed.

In the field, citizen participation is a commonly observed phenomenon. After five years of missions, the common denominator of Latin American and Caribbean democracy has been the massive participation of citizens in the different stages of the electoral processes. Observation missions have found that democracies are a reason to celebrate, a reason for euphoria and, even for hope. Campaign closing events involving regaetton in Panama, vallenato in Colombia, dancehall in Jamaica, and many other adaptations of the trend of the moment, made musical in an *ad hoc* fashion for the election, are part of democracy in the region. Speeches about the future with fireworks in the background show us that the democracies of Latin America and the Caribbean involve going out into the street, dancing with others, seeing each other's faces and the recognition that you are one more citizen dancing, singing and making politics in the squares and in the streets.

Despite the differences in participation between countries and within them, we can come to the following conclusion: democracy is for those citizens who make it their own, who defend and exercise it. Over these last five years, this conclusion has been observed in thousands of polling stations, where, from the early hours of the morning, citizen poll workers began to prepare for the elections. These long days of elections begin with the transformation of a classroom, or the placement of a table in the shadow of the tree that provides the most shade, or where the wind is the weakest so that electoral material is not blown away. Then the members of the political parties come to supervise the process, the voters begin to gather to exercise their right, from early on, forming the first lines. There are vendors who come to sell coffee to all people waiting for the voting process to begin, and to install the first food stalls serving breakfast. Children accompany their families, because the elections

usually take place on a Sunday. When they meet each other, they cannot help but play ball, run and yell, between the legs of those lining up to mark an X on a ballot paper. On election days, the polling centers, the schools, the parks, the auditoriums of buildings, a soccer field, conference centers – they all become social hubs: whole families meet, friends meet, people go out on the street, and they see themselves in others; others, who just like themselves, are engaged in the same endeavor, believing in democracy as a social alternative. We OAS observers have observed that on Election Day society demonstrates its full commitment to participation in the electoral process.

It is on the basis of this recognition, of citizen support for democracy, on the basis of the dialogue between the different actors involved in the process regarding the different topics involved in the election, on the basis of observing what is not said, by immersing one's self in the exercise of democracy, that the recommendations of the OAS Electoral Observation Missions gain foundation and relevance.

The recommendations of the observation missions are not only based on their theoretical value, but also on the deployment of the observers, the confrontation with the different realities and histories of Latin America and the Caribbean, on the dialogue with diversity, which provide meaning to the recommendation proposed by an observer. That is to say, the observers serve as a chain of transmission of information about the places they visit. Then, if at the end of a mission, during the presentation of the final report to the Permanent Council of the OAS, the Chief of Mission makes any recommendation about the electoral process in particular, it is based on observation and dialogue, which was made possible through the territorial deployment of observers.

OAS Observation Missions, should they continue to accompany societies in their future electoral processes, should operate in a horizontal manner,

through a dialogue that understands rather than imposes. This multiplicity should also be considered within the observation missions themselves. Women and men, with gender balance, with different visions about politics and political issues, of different ethnicities, races, cultures, with different languages, of different geographies, etc., will have to continue to provide fundamental value to the integration of the observation missions.

The deployment of observers in different electoral processes in Latin America and in the Caribbean does not make the electoral process better or worse, or more or less democratic. The relevance of an observation mission is based on the extent to which it is used by different actors as an additional resource, as a tool to realize their political and democratic rights. The success of a mission lies in the social value that it provides to citizens. To achieve this goal, it will always be necessary to have more observers, with more time to carry out their functions, as it is fundamental that people are aware of the existence of the Mission and so that it is able to reach the greatest possible quantity of states, departments and municipalities. The greater the relation and interaction between electoral observation missions and the society and actors involved in the process, the more relevant observation missions become, insofar as they address more and more elements that constitute the complex democracies of Latin America and the Caribbean, and avoid platitudes and superficial recommendations. The presence of the OAS through its observers and as a tool for society then becomes a positive element that has resolved tensions in the past and can become a channel for the resolution of electoral conflicts. The deployment of hundreds of women and men only makes sense if it serves the people.

Thus, the OAS does not itself strengthen democracy in the region, nor do observation missions. It is the citizens, the internal actors of the electoral process,

who when they make use of tools such as OAS Electoral Observation Missions, are able to strengthen their democracies and thus make the presence of observers valuable. If the observation missions are no longer a tool to express the diverse voices within the electoral processes of the region, they lose their *raison d'être*, because they would become the voice of a handful of "specialists."

Finally, it is important to conclude that we who have been fortunate to have participated as OAS observers, have been lucky to live through historical moments that otherwise would be nearly impossible to experience. Our contribution to Latin American and Caribbean democracies is very small in comparison to the experience that we ourselves have gained, on an individual level, by participating in these processes. However, beyond the experience that each one of us has obtained through our presence in the field, and through the opportunity to help, cooperate, support and accompany different societies through their electoral processes, it is an experience that helps to tear down the barriers between us and others. An Argentinian in Guyana, a Venezuelan in Colombia, a Panamanian in Peru, a Jamaican in Mexico, a Chilean in Bolivia, have helped tear down the borders between our peoples. As we come to know and recognize each other, within our multiple, diverse and contradictory realities, the barriers between us and others blur.

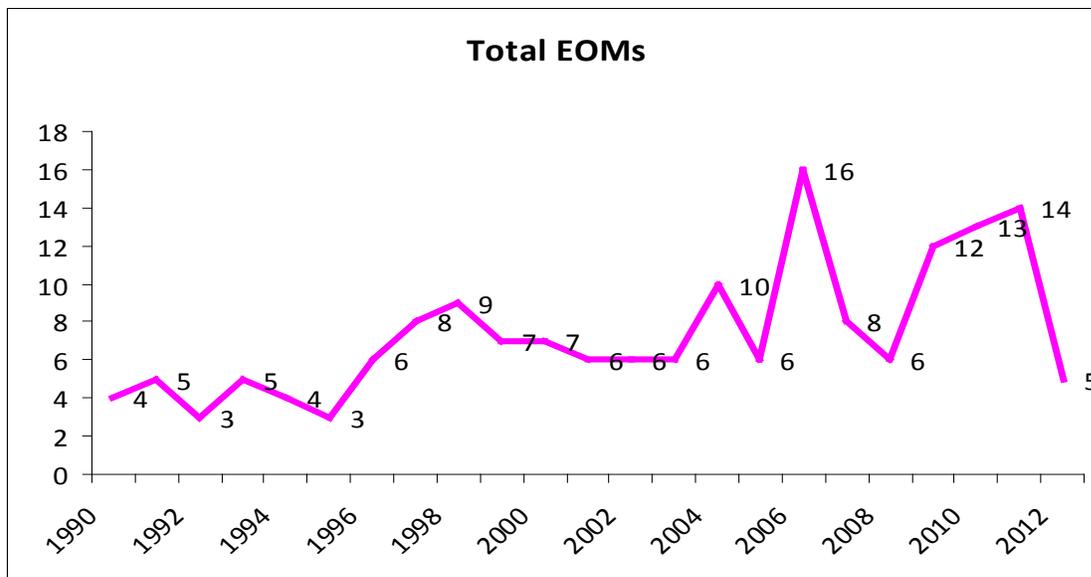
The democracies that make up Latin American and Caribbean democracy are multiple. They are the expression of the struggle of women and men through the ages, but above all, they are the current expression of the aspirations of the different peoples in the region to live in peace, dignity and harmony. Electoral democracy, this living moment in Latin America and Caribbean politics, that today is usually taken for granted, is one of the axes that connects the political past with its future in the region. It is through tools such as electoral democracy (inclusive, clean, competitive,

and regular and periodic elections), that societies determine their destinies. However, while we await the future, all tools at our disposal remain necessary, including Electoral Observation Missions, in order to accompany the free and autonomous advancement of the women and men of the region towards their self-determination.

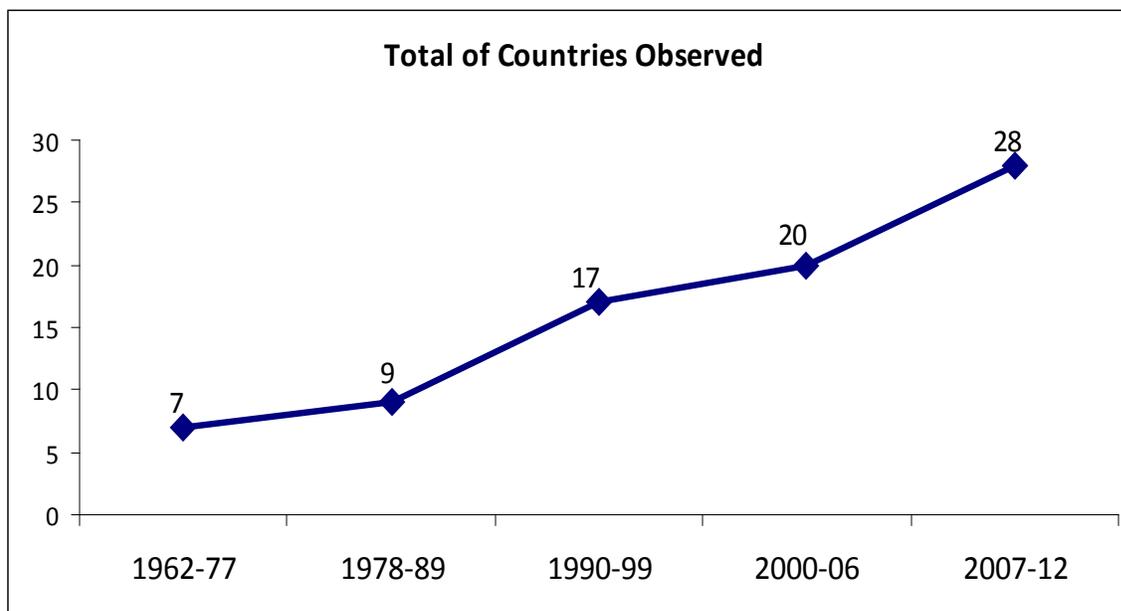
# ANNEX. DATA FROM OAS/EOMs, 2007-2012

## I. General Information: Missions from 1962 to the present

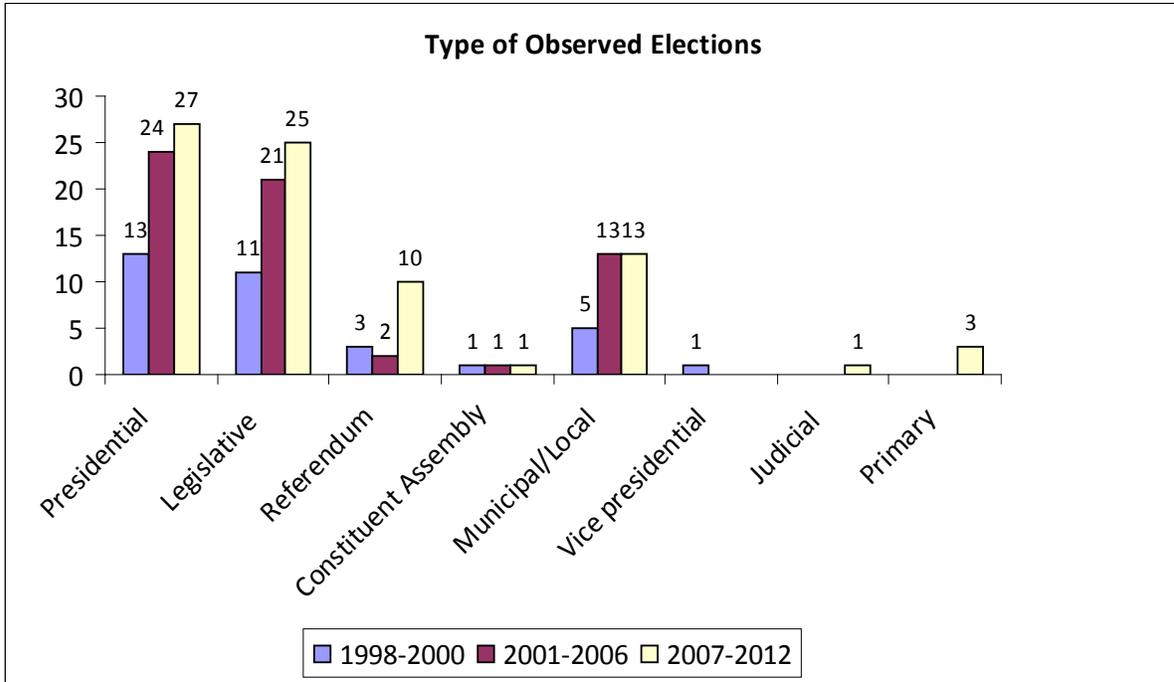
### 1.1 Number of Observed Elections over the years



### 1.2 Number of Countries Observed



### 1.3 Diversification of the Type of Observed Elections



## II. Timeline of OAS/EOMs: Electoral Observation Missions from 2000 until 2012

Haiti <sup>L, M</sup> Paraguay <sup>VP</sup> Peru <sup>P, L</sup> Dominican Republic <sup>P</sup> Suriname <sup>P, L</sup> Venezuela <sup>P, L, M</sup>	Guyana <sup>P, L</sup> Honduras <sup>P, L, M</sup> Nicaragua <sup>P, L</sup> Peru <sup>P, L</sup>	Bolivia <sup>P, L</sup> Colombia <sup>P</sup> Ecuador <sup>P, L</sup> Nicaragua <sup>M</sup> Peru <sup>M</sup> Dominican Republic <sup>L</sup>	Grenada <sup>L</sup> Guatemala <sup>P, L, M</sup> Paraguay <sup>P, L</sup>	Ecuador <sup>M</sup> El Salvador <sup>P</sup> Panama <sup>P, L, M</sup> Dominican Republic <sup>P</sup>	2000	2001	2002	2003	2004
Bolivia <sup>P, M</sup> Honduras <sup>P, L, M</sup> St. Vincent & the Grenadines <sup>L</sup> Suriname <sup>P, L</sup> Venezuela <sup>L</sup>	Bolivia <sup>REF, CA</sup> Colombia <sup>P</sup> Ecuador <sup>L, M</sup> El Salvador <sup>L, M</sup> Guyana <sup>L, M</sup> Nicaragua <sup>M, P, L</sup> Panama <sup>REF</sup> Dominican Republic <sup>L, M</sup> St. Lucia <sup>L</sup> Venezuela <sup>P</sup> Peru <sup>P, M</sup>	Paraguay <sup>PP</sup> Guatemala <sup>P, L</sup> Colombia <sup>PP</sup> Costa Rica <sup>REF</sup> Ecuador <sup>REF, CA</sup> Jamaica <sup>L</sup>	Honduras <sup>PP</sup> Ecuador <sup>REF</sup> Bolivia <sup>REF</sup> Grenada <sup>L</sup> Dominican Republic <sup>P</sup> Paraguay <sup>P, L</sup>	Bolivia <sup>REF, P, L</sup> Mexico <sup>L, M</sup> Ecuador <sup>P</sup> Panama <sup>P</sup> El Salvador <sup>L, M, P</sup> Antigua and Barbuda <sup>L</sup> Colombia <sup>M</sup> St. Vincent & the Grenadines <sup>REF</sup> Dominica <sup>L</sup>	2005	2006	2007	2008	2009

Costa Rica <sup>P, L, M</sup>		Mexico <sup>P, L, M</sup>
Haiti <sup>P, L, M</sup>	Jamaica <sup>L</sup>	El Salvador <sup>M, L</sup>
Paraguay <sup>M</sup>	Guyana <sup>P</sup>	Bahamas <sup>L</sup>
Peru <sup>REF</sup>	St. Lucia <sup>L</sup>	Dominican Republic <sup>P</sup>
Suriname <sup>L</sup>	Nicaragua <sup>P, L</sup>	Belize <sup>L</sup>
Dominican Republic <sup>L, M</sup>	Colombia <sup>M</sup>	Nicaragua <sup>M</sup>
Bolivia <sup>M</sup>	Peru <sup>P, L</sup>	Honduras <sup>PP</sup>
Colombia <sup>L, P</sup>	Ecuador <sup>REF</sup>	
St. Kitts & Nevis <sup>L</sup>	Bolivia <sup>JUD</sup>	
	Guatemala <sup>P, L</sup>	
	St. Vincent &	
	the Grenadines <sup>L</sup>	
	St. Kitts & Nevis <sup>M</sup>	
	Paraguay <sup>REF</sup>	
2010	2011	2012

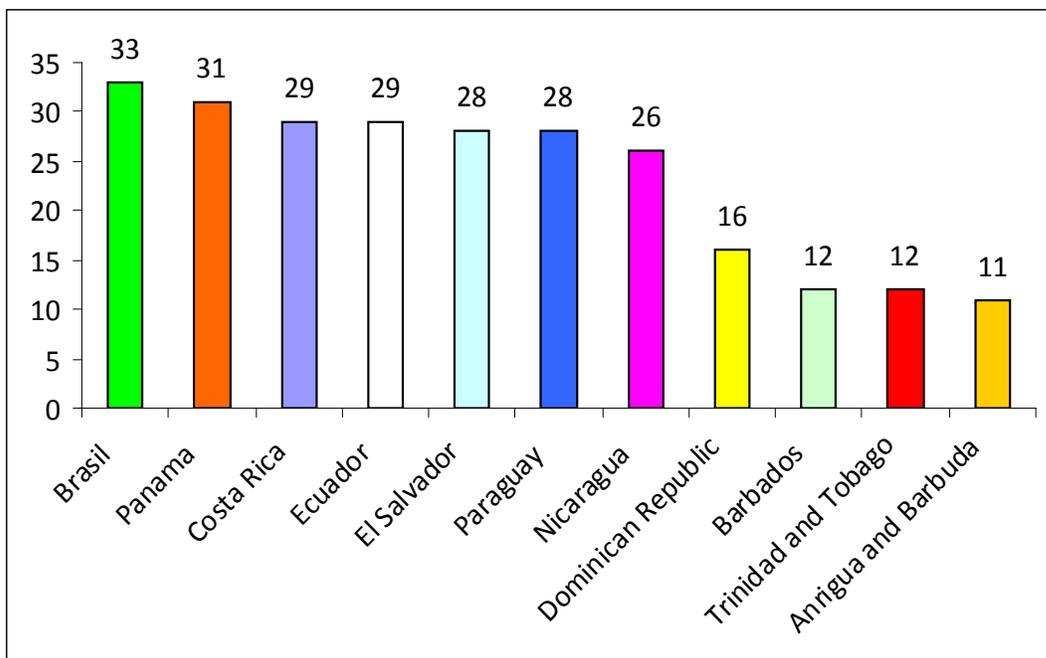
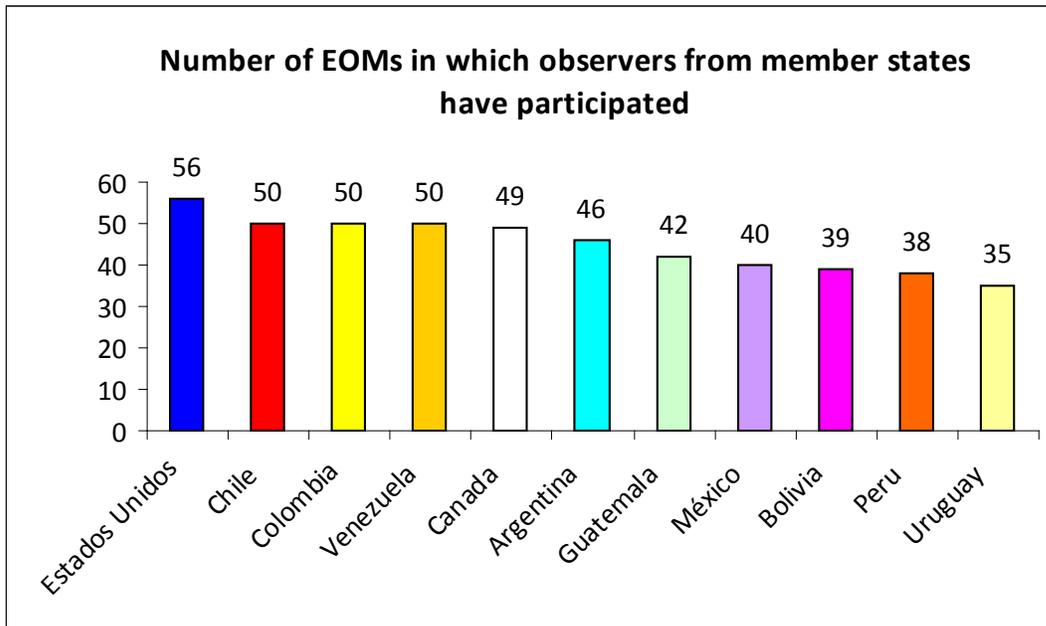
P-Presidential  
 M-Municipal  
 REF-Referendum  
 JUD-Judicial  
 VP-Vice-Presidential  
 CA-Constituent Assembly  
 L-Legislatives  
 PP-Party Primaries

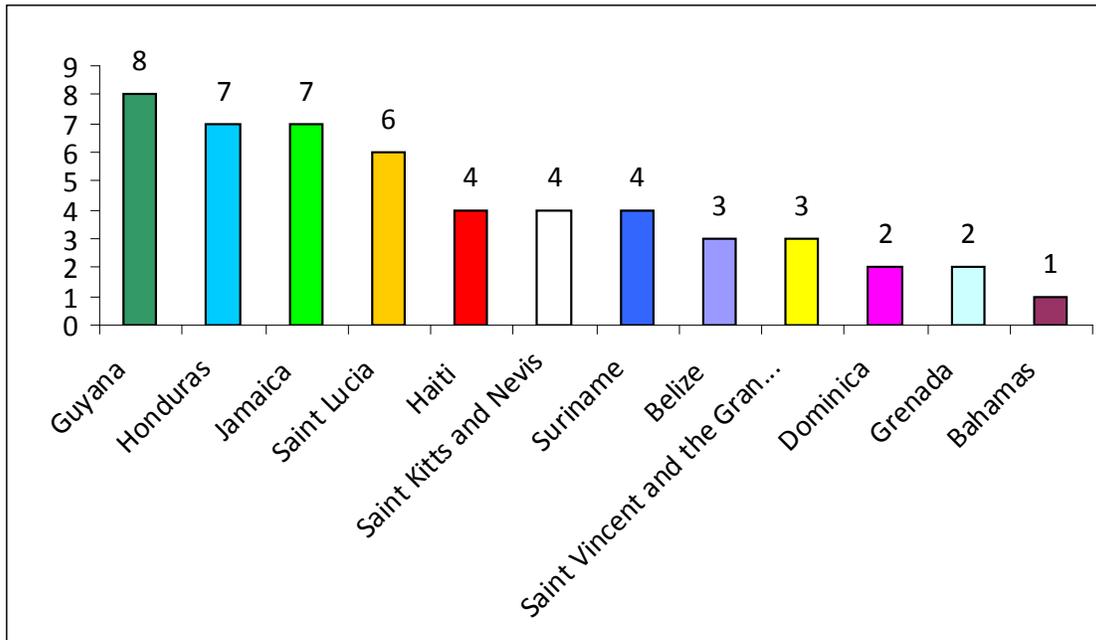
### III. Information about the Observers

#### 3.1 Overview of Participation per Country in the Electoral Observation Missions

##### 3.1.1 Participation of Member States

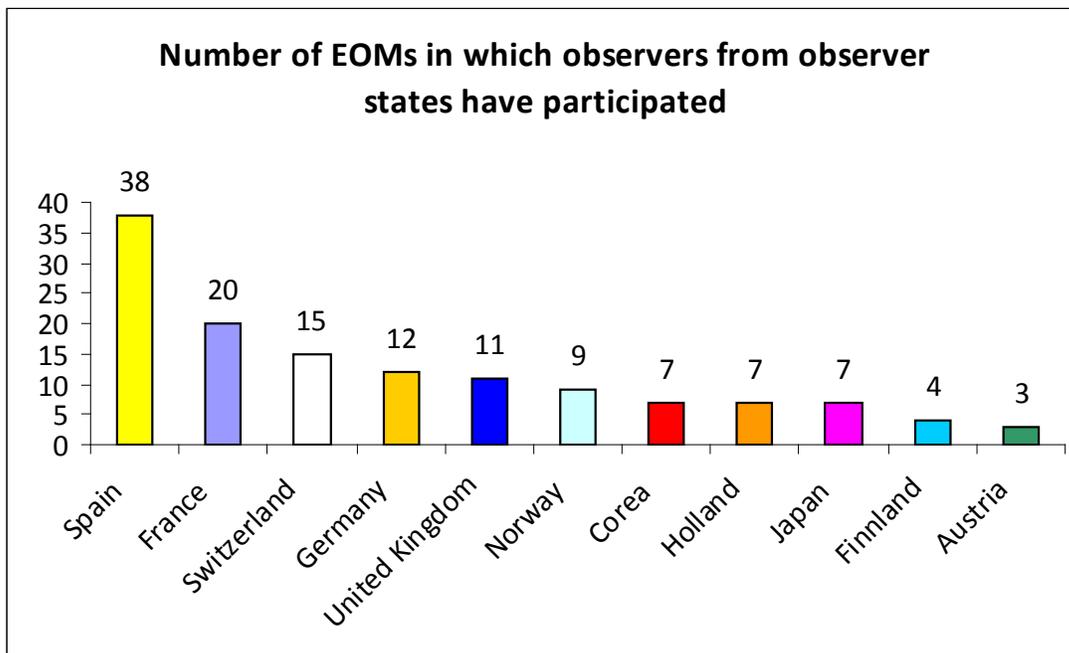
The data are based on a total of 60 OAS/EOMs carried out from 2007 until 2012.

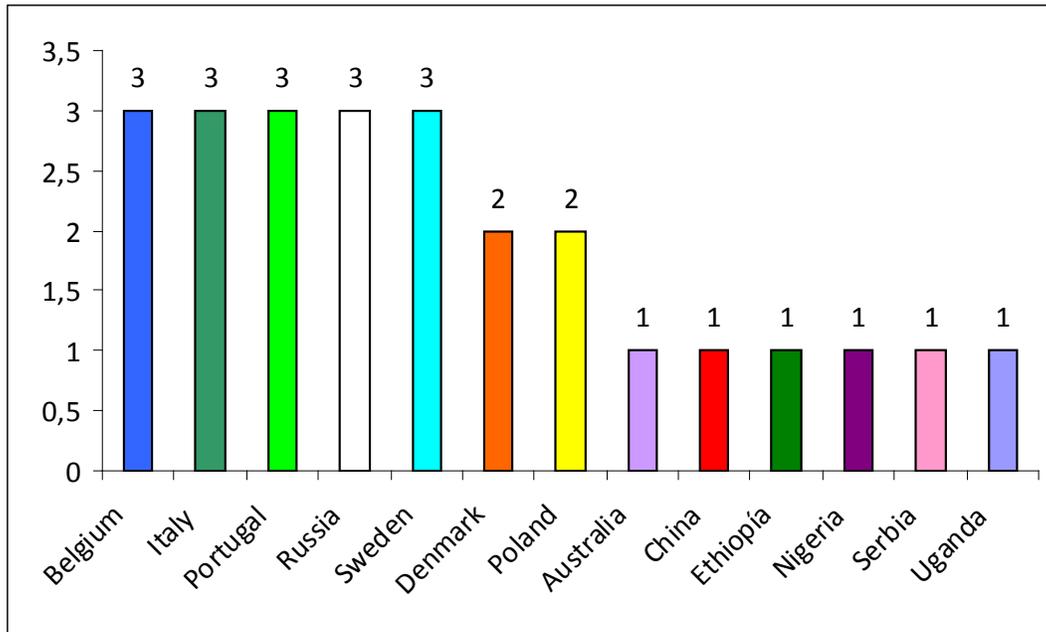




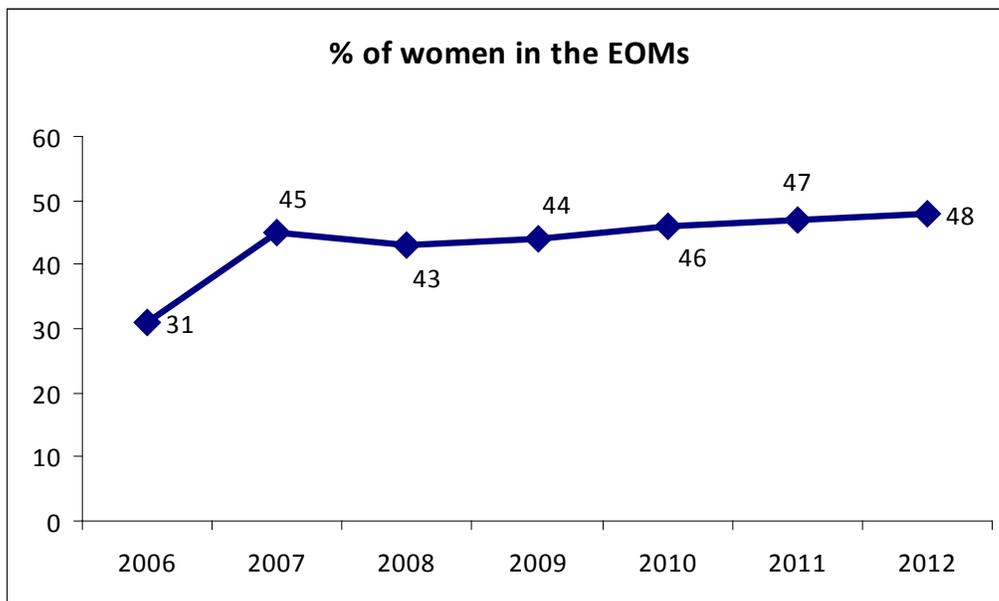
### 3.1.2 Participation of Observer Countries

The data are based on a total of 60 OAS/EOMs carried out from 2007 until 2012.



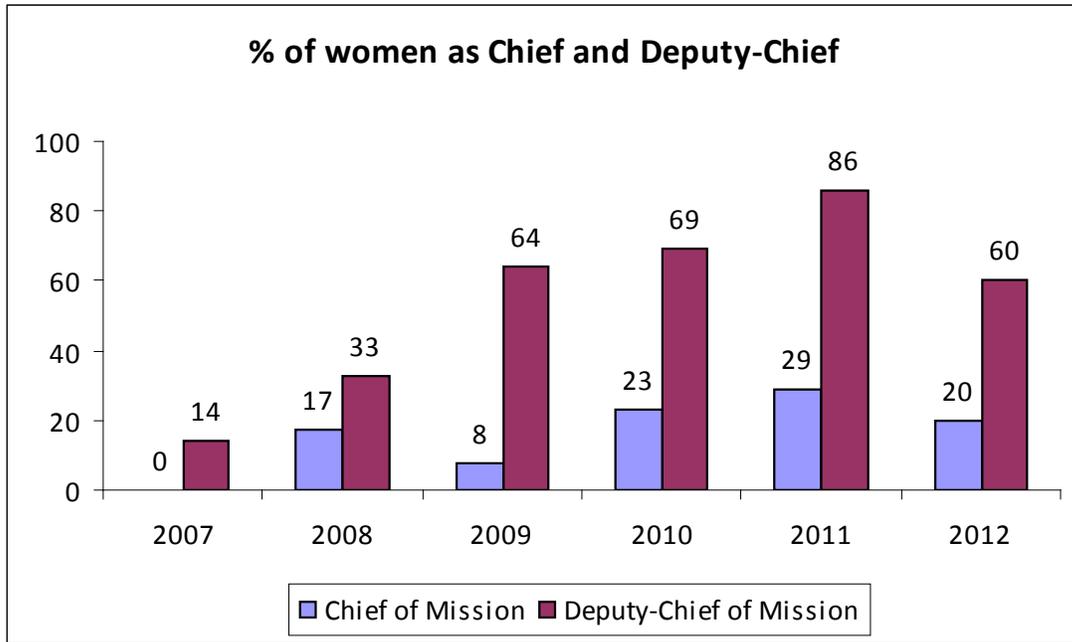


### 3.2 Gender Balance in the Teams of Electoral Observation Missions



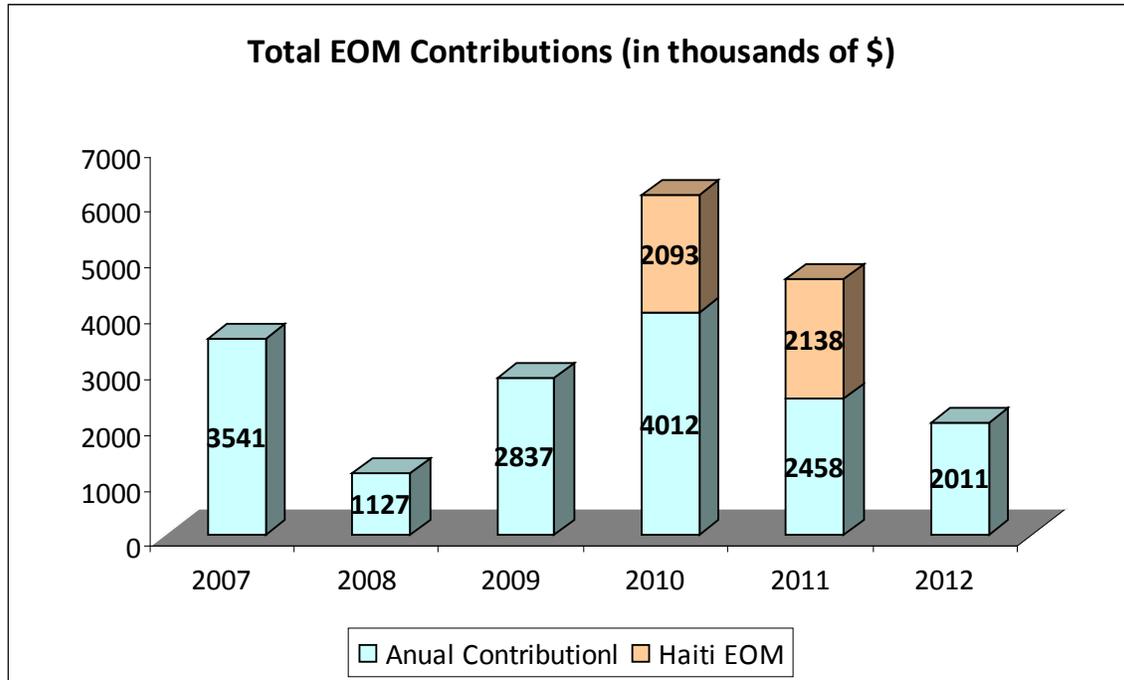
In total, it is estimated that the number of observers who have participated in the missions during the last five years is of about 2000 women and men.

### 3.3 Gender Balance in Deputy-Chiefs and Chiefs of Mission

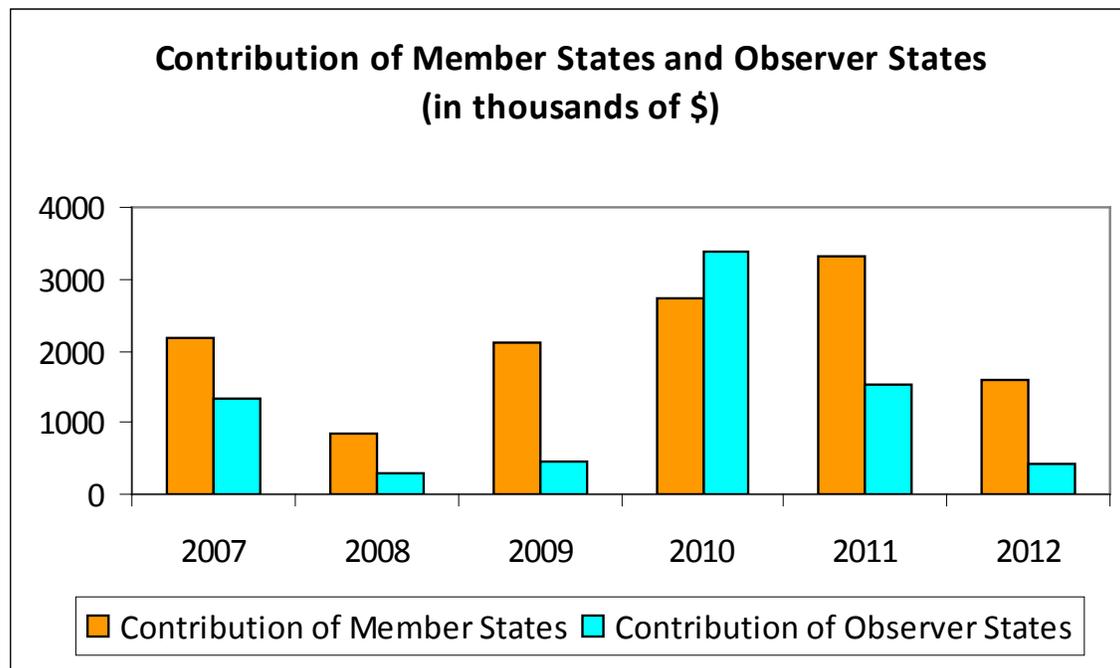


## IV. Financial Information of OAS/EOMs<sup>52</sup>

### 4.1 Contributions to OAS/EOMs: Total

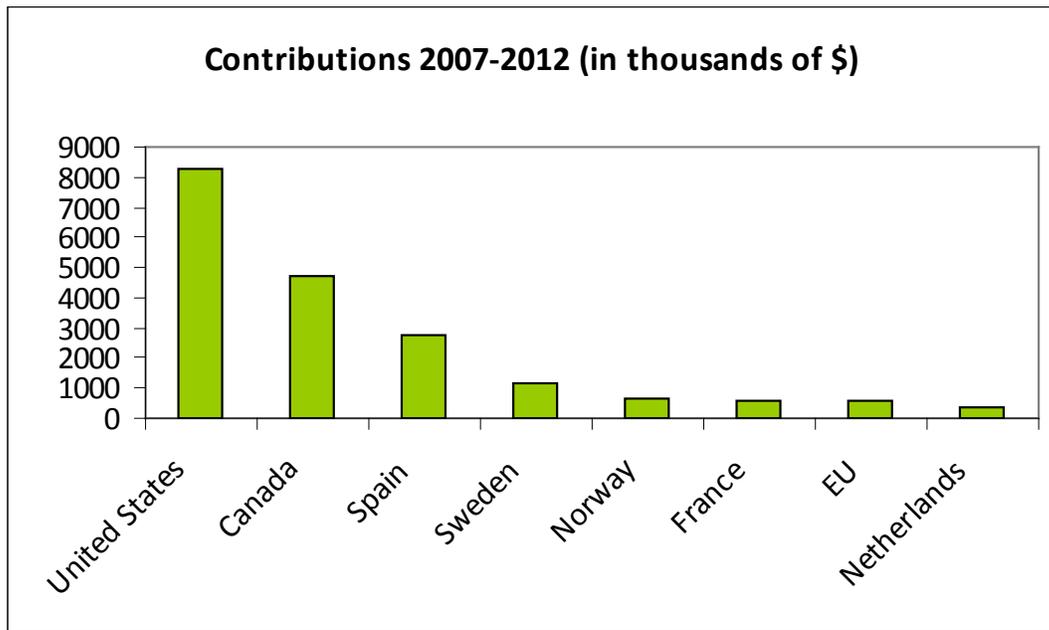


### 4.2 Contribution per Member State and per Observer Country



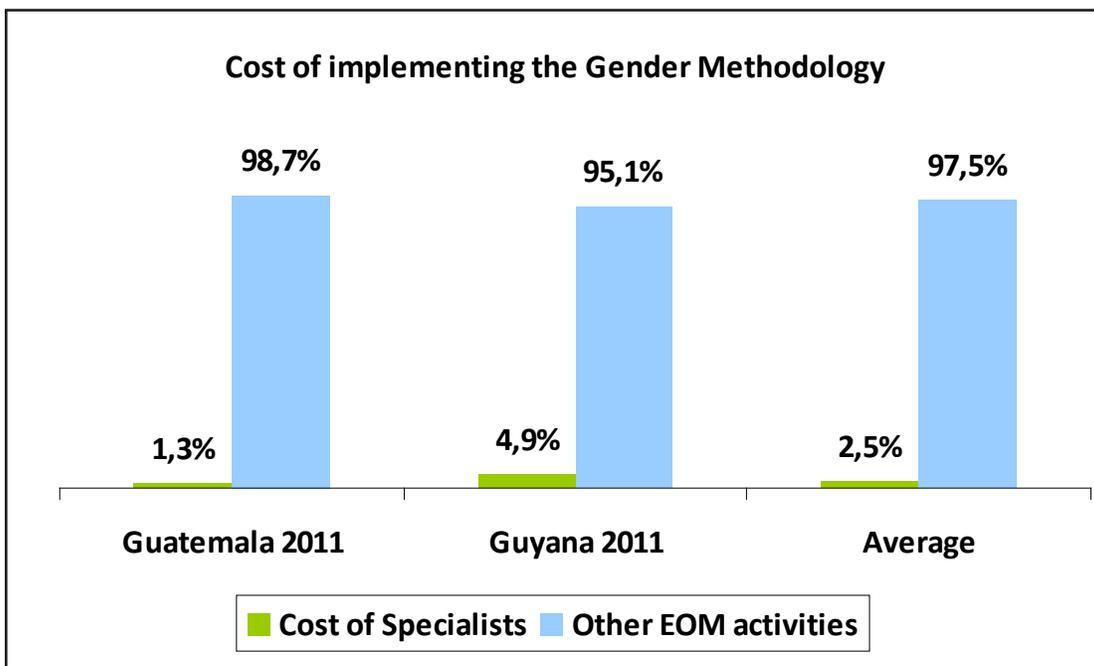
52. The data here published are approximations.

### 4.3 Donor identification

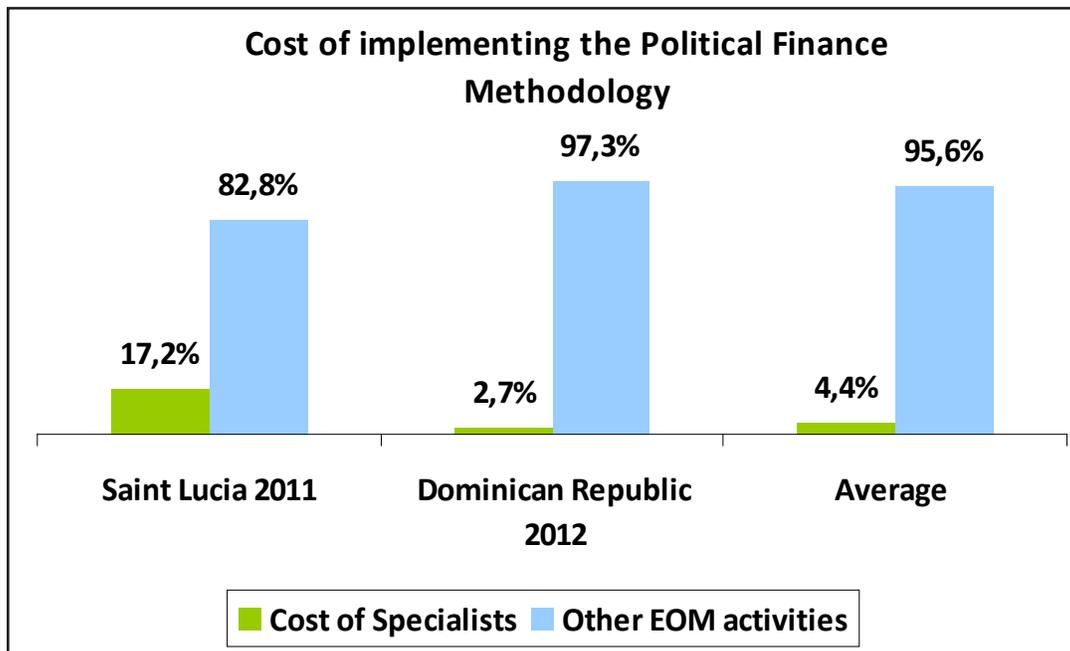


### 4.4 Cost of implementing methodologies

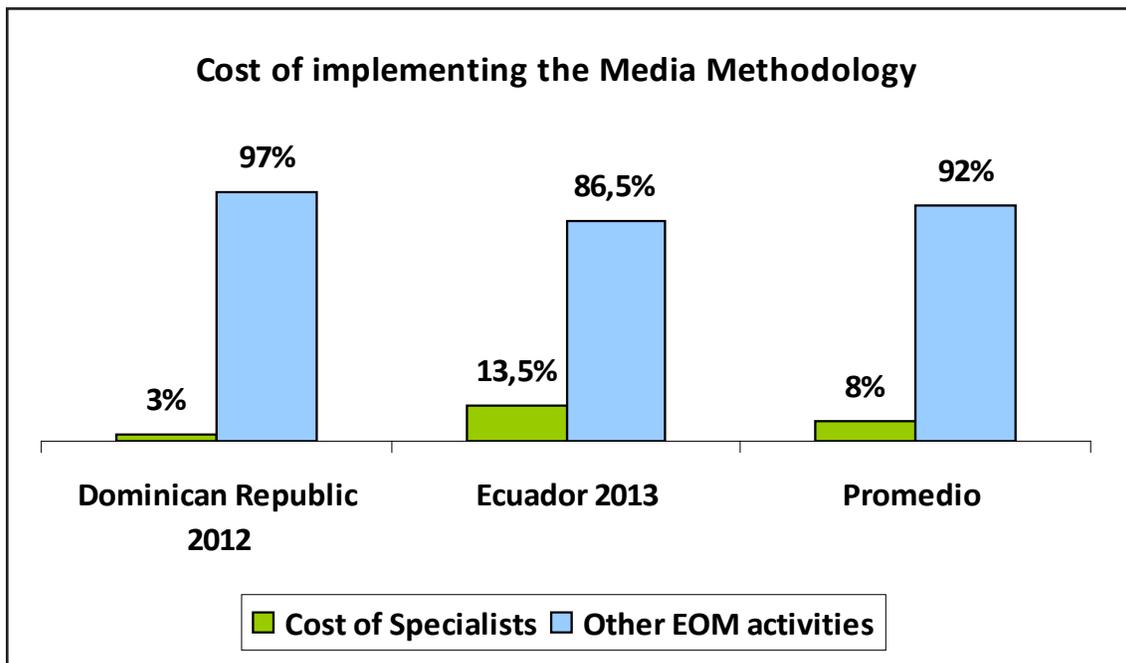
#### 4.4.1 Gender Methodology



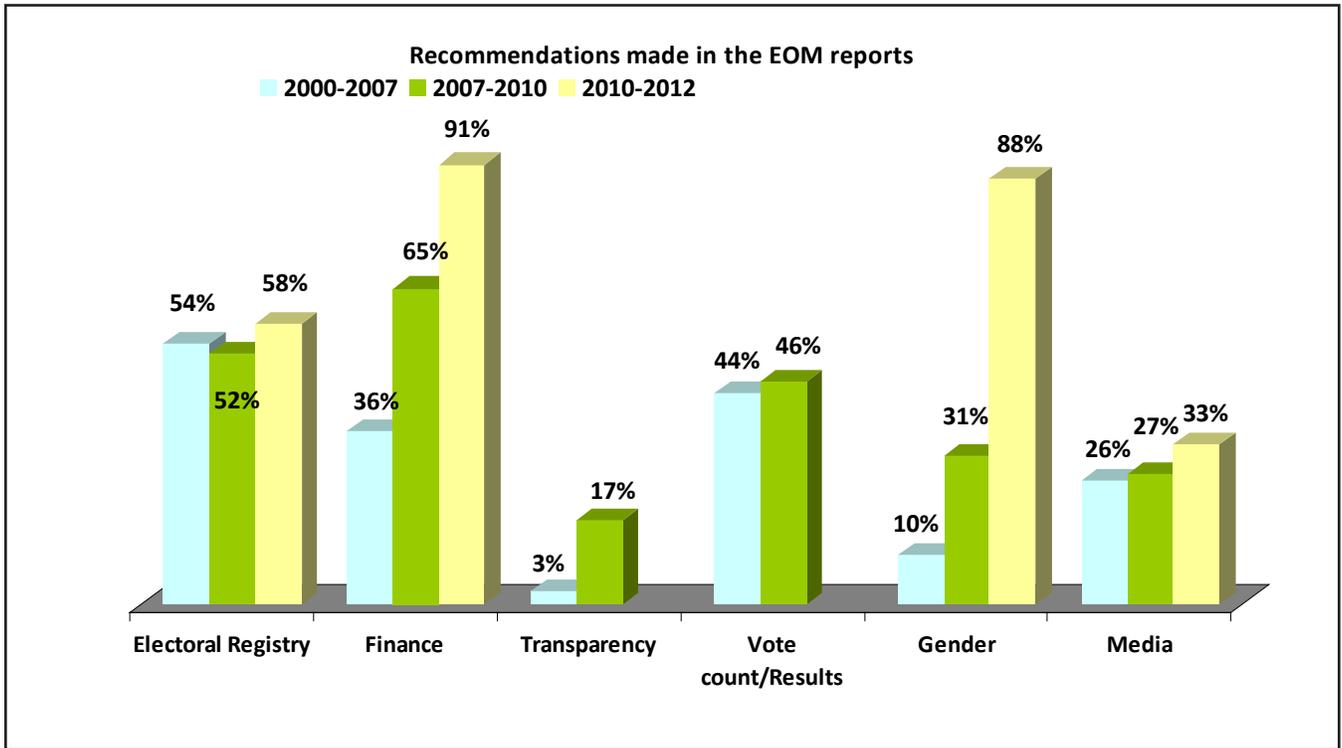
## 4.4.2 Finance Methodology



## 4.4.3 Media Methodology



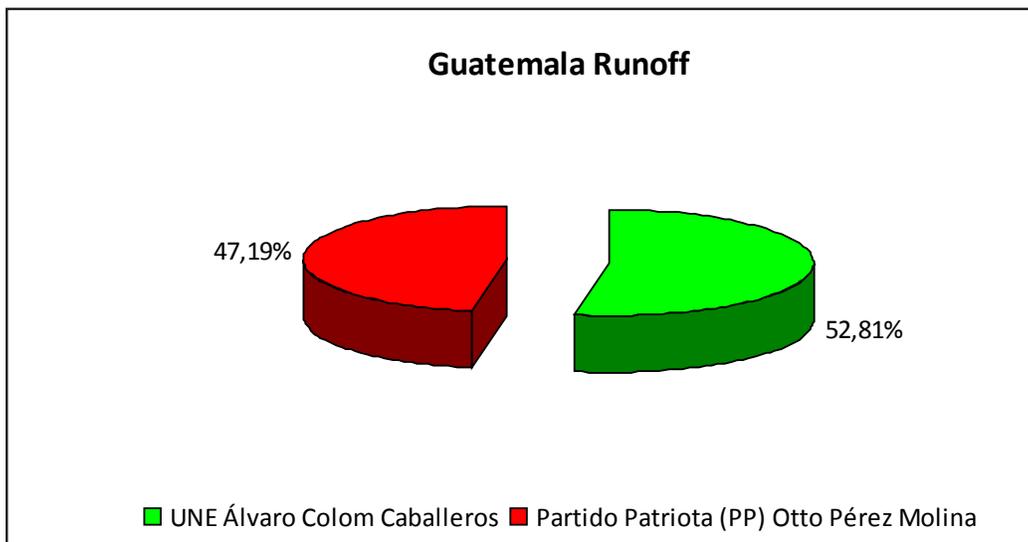
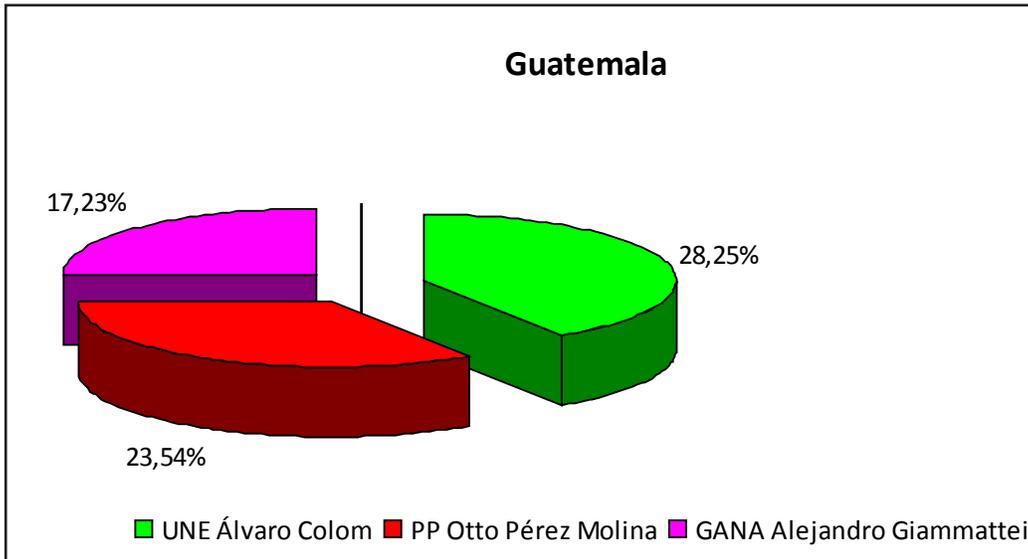
## V. Recommendations



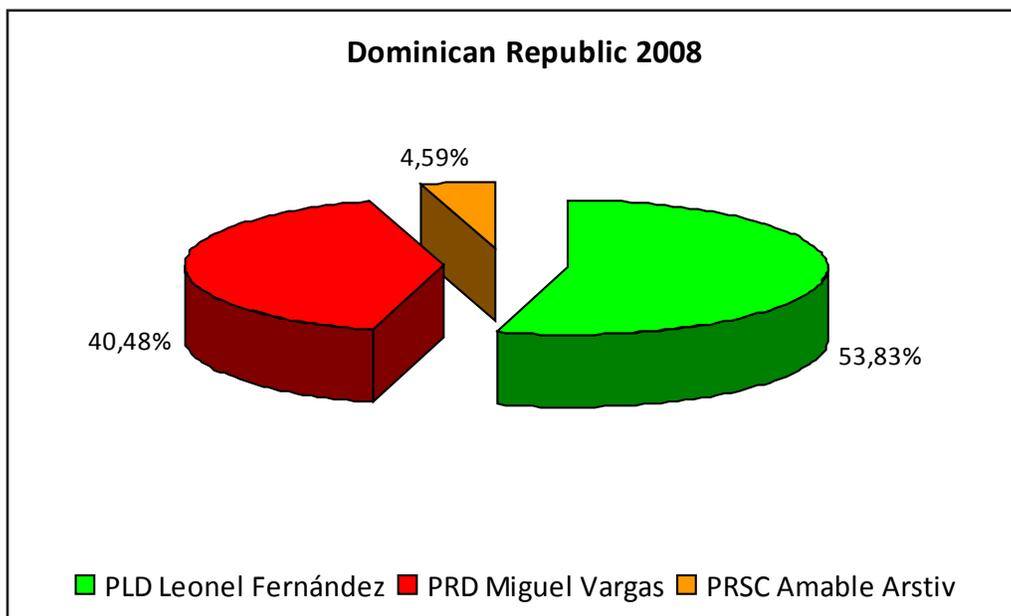
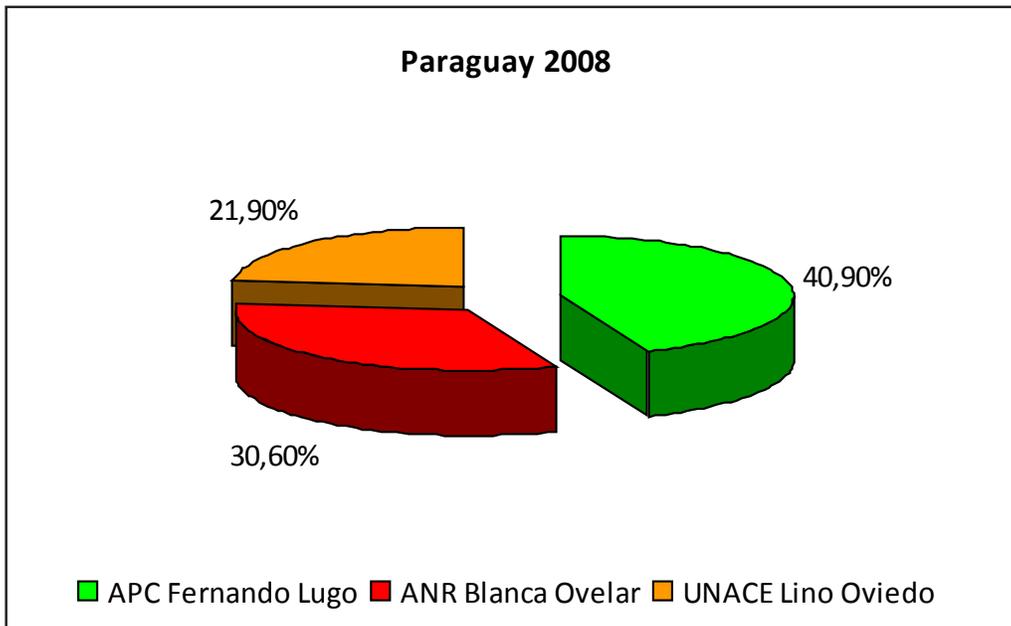
\* The Methodologies are being implemented since 2010

## VI. Electoral Results in the Observed Presidential Elections from 2007 until 2012

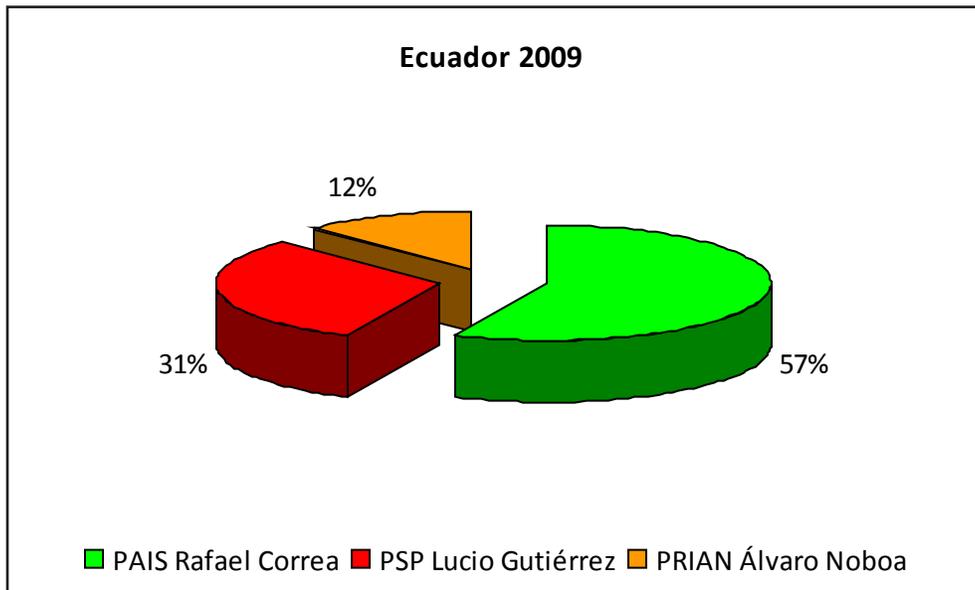
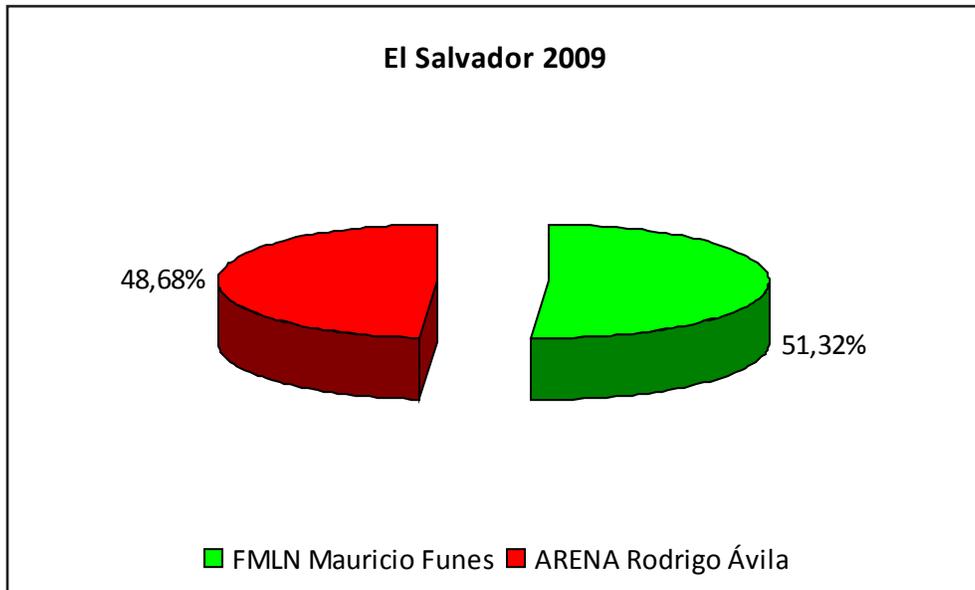
### 5.1. Presidential Elections in 2007

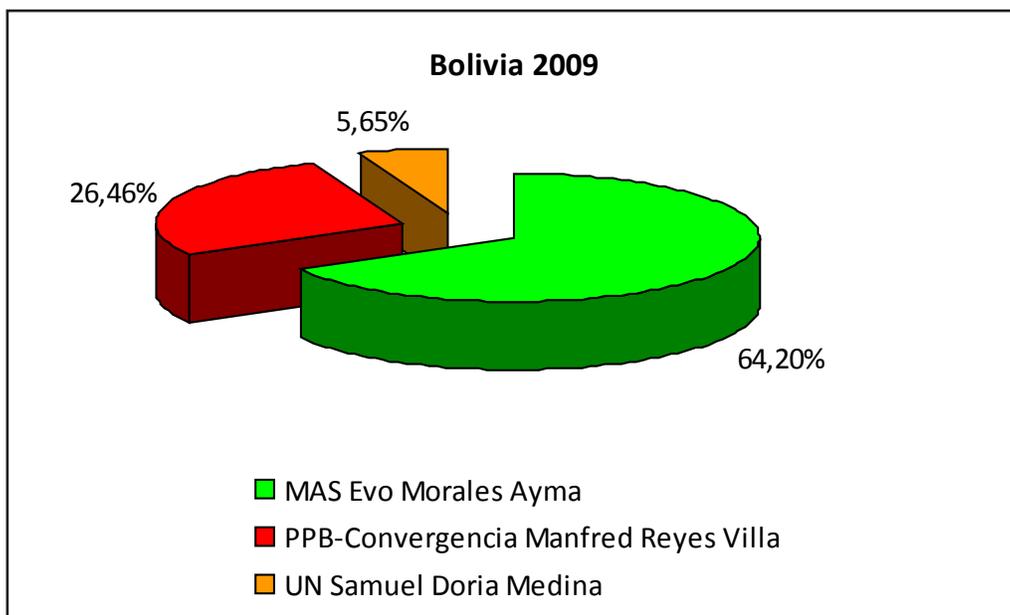
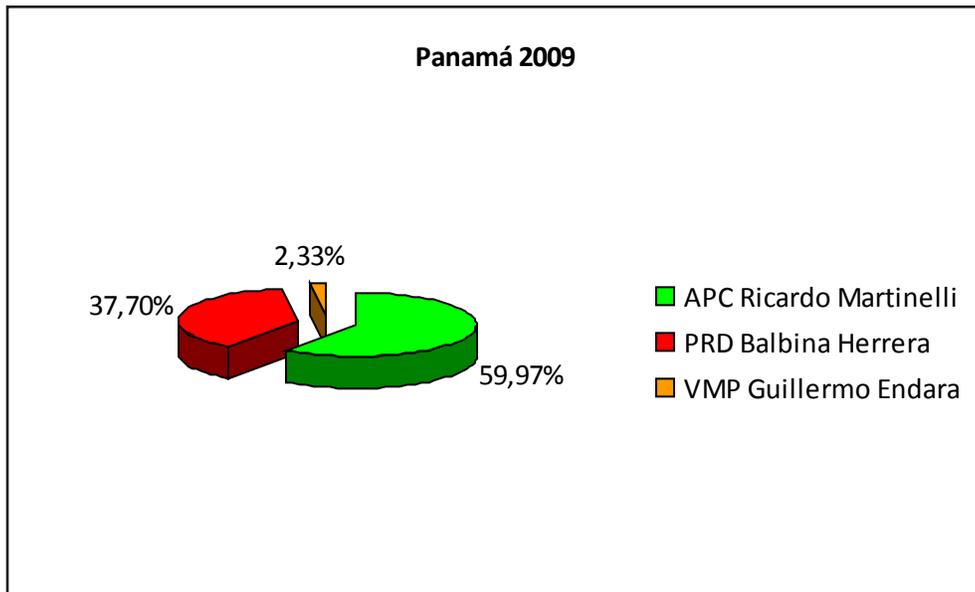


### 5.2 Presidential Elections in 2008

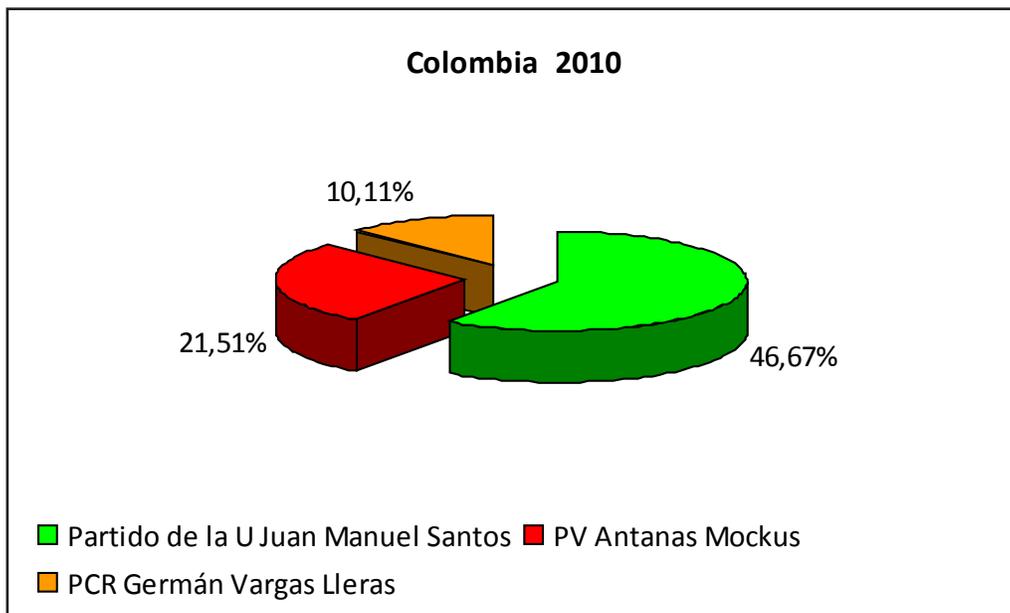
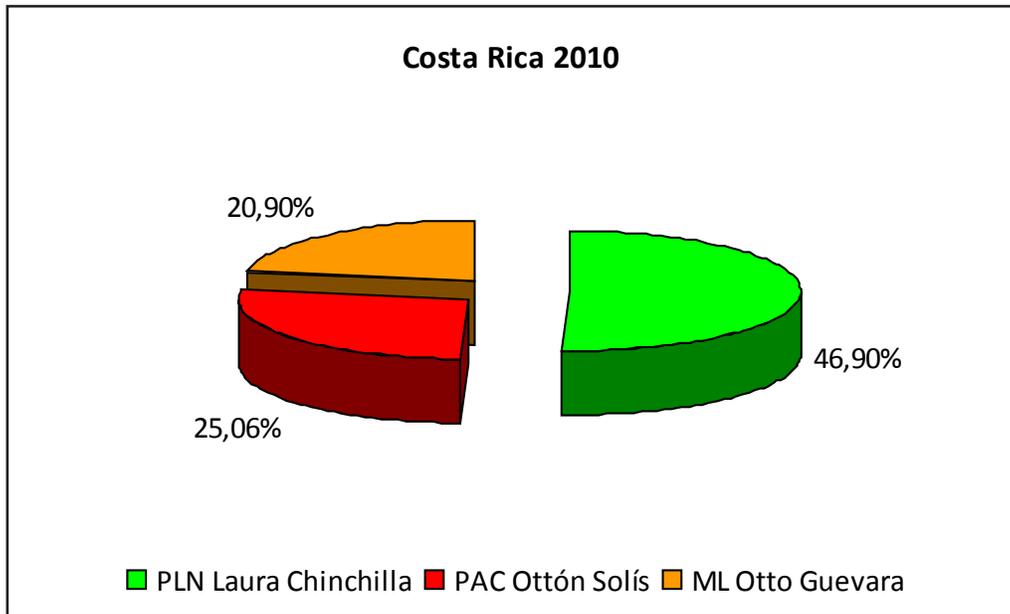


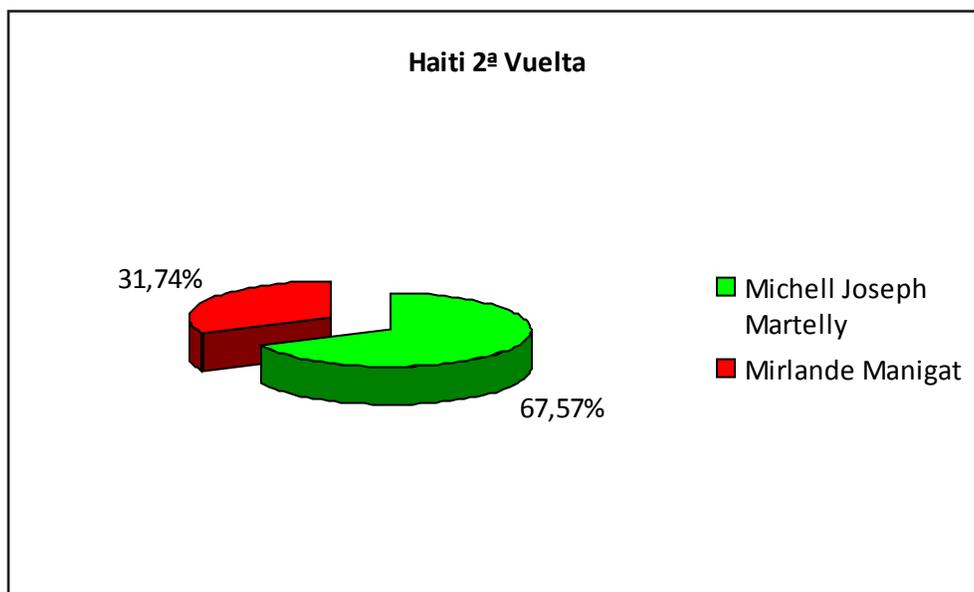
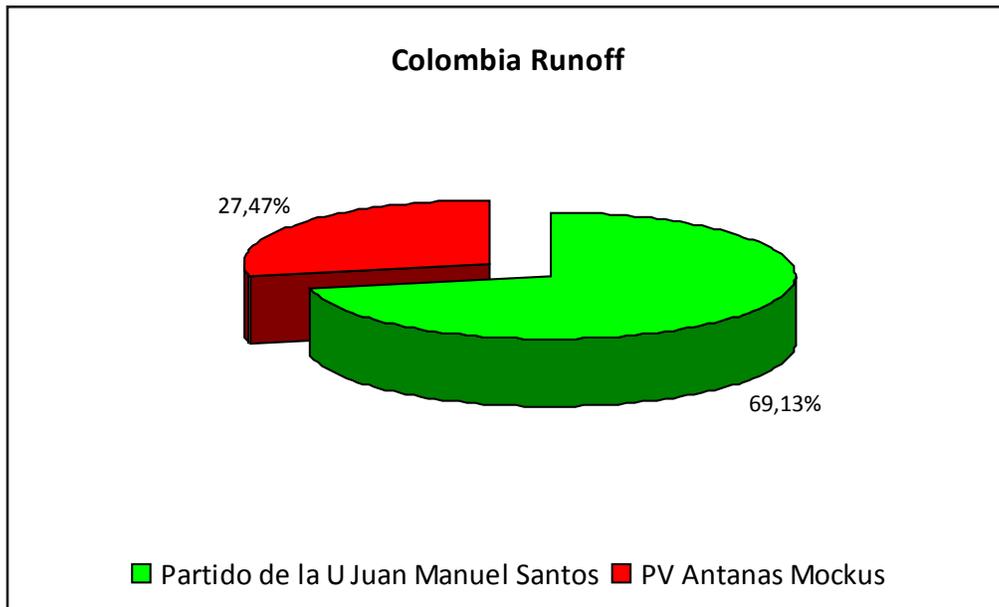
### 5.3 Presidential Elections in 2009

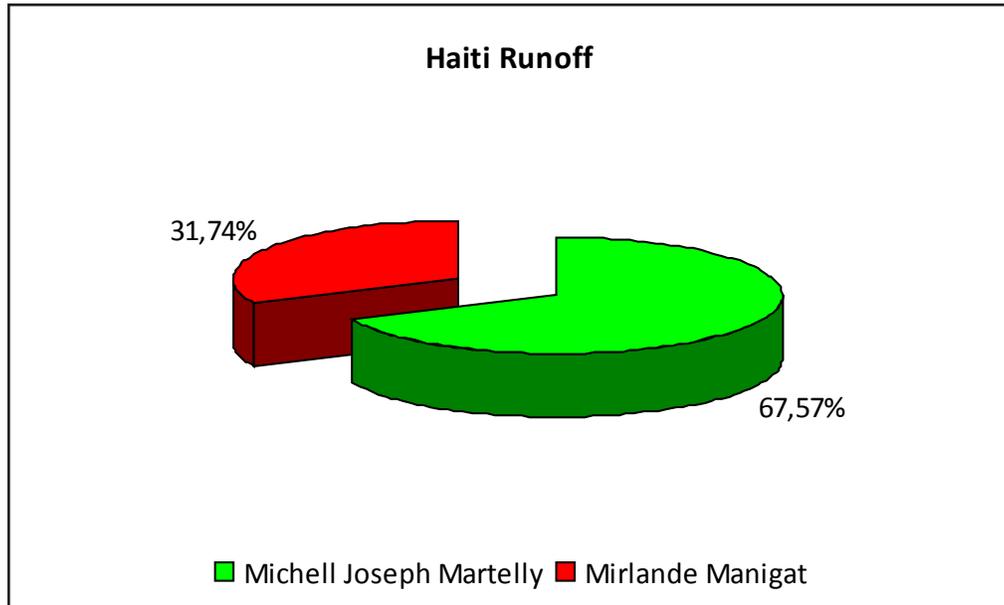




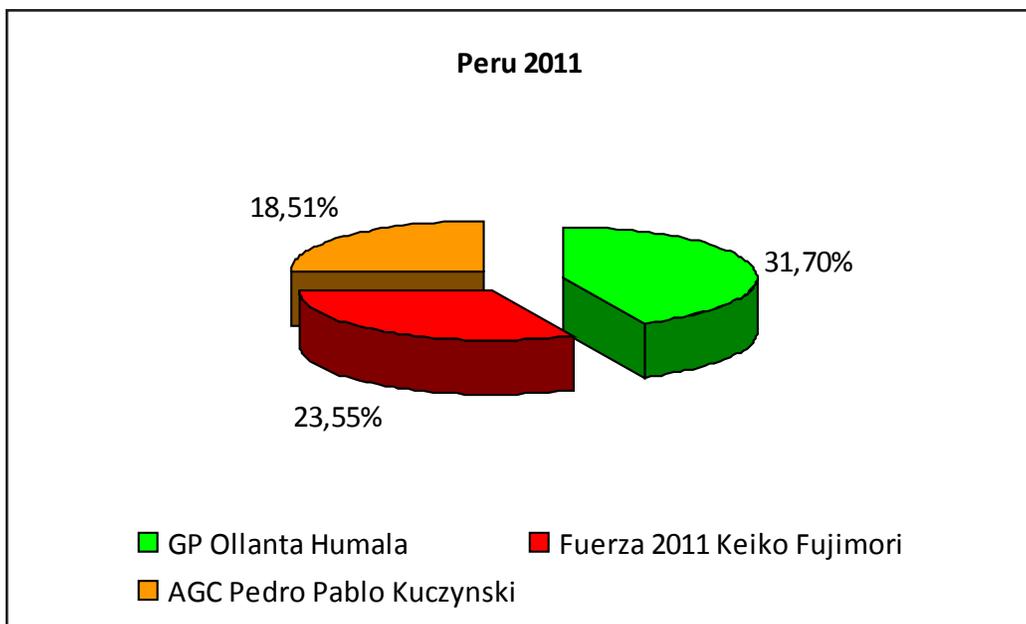
#### 5.4 Presidential Elections in 2010

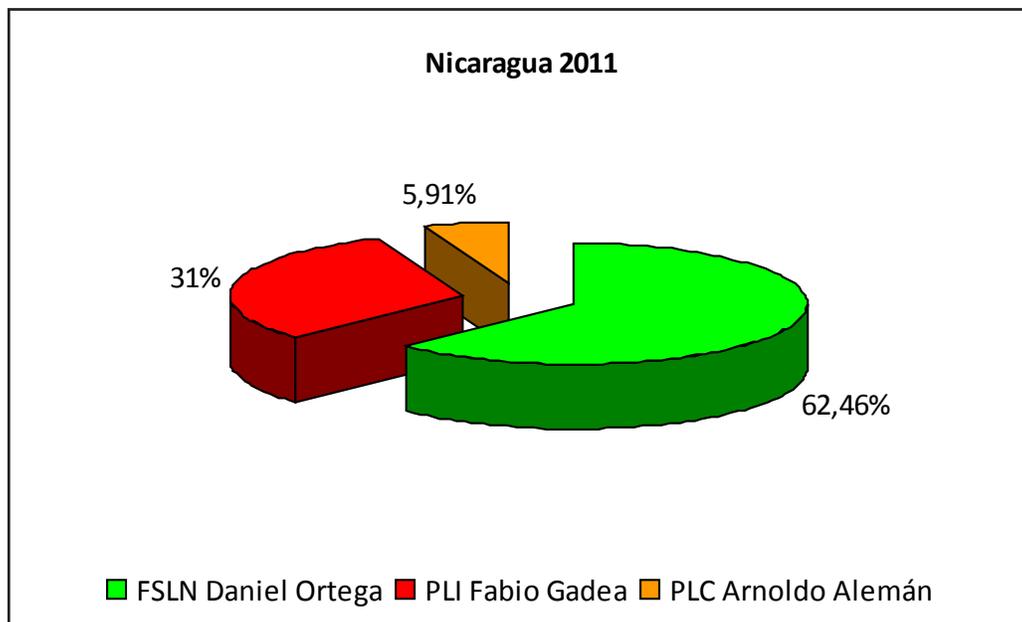
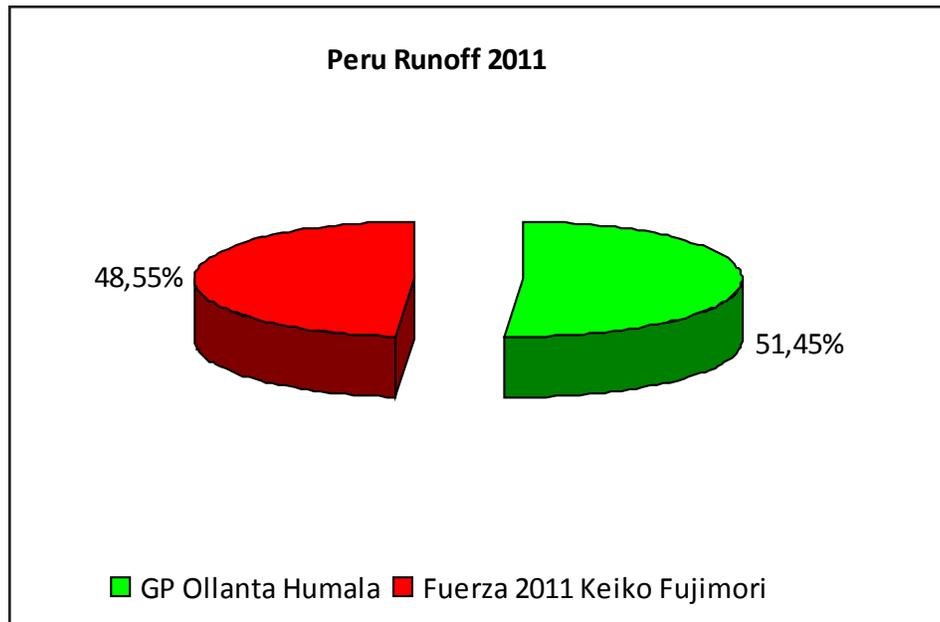




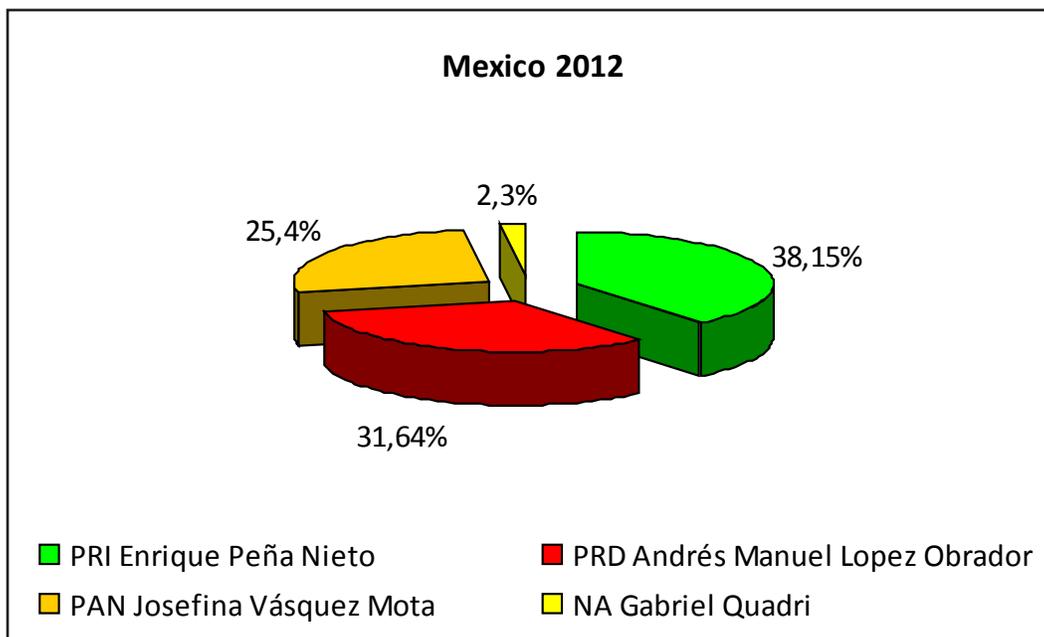
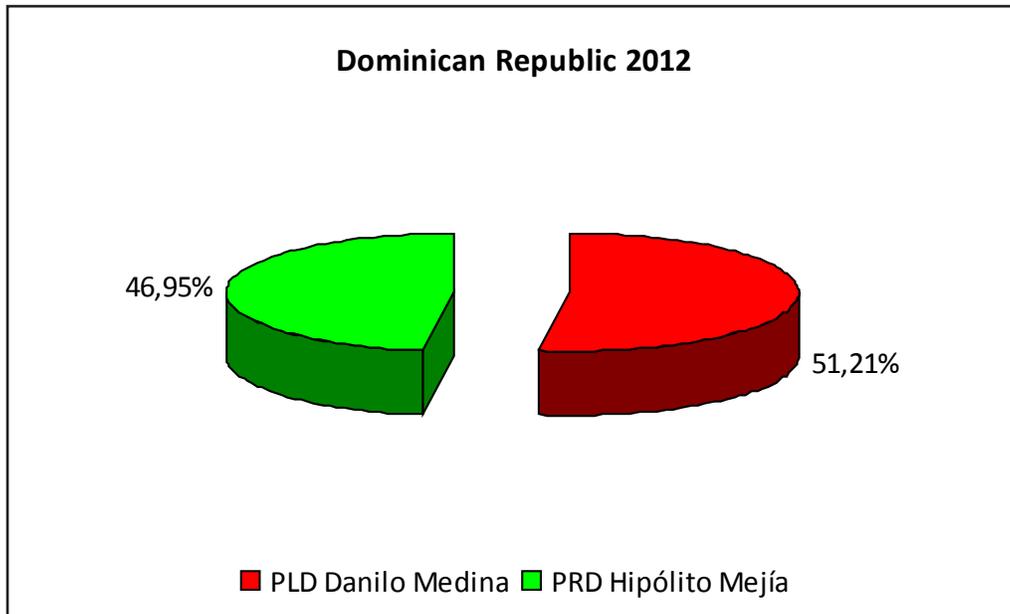


## 5.5 Presidential Elections in 2011





## 5.6 Presidential Elections in 2012



# BIOGRAPHIES

**José Miguel Insulza** was elected General Secretary of the OAS on May 2, 2005 and reelected on March 24, 2010. The renowned Chilean politician has an accomplished record of public service in his country. At the beginning of his first five-year term as Secretary General, he pledged to strengthen the Organization's "relevance and its capacity for action." A lawyer by profession, he has a law degree from the University of Chile, did postgraduate studies at the Latin American Social Sciences Faculty (FLACSO), and has a master's in political science from the University of Michigan. Until 1973, he was Professor of Political Theory at the University of Chile and of Political Science at Chile's Catholic University. He also served, until that year, as Political Advisor to the Chilean Ministry of Foreign Affairs and as Director of the Diplomatic Academy of Chile. He became involved in politics during his student years and served as Vice President of the Student Association of the University of Chile (FECH), President of the Center for Law Students of the University of Chile and President of the Chilean National Union of Students of the University Federations of Chile (UFUCH).

**Dr. Kevin Casas-Zamora** is currently the Secretary for Political Affairs at the Organization of American States. Previously, he served as Senior Fellow in Foreign Policy at the Brookings Institution, in Washington DC. He has also served as Minister of National Planning and Economic Policy and Second Vice-President of Costa Rica. Dr. Casas-Zamora has also been Program Officer of the Arias Foundation for Peace and Human Progress, and General Coordinator of the National Human Development Report, Costa Rica, United Nations Program for Development. He received his Law Degree from the University of Costa Rica and MA and Ph.D. in Political Science from the Universities of Essex and Oxford, respectively. He is the author of numerous

studies on campaign finance, elections, democratic governance and human security in Latin America. His doctoral thesis, entitled "Paying for Democracy in Latin America: Political Finance and State Subsidies for Parties in Costa Rica and Uruguay", won the Jean Blondel 2004 Prize of the European Consortium for Political Research (ECPR) for the best doctoral thesis in Political Science in Europe and was published in 2005 by the ECPR. In 2007, Dr. Casas-Zamora was selected by the World Economic Forum as a member of the Young Global Leaders network.

**Dr. Betilde Muñoz-Pogossian** has been Acting Director of the Department of Electoral Cooperation and Observation since August 2012. Dr. Muñoz-Pogossian holds a Ph.D. in Political Science from Florida International University, Miami. She has authored and co-authored numerous publications on democracy, elections, gender mainstreaming in election observation, among others. One of her most recent publications include an article entitled The Role of International Electoral Observation Missions in the Promotion of the Political Rights of Women: The Case of the OAS, published in the Election Law Journal, Vol. 12, Number 1, 2013. In 2008, she received the OAS General Secretariat Outstanding Performance Award in recognition of her extraordinary contributions to the Organization. As former Chief of the Electoral Studies and Projects Section (2006-2012), Dr. Muñoz-Pogossian led OAS efforts to professionalize the work of the OAS in election observation. Over the past decade, Dr. Muñoz-Pogossian has participated in more than 20 Electoral Observation Missions in various roles. She has over 15 years of professional and research experience in Latin American politics.

**Sara Mía Noguera** is Chief of the Section of Electoral Studies and Projects of the OAS Department of Electoral Cooperation and Observation (OAS/DECO). She supervises projects aimed at strengthening the work of the OAS electoral observation and the professional capacities of the electoral authorities of the region through knowledge production, transfer, dissemination and generating forums of exchange. She worked in the OAS Department of Effective Public Management on topics, such as transparency, access to information and governance. She gained work experience in the field of human rights, gender mainstreaming and research in the United Nations High Commissioner for Refugees (UNHCR) in Venezuela and in the UNICEF Innocenti Research Centre in Italy. She graduated in International Studies with emphasis on Latin America at Georgia Southern University in the United States, and she holds a master's in International Law and Human Rights of the United Nations-mandated University for Peace in Costa Rica.

**Tyler Finn** has been working in the OAS Department of Electoral Cooperation and Observation since January 2011. He holds a master's in Political Sciences with emphasis on Latin America of the New York University and an undergraduate degree in Political Theory and Spanish of Oberlin College. He was born in Hong Kong and he grew up in Switzerland, England and the United States.

**María T. Mellenkamp** has been working with the OAS since 1993, and since 2007 she has been Chief of the Electoral Technical Cooperation Section. She supervises cooperation projects linked to topics such as electoral registering, quality management and jurisprudence in various countries of the region. She holds an undergraduate degree in International Relations and two masters in International Transactions and in International Development. She also holds a diploma in Human Rights and Citizen Participation.

**Kristen Sample** is the Director of Global Programmes for the International Institute for Democracy and Electoral Assistance (International IDEA). Previously, she was the International IDEA's Chief of Mission for the Andean Region and served as its regional coordinator for democracy and development and gender issues. She is editor or author of a series of publications, including, "Dime a quien escuchas: Think tanks y partidos políticos en América Latina," "From Words to Action: Best Practices for Women's Participation in Political Parties," "Riding the Wave: Women's Political Participation in Latin America" and "Democracia en la Región Andina: los telones de fondo." She has a Master's degree in public policy from Harvard University. Before joining IDEA, Kristen worked in Peru, Bolivia, Guatemala and Chile in various positions related to democracy building and support for civil society.

**Dr. Rosina Wiltshire** has an extensive career in International Development and Gender Equality. She is the first CARICOM Advocate for Gender Justice. She led the OAS Electoral Observer Mission to St Lucia in 2011. She was appointed a Distinguished Fellow of the Sir Arthur Lewis Institute for Social and Economic Research at the University of the West Indies in 2010. From November 2001 she served as UNDP Resident Representative and UN Resident Coordinator in Barbados and Eastern Caribbean. Dr. Wiltshire's mandate covered ten countries and eleven operational programmes. She also represented the UN Secretary-General as Resident Coordinator of the UN system agencies, funds and programmes resident in Barbados. Dr Wiltshire is an experienced facilitator in leadership development. Dr. Wiltshire served in UNDP Headquarters from 1994, until leaving in 2001 to take up re-assignment to Barbados. Whilst at Headquarters, she held a number of posts including – Deputy Assistant Administrator of the Bureau for Development Policy a.i., Chief of Learning, Deputy Director of the Social Development and Poverty Eradication Division, Head

of Gender in Development. She coordinated UNDP's substantive position for the Fourth World Conference on Women, Development and Peace in Beijing and was a member of the official delegation. As Chief of Learning she led the development of UNDP's virtual university (VDA) which graduated 90 participants world wide in the first year. Prior to joining UNDP, Dr. Wiltshire was Manager of the Gender and Development Programme at the International Development Research Centre, Canada and an Adjunct Professor at Carlton University. She supported the South African Transition Team in mainstreaming gender across the policy spectrum. Dr. Wiltshire lectured at the UWI for 20 years in International Politics and International Development and was Visiting Professor at the Institute for International Development and Cooperation, University of Ottawa and the Norman Patterson School for International Affairs at Carlton. She was a member of the Planning Committee for the 1991 World Women's Congress for a Healthy Planet held in Miami. She also was a part of the official delegation and the NGO delegation to the UN Conference on Environment and Development in Rio 1992. Dr. Wiltshire holds a Master's and a Ph.D in Political Science (International Relations) from the University of Michigan, Ann Arbor, USA and a B.Sc (Economics) from UWI Mona. She is married to Dr. Jan Loubser and is the mother of one daughter, Tonni Brodber.

**Alejandro Urizar** is currently the Chief of the Electoral Observation Section of the Department of Electoral Cooperation and Observation (OAS/DECO). Previously he was a consultant in political financing systems in the same department of the OAS. He has participated in ten Electoral Observation Missions (OAS/EOMs) in Latin America and the Caribbean, as Specialist in political-electoral financing and as Media Analyst.

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