



SIXTH INTER-AMERICAN MEETING OF ELECTORAL MANAGEMENT BODIES

June 22-23, 2009 - Ottawa, Canada

Strengthening Electoral Processes: The Role of Electoral Management Bodies between Elections, Voter Registry, and International Electoral Observation

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SIXTH INTER-AMERICAN MEETING OF ELECTORAL MANAGEMENT BODIES / JUNE 22-23, 2009 - OTTAWA, CANADA

STRENGTHENING ELECTORAL PROCESSES: THE ROLE OF ELECTORAL MANAGEMENT BODIES BETWEEN ELECTIONS, VOTER REGISTRY, AND INTERNATIONAL ELECTORAL OBSERVATION

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INTRODUCTION

The General Secretariat of the Organization of American States (GS/OAS) has supported the Inter-American Meetings of Electoral Management Bodies (EMBs) over the past five years. These meetings seek to promote the effective exchange of knowledge, experiences, and best practices of electoral administration in the region. In particular, they facilitate horizontal cooperation in efforts to continuously strengthen institutional capacities and further improve electoral systems in the Americas.

Each of the five prior meetings has addressed a different critical theme for EMBs. In March 2003, the first meeting took place in Panama City, Panama, where participants discussed the importance of consensus among political actors to implement technological changes and to promote necessary legal reforms in this area. In subsequent meetings, participants discussed the effective use of new technology in different stages of the electoral process, sharing best practices in ensuring the accurate and efficient transmission of results, among others. During the 2008 meeting in Quito, Ecuador, representatives of EMBs of the region explored efforts to strengthen public confidence in electoral processes, paying particular attention to three issues: political financing, electoral participation, and technology.

Notably, the meetings in 2007 and 2008 provided important impetus for information sharing and inter-institutional collaboration, as well as very concrete initiatives to strengthen electoral authorities and to make elections more transparent and participatory. For instance, the General Secretariat of the OAS initiated the project “Strengthening Electoral Processes and Registry Systems of Panama: Implementing a Quality Management System.” Subsequently, following the Quito meeting, the Supreme Electoral Tribunal of Costa Rica and the National Electoral Jury of Peru requested similar technical assistance.

As of 2008, the Department of Electoral Cooperation and Observation began institutionalizing its capacity-

building project known as the First Inter-American Electoral Training Seminar, and at the 2008 meeting of EMBs in Quito, electoral authorities discussed and selected the priority topics to be addressed at the training seminar. This Fifth Inter-American Meeting was also a milestone in regard to regional participation as it was the first time in which Caribbean EMBs participated.

The Sixth Inter-American Meeting of Electoral Management Bodies in Ottawa, Canada, on June 22 and 23, 2009, addressed three key issues for EMBs: the role of electoral management bodies between elections, voter registry, and international electoral observation.

I. “Role of EMBs between Elections”

Permanent electoral management bodies (EMBs), which have largely become the norm, have a multi-faceted role that can vary to a large extent based on their specific legislative mandate, which is not confined to the election period.

Immediately following an election, EMBs are primarily focused on wrapping up the event, which includes ensuring that results are tabulated and published accurately and promptly. This could also include processing election financial returns, handling election reimbursements, and investigating complaints in relation to potential breaches of the legislation. These activities can be quite complex and drawn-out. Often-times with prior approval from governments, EMBs are also required to test and develop new procedures and systems to be piloted during electoral events.

In some countries, EMBs have a clear and full mandate of activities to be completed between election cycles, such as conducting voter registration, maintaining the voter registry, and ensuring that political financing requirements are met, which includes the registration of political entities and the allocation of

annual subsidies. Some also engage in voter education initiatives.

Another key role of EMBs between elections is to implement legislative changes put forward by their respective governments on election-related issues. In addition, some EMBs are an important source for such recommendations for modified or new electoral legislation. This ensures that new legislation is both relevant in improving electoral processes and timed so as to allow for implementation in the subsequent election.

Finally, while some EMBs possess an explicit international legislative mandate, many are engaged in international activities. These range from attending conferences and events, to learning and sharing best practices, to hosting foreign delegations and offering technical assistance to other EMBs, either bilaterally or in the context of electoral assistance missions.

■ II. “Strengthening Electoral Processes: Voter Registry”

At a minimum, a voter registry consists of the names, places of residence, photographs, and basic biological information of those entitled to vote, including citizens with temporary disqualifications, who are specially flagged in the registry. At a specific point prior to an election, amendments to the voter registry are no longer permitted, and a final voters list is established.

Reliable voter registries are vital for accurate and fair democratic elections and are important in promoting public confidence in the election results. Maintaining an accurate voters list, however, is particularly challenging in countries without electronic voter registries. In particular, it can be difficult to keep track of changes in residence, out-of-state voters, deaths, and voters with temporary disqualifications. Accurate information is vital to help prevent voter fraud (such as double voting) and is important for effective planning and administration of elections. The EMBs of many countries are responsible for registering voters and for maintaining an accurate registry. Accordingly, they are also responsible for educating voters to update their information as necessary.

Given the common information required for civil and electoral registries, countries that manage these registries separately often face challenges in aligning the information between the two lists. Since the right to vote depends on certain data confirmed by

the civil registry, such as nationality, residence, and age, the accuracy of this information is vital. The OAS has placed particular emphasis on the many challenges to ensuring accurate civil and electoral registries.

One of the mechanisms used to identify inaccuracies and limitations in the voters list is a voter registry audit. The audit results include findings and recommendations that enable EMBs to improve voter registration and produce a more accurate voter registry. Another important tool for the OAS and other international bodies to assess civil and voter registries is international electoral observation.

■ III. “Strengthening Electoral Processes: International Electoral Observation”

International electoral observation missions (EOMs) have become essential instruments for promoting democracy in the hemisphere. Since 1960, the OAS has observed more than 160 elections, although the most significant developments have occurred during the last 15 years. The findings from various EOMs deployed by the OAS Department of Electoral Cooperation and Observation demonstrate significant improvements in electoral processes of OAS member states. Likewise, member states have increasingly recognized the legitimate role of international electoral observation.

The evolution of international electoral observation has been closely related to the political and cultural transformations of Latin America and the Caribbean. Initially, international electoral observation missions were symbolic and very limited in time and scope. As a number of countries transitioned from authoritarian regimes to democratic systems, international electoral observation missions took on an important role in supporting countries as they began holding free elections and in providing greater public legitimacy to these processes. In these nascent democracies, elections provided critical opportunities for consolidating systems and for supporting the professionalization of EMBs.

At present, election day is no longer the singular focus of EOM efforts. Missions now also focus on verifying equitable and fair conditions for participating in an election. Thus, EOMs also evaluate the role of government in political campaigns, political financing, and access to the media, among other considerations.

While the initial EOMs did not operate under a standardized protocol or methodology, the current



Sixth Inter-American Meeting of EMBs, Ottawa, Canada, June 2009.

missions led by the OAS have promoted a standardized observation methodology, attempting to consolidate, professionalize, and continuously improve EOM effectiveness.

In 2006, the OAS developed a rigorous methodology to conduct objective, impartial, and transparent assessments of elections. The methodology was based on the Inter-American Democratic Charter, and other inter-American juridical instruments, and was intended to assess whether elections meet these international standards. As its starting point, the OAS methodology defines the concept of democratic elections. This definition includes four basic conditions: that elections are inclusive, providing equal opportunity for citizens to exercise their franchise; that they are clean, ensuring that voter preferences are respected and faithfully registered; that they are competitive, offering the electorate a choice among candidates; and that they are continuous and periodic, guaranteeing authority to those elected officials for a pre-determined tenure.

As such, OAS EOMs evaluate each of the four conditions of a democratic election and make recommendations to improve the country's fulfillment of each condition. These recommendations are provided in line with point 4 of the Declaration of Principles for International Election Observation, which states: "... International election observation should, when possible, offer recommendations for improving the

integrity and effectiveness of electoral and related processes ...".

Experience also shows that recommendations made by electoral observation missions are not always implemented. It often occurs that when the mission returns to observe the next election, many of the weaknesses identified persist. This is undoubtedly due to the fact that electoral authorities do not always have the requisite human and financial resources, or the time and support, to implement the recommendations. In view of this reality, the OAS has made an effort to offer its good offices to implement the recommendations that emanate from their EOM reports, if so requested. There are currently projects being executed in three countries: Bolivia, Guatemala, and Paraguay.

The meetings of the Inter-American Electoral Management Bodies continue to advance the efforts of each member state to improve upon election processes so as to best support the execution of fair and transparent democratic elections. The forum provides a unique opportunity to exchange knowledge, important lessons, and new ideas among the Electoral Management Bodies in the hemisphere. Beyond the few days of formal meetings, these discussions establish a platform for horizontal cooperation among member states on an ongoing basis, working towards the goal of advancing a cornerstone of democracy in the Americas.



OPENING SESSION REMARKS

Ambassador Victor Rico Frontaura *Secretary for Political Affairs, OAS*

The Sixth Inter-American Meeting of Electoral Management Bodies is entitled “Strengthening Electoral Processes: The Role of Electoral Management Bodies between Elections, Civil Registry, and International Electoral Observation.” The sixth meeting will be an important step for more and deeper cooperation among all of the electoral management bodies of the Americas.

The sixth meeting, which is the continuation of an effort that started six years ago in Panama and has allowed for the development of cooperation and inter-relationships among the electoral bodies of member states, has the following objective: to strengthen and help the progress of democracy in the hemisphere. The meeting last year in Quito marked an important milestone, where for the first time, the electoral bodies of the Caribbean joined this movement. Today, they are once again present with the other organizations from North, Central, and South America.

The Work of Electoral Management Bodies between Elections

Election day is the culmination of a whole process. When people go to vote, they are expressing and participating in one of the last steps in the preparations of elections, a process which is entrusted to the electoral management bodies. Once a vote is completed and official results are published, electoral management bodies begin new tasks in order to prepare for the next elections and strive to correct and remedy errors, improve the electoral process, and ensure that it is carried out under the best of conditions. Therefore, the tasks between one election and the next are of major importance. The experiences shared in this meeting will allow other countries, who are perhaps

in early stages, to acquire information and enrich themselves so that they can organize themselves in the intermediate stage between elections.

Voter Registry

It is very important to have an electoral registry which is serious and reliable and has credibility amongst the people. Aside from a registry being set up properly, it is important that the citizens who are going to vote are convinced that the registry is credible and reliable. Over the last two years, the Organization of American States has started to work on improving electoral registries. The latest effort in this regard deals with setting up a biometric electoral registry in Bolivia.

International Electoral Observations

The OAS has been observing electoral processes since the start of the 1960s. The Organization has accumulated vast experience, especially in the last decade, when member states completed a very lengthy period of military regimes and entered a new democratic phase, which will continue for many years to come. Electoral systems have been perfected in this new phase and continue to improve and strengthen democracy in order to make it more participatory; in order to convert it into a democracy that is truly felt by citizens, and not just on election day; a democracy that starts to generate benefits that the people expect from democracy. Democracy is not just elections. Elections are a fundamental aspect, but democracy is something lived every day. It means having the possibility of expressing ideas freely. It means having the possibility of free and democratic participation in the process of decision making when drafting public policies. It means having the possibility of dignified employment and a minimum well-being in each and every democratic country.

This democratic period has also been characterized by greater OAS participation in electoral observation. The OAS is there to support the electoral management bodies, who are the only ones that can actually move the electoral process forward in each country. In a framework of full respect for the laws and standards adopted in each sovereign country, the OAS is present in order to be useful and help generate initiatives that will help improve the electoral processes in each country. The issue of electoral observation will be discussed by one of the panels, and it will be very important to hear different perspectives on improving the electoral observation carried out by the OAS.

The three issues raised above are important and will help to create a framework of initiatives and conclusions that will strengthen international cooperation and benefit democracy in the countries of the region.

■ **Mr. Marc Mayrand**

Chief Electoral Officer of Canada, Elections Canada

It is a great honor for Elections Canada to host, with the OAS, the Sixth Inter-American Meeting of Electoral Management Bodies. The overall theme of our meeting is strengthening electoral processes. In the course of the next few days, we will look at how electoral authorities can strengthen citizens' trust in electoral processes. This issue will be addressed by focusing on three key subjects: the role of electoral management bodies between elections, voter registries, and international electoral observation. The electoral process is the cornerstone of democracy. It provides legitimacy to democratic institutions and needs to be nurtured and fortified. This meeting affords the opportunity to discuss common challenges and explore potential solutions. Best practices will be explored in order to clarify the role of administrators and strengthen bilateral relationships. Another goal is to strengthen the capacity to deliver mandates and identify opportunities for further cooperation.

■ **Hon. Steven Fletcher**

Minister of State for Democratic Reform, Canada

The Minister of International Cooperation, the Honourable Beverley Oda, has emphasized the importance of the partnership between the Organization of American States and the Canadian International Development Agency, CIDA. The OAS-CIDA Cooperation Plan not only underscores Canada's move towards a more focused, strategic, programmatic, and results-based approach,

but also reinforces the OAS role as the premier multi-lateral political institution in the Americas for promoting best practices in democratic governance and as leaders in effective development programming. The Government of Canada's collaboration with the OAS is part of the country's engagement in the Americas and is one of Canada's highest foreign policy priorities. Democracy is also one of the priorities, which the government will be focusing on in its international assistance, alongside security and stability, food security, children and youth, and economic growth. These elements help guide programming in the Americas as well as Canada's collaboration with the OAS.

Canada's contribution to the OAS' electoral assistance efforts is very important. Canada provides support to elections in developing countries through elections observation missions. Around the world, Canada operates on an almost \$20 million commitment to support election observation missions. The support goes beyond deploying observers. Canada also helps to develop the election support capacity of multilateral organizations, increases the professionalism and knowledge of electoral assistance providers, and supports international standards for democratic elections. A significant portion of Canada's support is channeled through the OAS, which shares the same goals in all of these activities. Canada holds training events for observers to refine their election observation tools and methodology and promotes horizontal cooperation among member states to strengthen the electoral processes and institutions. The result today includes Canadian involvement in six OAS-supported missions, including El Salvador, Bolivia, and Ecuador in the past year alone.

The ability to carry out these activities is in itself dependent on the existence of strong democratic institutions. For example, in 2007, in a poll of 18 Latin American countries published in *The Economist*, 41% of the respondents believed that governments could ensure quality of opportunity, and a slightly lower number expressed confidence in their governments. Peace and stability rely on a number of factors. Economic stability is a great incentive to peace, which is part of why Canada has focused so much on the role of economic growth, including the role of the private sector in the development program. But the other key factor is the strength of democratic institutions in government. For democratic governance to thrive, it is important to improve the strength of government institutions to ensure that people respect the processes that elect the leaders of these institutions as being fair and transparent. For this reason, the Canadian government's approach to supporting democratic governance broadly encompasses three elements.

The first element is freedom and democracy – that is, building open and accountable political systems and creating democratic environments. For example, Canada is contributing to the modernization of state-of-the-art initiatives in civil registries in countries such as Haiti and Antigua and Barbuda. Second, Canada's focus on human rights, with an emphasis on children and youth, is illustrated by its work with UNICEF in Colombia. Third, Canada is dedicated to strengthening the rule of law through the promotion of impartial, accessible, timely, and effective legal systems. CIDA's support of activities in these areas also includes judicial reform in Paraguay and Honduras and anti-corruption measures in Bolivia and Peru.

In some cases, these activities reinforce one another. For example, Canada has contributed to increasing access to justice in Peru and Bolivia by establishing and strengthening the National Ombudsman's Office. The Ombudsman's Office in Bolivia has successfully addressed 7,400 human rights violations and trained 4,000 public servants, including members of the armed forces and police, in respecting human rights. In all, current CIDA programming in support of the Government of Canada's Americas strategy with 18-year projects or project extensions totals \$156 million to promote democracy and better governance. Perhaps the most direct way to support democratic governance is to help strengthen the electoral institutions themselves. CIDA is engaged in projects of this kind in Haiti, where 20% of overall funding is directed towards good governance. In 2007, Canada financed the reopening of the civil registry program in Haiti. Since then, approximately 600,000 adults have been registered, enabling 92% of the adult population to establish a secure civil identity that is recognized for transactions worldwide. This has made wide participation in the electoral processes possible and is an important step in building a stable democratic base in a country where Haitians learn to exercise their political strength via a collective, peaceful voice and national leadership.

It is also important to build institutional capacity. Haiti's civil registry now has much better infrastructure, technology, and trained personnel to continue securing the right to identity for all Haitians in the future. The Office of National Identification has been equipped with its own identity card printer and material to produce more identity cards, and 141 permanent identification offices have been opened and refurbished, covering 100% of the country. The project also focuses on improving birth registries to ensure that each Haitian child is accounted for and can access essential services from their own government. Each initiative answers a need expressed by the host

country or community, but the common thread is how communities or individuals are included in the development projects in all sectors. It is important to link democratic institutions and democracy with social development. The development programming is by its nature inclusive. Enabling food security, promoting microfinance, and ensuring environmental sustainability empowers marginalized groups to take ownership of their future. Depending on the country or region, these groups include women, indigenous people and ethnic minorities, and, more broadly, the poor or economically marginalized. The principle of ownership encourages these people not only to become beneficiaries, but to participate as often as possible in the decision-making processes.

At another level, development programming is often carried out through a host of local partners such as civil society groups, which may be religious, academic, business, or labor-oriented or represent groups of minorities. Sometimes these groups emerge to make decisions at the community level. For example, a group of farmers deciding how to manage a system of micro-irrigation, and working with established civil society organizations, can also strengthen them and give voice to the concerns of the people they represent. Having strong democratic institutions is the foundation for social and economic stability. Minister Oda stated in a recent speech, "Democracy is not a luxury of the rich, nor is it the inevitable product of economic growth. Democracy must be actively promoted with societies and once established must be guarded with eternal vigilance." This is why the Canadian government made a new commitment in the November 2008 Speech from the Throne to create a new non-partisan, democracy-promotion agency. Canada is following through on this initiative and has created a voluntary advisory panel of four eminent Canadians who will provide advice to the government on the mandate, structure, and mechanisms of this new agency. The panel is expected to submit its recommendations by the end of the summer. Canadians are already doing an excellent job on behalf of foreign agencies in the field of democracy promotion. By creating an agency, Canada is building on its experience and taking a more active role in supporting democratic ideals around the world.

The link between social and democratic development is strong, and so is the importance of electoral management bodies to achieving these goals. Working alongside the OAS, the Canadian government is engaged in strengthening these institutions in the Americas. The OAS has the legitimacy, credibility, and clear mandate to assist member states in promoting democratic values, seeking to prevent conflict and secure

peace. Canada is committed to sharing the collective responsibility of humankind.

■ **Hon. Peter Kent**
*Minister of State of Foreign Affairs
(Americas), Canada*

The road to democracy is often a rocky one, yet living in a democracy is something that too many in the hemisphere take for granted. Electoral authorities are central to ensuring the conduct of free and fair elections. Elections are the foundation on which a strong and healthy democracy is built. Democracy, however, is much more than a basic electoral process. A truly democratic society must strive not only for free and fair elections, but for free participation of political parties, freedom of expression for the media, and, most importantly, freedom of participation of the citizens. The media must be free to express its opposition to government. Democracy is a term not open to interpretation. It is a principle that is very clear in its intent and in its application. A democratically open society is one that embraces the philosophy in all segments of society. It is important to work together towards fostering societies where there is no suppression of the media or of opposition parties.

Canada attaches importance to democratic development in the Americas as part of its renewed commitment to engage with partners in the region and build a democratic, prosperous, and more secure hemisphere. No democracy is perfect. Canada's government continues to work to strengthen its democratic processes and institutions. Making democracies more effective, accountable, and inclusive is a shared challenge for all countries in the hemisphere. The region has made tremendous progress in recent decades; however, the depth and maturity of democracy is not uniform. Weak democratic institutions and the restriction of civil and political rights, combined with poverty, exclusion, and socioeconomic inequality continue to strain further progress. This has led to frustration and has caused some to question the benefits of democracy. This frustration may increase as a result of the current economic crisis, which could pose additional governance challenges for many governments. Vigilance is necessary to ensure that the progress that has been made is maintained and strengthened.

Recognizing these challenges, Canada is committed to working with partners in the Americas to build strong democracies that respond to the needs and interests of citizens and to sustain the progress gained. The Inter-American Democratic Charter signed in 2001

by OAS member countries is a landmark document, unique among all regions of the world. This singular achievement must be preserved and upheld by assuring its full application. The charter recognizes five key elements of representative democracy: respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic free and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, a pluralistic system of political parties and organizations, and the separation of power and independence of the branches of government. The role of electoral management bodies is critical to ensure the holding of periodic free and fair elections based on secret balloting and universal suffrage. Elections are the most direct way that citizens influence decisions and are a legitimate expression of the right of all citizens to elect and to run for election on a free and inclusive basis. The impartiality and professionalism of electoral management bodies determines the credibility of electoral processes.

While the region has made significant strides in establishing independent electoral institutions that do not bend to government, political, or partisan interests, more can be done to improve their credibility and to strengthen their public trust. Work must be done to address the problems associated with the high cost of election campaigns and to ensure a balanced and transparent system for their financing. Since Canada became a member of the OAS in 1990, it has been a strong advocate of the organization's important role in the promotion and consolidation of democracy in the region. Canada continues to support the OAS as the lead regional agency for democracy in the Americas. Part of Canada's approach in the OAS has been to work with other member states in sharing best practices and experiences in democratic governance. Canada, while always striving to improve its own democratic institutions, is also a key observer of friends in the region. The Canadian government makes efforts to be supportive of those who are working to improve democratic progress at home. Countries such as Colombia, Panama, and El Salvador, for example, have made great improvements towards the core principles and are to be congratulated as they continue to work towards even greater improvement.

In cases where there are more negative trends, Canada has made efforts to express disappointment and to encourage greater progress on democratic issues. It is for this reason that Canada was pleased to put forth the Resolution on the Promotion and Strengthening of Democracy, follow-up to the Inter-American Democratic Charter, at the recent OAS General As-

sembly held in San Pedro Sula, Honduras. This resolution, which Canada co-authored with Brazil, Chile, and Peru, confirms and consolidates the mandate of the organization in promoting democratic governance in the hemisphere. At the same meeting, a major historic event occurred, which saw the lifting of Cuba's 1962 suspension from the OAS. But even as the suspension was lifted, it was also made clear that Cuba, if it wishes to return one day as an active member of the OAS, would have to respect the principles of the Democratic Charter. It is a positive step that all members of the OAS at the meeting embraced the principles of democracy, human rights, self-determination, security, non-intervention, and development. It is a testament to the ongoing support for such fundamental principles in the region.

The Canadian government has just made the Americas a foreign policy priority. Canada is committed to playing an important role in the region and doing so for the long term. The Canadian government is advancing three interconnected and reinforcing objectives:

- 1. Democratic governance** – Strengthening democratic institutions, practices, and principles that deliver freedom, human rights, and the rule of law.
- 2. Prosperity** – Building dynamic and growing economies and promoting responsible investment and open markets that will create new opportunities and jobs.



Participants at the Sixth Inter-American Meeting of Electoral Management Bodies, Ottawa, Canada, June 2009.

- 3. Security** – Enhancing regional stability and security by addressing the threats of drugs, organized crime, health pandemics, and natural disasters.

Canada truly believes that it must keep advancing these three objectives simultaneously. Neither sustainable prosperity and growth nor democratic governance can flourish in an environment of insecurity, where citizens fear for their safety on a regular basis. Important discussions on issues such as voter registry, electoral observation missions, and the role of electoral management bodies between electoral cycles are part of broader efforts to work collectively within the inter-American system on issues of critical importance to improve the lives of all citizens.



ROUND TABLE DISCUSSION

Round Table: “The Role of Electoral Management Bodies between Elections”

■ **Moderator: Mr. Belaineh Deguefé**
*Director General, Outreach, Communications
and Research, Elections Canada*

■ **Mr. Marc Mayrand**
Chief Electoral Officer of Canada, Elections Canada

It has become evident over the past two years how busy it can be between elections. In fact, the most important work takes place between elections. Of course, an election does not end with voting days. Immediately following elections, there is a phase referred to in Canada as “wrapping up the election.” Right after voting, all of the results need to be tabulated and then quickly and accurately released so that the trust of electors is maintained. The old infrastructure that has been deployed across the territory needs to be brought back and checked to assess whether the equipment is still functioning and serving its purpose. Material needs to be recycled and restocked to get ready for the next event. The timely payment of electoral workers is critical in maintaining goodwill so that they will return to their function for the next event. Another aspect immediately following the election is the collection and review of financial reports from political entities, including their political parties and candidates. The last election in Canada was in October 2008, and currently, Canada is at the peak of reviewing those returns. It takes the better part of 12 months following an election to review all the returns, to upload them on the internet to make them available for everyone to see, as well as paying reimbursement to candidates, as allowed under Canadian legislation. Another key feature following the election, regarding the trust of the electoral process, is reviewing complaints, assessing their validity, and

taking proper corrective action through enforcement, as may be needed from time to time.

There are a range of activities that immediately follow an election. At the same time, ongoing activities need to be resumed, which include, for example, maintaining the voter registry, which is permanent in Canada. Change must be effected on an ongoing basis in the registry. It is necessary to maintain the system that governs political parties, particularly their registration, updating and maintaining their information, and processing their financial returns. Another area that presents a challenge in Canada is civic education. This is an area that tends to be very intensive during the electoral period, but civic education and civic engagement require a continuous effort, especially between elections. The period between elections is also used to design new procedures. From time to time, new legislation needs to be implemented. An election is very risk-sensitive, so a rigorous process should be in place for testing new procedures before they are widely launched. The risk of improper testing and inefficient procedures is an erosion of trust of the electors in the system. All this needs to take place in the context of proper planning, proper budgeting, and proper recruitment of the staff required to deal with the elections.

It has been observed that the general election requires the largest mobilization of people and resources that a country can undertake outside of wartime. The aforementioned list is just an indication of the main duties an election manager and body can be responsible for. It is not meant to be exhaustive. Depending on specific mandates, there may be additional responsibilities as well. Rather than thinking of an election as an event, it is much more accurate and

useful to think of it in terms of an electoral cycle, a process that is continual and ongoing. Elections are composed of a number of integrated building blocks, with different stakeholders interacting and influencing each other. These various components and stakeholders do not stand alone. They are interdependent, and the breakdown of one aspect can negatively impact every other aspect. How this cycle plays out in any individual country will depend in part on the legal mandate of the electoral management body as well as its operational environment. Canada, for example, has been operating in an environment of a minority government since 2004. This makes the entire cycle less predictable and more compressed, and it has obvious implications for planning processes as it requires an even greater state of readiness and limits the ability to introduce enhancements. Whether one is operating in a Westminster system, as in Canada, or a presidential system, where election dates are fixed but electoral management bodies are responsible for multiple elections that may occur at different times, it is necessary to balance continual readiness against a long-term agenda.

This leads to the importance of strategic planning for electoral management bodies. The most recent strategic plan at Elections Canada identifies three key objectives to be focused on over the next five years: trust, accessibility, and engagement. These objectives are supported by four pillars: technology, sound management of human resources, communications, and good governance with stakeholders.

- **Trust** – One of the ways to enhance and maintain trust is by strengthening the ability to evaluate processes and services. The integrated evaluation report on the most recent general election has just been published. This is the first time that Elections Canada has produced such a report, which is based on independent surveys and evaluations with a range of stakeholders conducted before, during, and after the election. The report identifies successes and issues that require further attention. It helps to identify priorities for continuous improvement over the next few years.
- **Accessibility** – Online registration will be implemented within the next five years. Elections Canada will also develop an online voting process for testing in a by-election with prior approval of Parliament.
- **Engagement** – Elections Canada has committed to increasing young Canadians' understanding of the importance of voting and becoming candidates in elections. One way of doing this is by working col-

laboratively with key external partners to conduct targeted civic education.

A common theme running through each of these objectives is a focus on stakeholders, whether they are electors, candidates, political parties, or parliamentarians. Given the wide range of activities that are part of the electoral cycle, and given that the operating environment can pose constraints on how much can be done, this raises a number of questions. The point today is to discuss two questions.

1. What are the key activities and challenges that electoral management bodies should focus on, on a priority basis, between elections, to sustain a democratic process?
2. Are there opportunities to work together on some of the challenges being faced?

■ **Mr. Manuel Carrillo Poblano**
*International Affairs Coordinator,
Federal Electoral Institute, Mexico*

The issue regarding the role of electoral management bodies between elections is one of the most important, strategic, and urgent issues. The urgency comes during the election, but in order to deal with it, it is important to organize and plan the work that must be completed between elections. In order to speak to this issue, it is necessary to look at the nature, the scope, and the limits of each electoral management body in order to understand their terms of reference, their mandate, and the activities that are to be carried out. When the Federal Electoral Institute of Mexico was designed, the intention was to include functions that cover the whole of the electoral cycle. As such, the Federal Electoral Institute has a wide range of responsibilities.

Of all the responsibilities in Mexico, one of the most important things is to keep the electoral registry up to date. The voter registry is the very foundation of an election. If the voter registry is inaccurate or incomplete, all of the political, electoral, and legal framework will not be properly founded, so things get very complicated. It is not easy to keep a voter registry up to date for a number of reasons. For example, changes in residence are not necessarily kept up to date in Mexico because people do not communicate. There is no penalty-carrying obligation to inform the Federal Electoral Institute of a move. Another difficulty in keeping a voter registry up to date arises with the deceased. The voter registry is updated by changes in

residence or domicile and by updating the number of deaths. There are a great number of Mexicans who reside in the United States, and when they die, there is no one who reports it so that the voter registry is updated. There is no internal, mandatory mechanism to update the registry, so a lot of work is required to convince people to report changes.

In Mexico, the ID card for voting has become an identity paper. Voters' credentials are the equivalent to an ID card without a legal standing, but because of the credibility and the accreditation which the instrument has, it becomes very important for all citizens to hold one in order to carry out banking transactions and request other administrative issues for private and public activities. Another issue is the civic education issue. In Mexico, people are becoming disenchanted with political and democratic issues. People are showing fatigue well beyond the issues of information and training programs with youth, teachers, families, and unions. Electronic communications systems do not seem to permeate the social environment. These are the fundamental principles of civic education.

There are three fundamental principles that are very central for electoral management bodies. The first has to do with the integrity perceived as a complement to maintaining engagement with a socially accepted code of values. The second issue deals with civil responsibilities regarding respect for the public. In other words, the individual gives something of himself in order to become part of the community. This may seem hollow, but it really does help to establish social values. The third principle is that of responsibility. Being responsible means having the capacity to respond and the capability to react. A civil population has to do something in order to contribute and provide a response to the social environment. The registry and civic education are two strategic points which are absolutely fundamental from the perspective of the administration in Mexico, although there are plenty of other things that have to be done regarding training and making the staff more professional, updating technology, and so on.

■ Dr. Marco Emilio Hincapié Ramírez
Magistrate, National Electoral Council, Colombia

Colombia's issue has been one of constant constitutional reform. In the past, Colombia has approved political reforms in which major responsibilities were given to the National Electoral Council, which was also provided with administrative and financial authority. This, together with another series of functions, underlines the importance of the National Electoral Coun-

cil in the country. In Colombia, both the registry and the National Electoral Council deal with the issue of registration. Their functions are permanent and ongoing. There are a number of activities. The electoral processes are prepared on an ongoing basis because the engagement of the citizenry is such that the Registrar is continually setting up popular consultations and enhancing its systems. The National Electoral Council is also involved with rules of engagement and ongoing activities regarding registries of births and deaths. It has full jurisdiction to investigate the financial accounts of electoral campaigns, both the operational funds and electoral expenditures, in accordance with the National Constitution. The Council is a depository of the expenditures of each of the candidates who participate, whether they win the election or not. If they spend more than is allowed, then they have to reimburse the necessary funds. The Council has the ability to investigate the various political parties and candidates on a permanent basis if they violate the standards set out in the electoral statute in legislation 130-94. These standards include the maximum expenditures allowed, and they impose a sanction – those candidates who violate this constitutional standard by surpassing the limits lose the position to which they were elected. In those cases, or when there is any problem with a contentious election, a by-election can be called.

Notwithstanding, the confidence in electoral processes is on the decline in the democratic countries in Latin America. This is evident in many electoral processes, and as a result, during the interval between processes, it is necessary to rebuild or add to the confidence in electoral processes in general, especially with regard to the uncertainty that exists about information provided by the media. The information can cause difficulty because the people are not necessarily aware of the procedures or the legislative standards that apply to elections, and so this information that is sent out is a negative factor. It affects public opinion and how the public expresses itself. With regard to the important topic of electoral awareness of political parties, information centers are needed in order to avoid future electoral demands that do not make sense in the electoral processes. Again, this issue depends a lot on the legislation.

The National Electoral Council will also carry out a study before elections to review any candidate's lack of abilities in order to determine which candidates can be registered and which do not have what is required to take on the public position. That is generally the issue. With all these powers, the electoral authorities are constantly developing their activities. These activities have to do with electoral processes, with the

political parties, and with the fact that it is necessary to provide guarantees in all of the processes.

■ **Mr. Eugenio Chicas**

Magistrate, Supreme Electoral Tribunal, El Salvador

The activities of an electoral management body between electoral cycles are dependent upon the level of development of the electoral institutions within each country. El Salvador is going through a transition, which stems from the peace agreements. In 2009, there has been a certain degree of consensus and correlation among political forces in the country. A number of recommendations have been implemented that stem from the electoral observation missions and from what Salvadorian civil society and its authority have noted regarding issues that can be improved in the electoral system. These recommendations were put forward by the OAS, the European Union, and El Salvador's own National Observer Service, and they dealt with three important issues for the country.

The first recommendation was to implement mechanisms to verify the residence of voters. So the Supreme Electoral Tribunal of El Salvador devised voter tables, detailing where voters lived in the country. This is a very complex issue as people often have to travel quite far to vote. The tables will be made more democratic by bringing them to voters. This is a very important recommendation and one of the immediate goals that will be applied between elections. The second recommendation had to do with ensuring that temporary organizations focused more on the citizens. For example, electoral voting tables would no longer be the responsibility of political parties. Instead, citizens who are part of the registry and who have no particular link with any political party would be responsible for the local management of the electoral process. The third recommendation is linked with the purging of the voter registry. In El Salvador, it was always noted that there were irregularities, such as the number of deceased who were on the list. El Salvador also has always had a sizeable migrant population (a third of the population lives outside the country), and so it was necessary to do a better job of dealing with the voter registry. It is essential to use purging mechanisms for the voter registry and bring the vote closer to people. It is essential to democratize the polling tables in the voting stations and merge the voter registry.

These are the essential jobs that the political powers agree on and are a priority during the period between the elections that were held on March 15, 2009, and the next election, which will be a local and a congres-

sional election in March 2012. There are still things left to do, and the Congress of the Republic is making an effort to move forward on these issues. For example, a law on political parties is being debated currently in the National Legislative Assembly. The law is focused on two specific issues: the need to have a rule that manages the funding of political parties and the funding of electoral campaigns. El Salvador is the only country in Latin America that does not have any type of legislation on the funding of political parties and electoral campaigns, so this is something that is extremely urgent. It is important for the institutionalization of the electoral process. Also, currently there are no standards that manage electoral advertising campaigns. As a result, election campaigns are a bit of a no man's land, and this is a big challenge for the electoral authority. Funding and everything to do with advertising and propaganda are two issues currently being debated in the Legislative Assembly.

■ **Dr. Steven Surujbally**

Chairman, Elections Commission, Guyana

In Guyana, there are frequent legal challenges to the election results between electoral periods, and they can be quite time-consuming, to say nothing of the financial stress. It is for that reason that conclusion #20 of the meeting in Venezuela¹ states very clearly that in consideration and respect for the special characteristics of the situations existing in each country, a special electoral court that can address these challenges would be better. There are challenges in Guyana, and in other countries, that have existed for 10 years. Two elections have passed, but the courts have not yet sorted out the matters. This is an inter-electoral activity of great importance that should be solved or addressed.

Second, regarding preparation for elections, there is something called "recruiting and training." Guyana suggests the use of premier education facilities, specifically universities, to have a course for credit, but not mandatory, titled Elections Management. University students would be trained in this course in all aspects of the electoral process. As a result, when an election is held, one would be able to call upon a cadre of trained professionals to work as presiding officers and deputy presiding officers.

¹ Second Inter-American Meeting of Experts and Representatives of EMBS, Caracas, Venezuela, June 11–12, 2009. Item 20 of the Conclusions indicates: "To promote before the pertinent inter-American authorities analysis of the issue of electoral justice, especially the system for resolving disputes, mechanisms for submitting challenges, access to electoral justice and electoral jurisprudence."

■ **Dr. Tibisay Lucena Ramírez**
*President, National Electoral Council,
Bolivarian Republic of Venezuela*

The majority of electoral organizations have ongoing activities in the interim periods between elections. Venezuela is a bit particular in that, in the past 10 years, it has had two elections per year, and its constitutional functions have taken it far beyond what is purely electoral. Venezuela has a civil registry that goes beyond what other electoral groups do. As in Colombia, there is a civil registry, so there is a permanent connection with the citizens, and as a result, there are ongoing activities every year. So to think that electoral management bodies are only active during election campaigns might wrongly lead to the assumption that when there is no electoral process, there are no activities, or very few. In fact, there are always ongoing tasks like registration or working with political parties, and continual requests from citizens or political organizations asking for changes to their symbols and colors. It is also necessary to follow up on funding. Venezuela has developed an automatic system for funding. In the past year, the new system made the follow-up of the funding of political organizations much simpler, but it is permanent and continuous.

Many electoral management bodies also work on civil registries, and this is an ongoing job. The voter registry is also ongoing and permanent in Venezuela. Thanks to an ongoing sustained effort over the past 10 years, the citizens over the age of 18 who are not in the voter registry have been reduced from 20% to approximately 9%. Non-inclusion in politics has been reduced to less than 1%. This is just one example of what it means to have an open registry. It is not just the purging of the deceased, which becomes more urgent as you get closer to the electoral registry. What is most important between electoral processes is inclusion: the guarantee that citizens have the right to speak through their vote.

Another fundamental issue is democratization. Democratization of polling stations is a difficult job, and the only way to do it is continuously, over time. It is important to be able to guarantee to voters that they have the right to vote. They should have the equal opportunity to vote, whether they are in cities or in rural regions. Voters need to be guaranteed that there will be polling stations in hard-to-access areas such as the Amazon. While progress has been made towards this goal to ensure equality to vote for all, it is necessary to strengthen their ability to participate in the vote. In Venezuela, as well as having a civil registry, the National Electoral Council carries out the elections of unions

and organizes civil society upon request, so it is always doing quite a lot in the region. For example, right now, the Council is implementing projects of mass training of citizens through television. It also holds electoral fairs to provide information on the registry and to talk about voting. Additionally, the Council is considering getting ID cards in order to ensure that it is always in contact with voters in the country.

■ **Mr. Julio Cesar Castaños Guzman**
*President, Central Electoral
Committees, Dominican Republic*

Electoral processes can always be improved. First, there are always some inconsistencies or problems, and there are situations that will always have to be improved. Second, the people that are responsible for electoral processes and have a responsibility towards democracy are also subject to an ongoing learning process. When you are an observer to an election, you always learn something. You see some angle, some situation that could perhaps be improved upon or applied in your own country. For this reason, every electoral process is a goal for management, and for democracy itself, because elections are always a risky situation. To a certain extent, they can be dangerous in that the electoral organization is always in a situation where it may lose confidence and may be discredited.

In the past in the Dominican Republic, electoral committees faced potential problems of political death, situations that they never recovered from. This danger is always present because electoral processes are so complex that someone might come out looking like they have not done a good job. Potential electoral problems can be avoided by ensuring control of the schedule and always making sure to properly calculate the amount of time it takes. It is important to audit responsibilities and specific commitments when it comes to organizing elections. To a certain extent, the media acts like an audit mechanism. They observe everything and prevent electoral boards from carrying out ineffective or controversial activities.

Following the death of the infamous dictator Rafael Trujillo in 1961, the Dominican Republic has had 18 successive elections. The country has been able to move forward in an extraordinary fashion. When it comes to the organization, logistics and photographic registry, ID cards, and the civil registry that must be managed, the Central Electoral Committee has done tremendous work. But supervising and controlling campaign spending by political parties is an issue that the Dominican Republic has to work on, and this is an

important goal to be focused upon. A lot of work has been done to supervise the participation of political parties, but the rights of the candidates who are elected according to law must also be protected. Additionally, the Dominican Republic needs a law on political parties. The party system must be protected from the politicians themselves because without strong political parties, there is no way for democracy to be viable. It is a positive development to see the Dominican Republic moving further and further away from the danger of electoral fraud.

■ **Dr. Tania Arias Manzano**
President, Electoral Disputes Tribunal, Ecuador

Ecuador adopted a new Constitution in October 2008, and this Constitution provided a new constitutional framework for elections. For the first time in the history of the country, there exists an Electoral Tribunal as a specialized body for the administration of electoral justice. It has been a very complex task, accomplished in very little time, to lead an electoral process where, in an unprecedented manner, all authorities have been elected through popular elections. The results of those elections are currently being completed. This will lead to a constitutional renewal after a transition period from the Constitution of 1998 to the Constitution of 2008. Under the new Constitution, there are new conditions for the establishment of electoral management bodies, which have to do with the designation of non-party electoral authorities. The non-party electoral authorities are designated through competitive exams based on merit and trained in principles that have to be observed, such as the principle of parity within the organization and the designation of electoral authorities.

For the first time in the history of Ecuador, one half of the members of electoral management bodies are women. This was carried out by the Constitutional Assembly as one of its last measures, and for the first time in Ecuador's history, there are two women who lead this tribunal. This relates to what Manuel Carrillo stated: that the responsibilities of electoral management bodies have to do with the nature, the limits, and the scope of the electoral management bodies. The Electoral Tribunal's function is to hear challenges that political subjects may present. It has to settle disputes, analyze and decide on election expenses and advertising, and monitor for any violation of electoral law. Once elections are concluded, the Tribunal will hear anything pertaining to these topics. In addition, the Constitution establishes that the Tribunal is a body whose decisions are the final say and constitute

judicial jurisprudence. Therefore, based on the work of the Tribunal, a judicial precedent will be systematized. There will also be training, but perhaps one of the most important aspects to be faced will have to do with legal reform. This electoral process has been carried out on the basis of pre-constitutional norms, the various laws which existed before the Constitution of 2008. A very important task in Ecuador is to adapt those legal standards, to enact new laws that take into account the principles embodied in the 2008 Constitution. Everyone knows that Ecuador has had political instability in recent years, and the elections have been constant for electoral management bodies. The hope is that this Constitution will lead to a new stage, not only of institutional renewal and change, but also of political stability. Ecuador will not hold elections for at least the next two to three years, but electoral management bodies will always be prepared.

■ **Dr. Carlos Ariel Sánchez Torres**
President, National Civil Registry, Colombia

A structural registry serves an important function in identifying citizens. Since the 1950s, there has been a Canadian mission to identify citizens on that basis. All of the logistics and processes to organize elections fall under the Office of the Registrar. But anything that pertains to political parties – the forming, regulation, and democratization of political parties; all that relates to controls of media and guarantees of equity; everything which has to do with the funding of the campaign and other issues related to democracy – fall under the Electoral Council. And these are constantly under review. Therefore, the various issues that affect elections today, such as public opinion, campaign finance, and everything that has to do with logistics, are covered under the two bodies, which are part of the electoral organization in Colombia. Although they have different origins from a functional standpoint, they complement each other. The more important point of the electoral organization in Colombia is to make it easy to distinguish between what is pre and post-election. After all of the electoral changes in the country, the search for electoral legitimacy is pressing, so referendums, consultations, vote recalls, and a series of mechanisms in use since 1991 mean that these are permanent changes. In one year, there can easily be several hundred electoral processes if you include recalls of mandates, elections outside the traditional norms, and referendums. This blurs the line between what is pre and post-election.

■ **Dr. Magdalena Chú Villanueva**
Chief, National Office of Electoral Processes, Peru

The Chief Electoral Officer of Canada has very aptly explained the key challenges that EMBs face between elections. This comment will focus on two activities that differ from the ones that have been presented.

One of the challenges is the development and testing of new electoral procedures going through all stages of electoral processes – above all, by using new technologies. It is evident each time a meeting is held that electoral authorities have indeed become stronger and have gained credibility. The credibility being gained must be constantly strengthened. One of the tasks that must be faced is to, on a constant basis, offer more facilities to voters so that more and more of them can exercise their right to elect authorities at the various levels. For example, some countries of the region are already applying electronic voting parallel with, or completely replacing, manual voting. The way in which this is offered to their systems varies. They buy a system from a company or lease it or take it as a loan. Peru is trying to develop electronic voting and has been doing so in its EMB. Peru is going through this stage for general elections at the national level because there are many elections that take place between the national elections. In the period between the major elections, the experts at the National Office of Electoral Processes have been designing the software and hardware to be used in forthcoming elections.

Of course, one has to be very careful with the credibility of the institution when one incorporates new election procedures, and this development and testing of new procedures cannot be isolated from electoral research. Care must be taken to maintain understanding, and take into account the culture and the way of thinking of all citizens, so as to guarantee that they will continue to trust the new technologies used in voting. Otherwise, all of the work being done to gain credibility could be lost. Each electoral management body has data of electoral processes that must be used to improve procedures, to increasingly guarantee that citizens have access to voting, improved procedures, training, and electoral education activities. Peru is making strides in its electoral processes under the National Office of Electoral Processes, the National Electoral Court, and the Civil Registry, which includes new electoral procedures hand in hand with electoral research.

■ **Ms. Eugenia María Zamora Chavarría**
Judge, Supreme Electoral Tribunal, Costa Rica

Costa Rica celebrates 60 years of founding its electoral management body this year. The country has carried out more than 46 electoral processes in these 60 years. They have been sound and transparent, and now the referendum has been added, which is a new process under Costa Rican law. Although there is still much to learn, important technical advances have been made. Costa Rica has a civil registry that covers 100% of the population, including the questions of health and children that the Canadian minister referred to. The country has an electoral list from the civil registry, which automatically covers all citizens, and a single identification card for all national processes. Costa Rica is very proud that these are its constant electoral guarantees, as designed by the assembly in 1949. On a constant basis, the country trains electoral officers. There is a constant, ongoing program of civic education. Civil society, citizens, political parties, and electoral management bodies form the foundation of the electoral system. Costa Rica is carrying out feasibility studies for electronic voting but has postponed its implementation for the moment, given the economic situation and the cost that it would entail. But there are other non-technical problems that need to be addressed.

First, in Costa Rica, there is obviously an important crisis with regard to political parties. Political parties are part of the three-way system. Participatory democracy should not be mentioned if we do not have all three legs. Sooner or later, political parties need to be included as part of the vision the country is attempting to improve. Second, in recent years, some Latin American countries, including Costa Rica, Mexico, and Honduras, have experienced tight election results, and although technical capabilities allowed for survival as a system, those results cause doubt about the entire electoral system, even though there may be evidence to the contrary. A famous Uruguayan author named Galeano stated that any good militant of a soccer match knows that the match is won despite the referee or is lost because of the referee. So when the election results are tight because political parties no longer have the capacity to produce results, obviously the question of trust and credibility comes into play. A third issue, which is political, is mistrust in a political system that continues to exclude important masses of people. Mistrust in the political system, which is not able to translate political expectations into concrete results, is seen at the time of elections.

So as part of the agenda, it is important to focus on the technical aspects that the OAS has been reviewing

at recent meetings, supported by Venezuela. This includes the issue of civil registry, the relationship with the electoral list, and the relationship with an identity card, particularly in Latin America, where the civil and electoral systems saved the lives of many individuals during periods of dictatorship. This stage also has to include aspects of political parties. It has to include the funding of political parties, which do not have the capacity to operate in the absence of funds. The agenda must also address the matter of electoral justice. Legal reform is an issue that has to be included. Costa Rica is fostering legislation to bring about changes. Panama sets a good example. After each election, Panama gets together with the political parties and hears proposals on electoral reforms from the parties involved. In other cases, everyone invents a million things and introduces reforms within the electoral process that are not in keeping with the electoral process of the country.

Ongoing civic education, either through the schools or civic education itself, is another issue, and here there are some things that could be focused on. One is the issue of communications that Canada referred to. The training processes, education processes, improved technology, and improved legal frameworks are processes for the medium and long term, whereas communications is a process that can be implemented in the short term. In Costa Rica, implementing medium- and long-term changes simultaneously is important. The country can transmit to its citizens the strong points that their system has by making use of communications. A second point is the production of information. It became obvious at a meeting in Chile focusing on women, that most electoral management bodies do not produce reliable information in statistical form, regarding finance and the handling of money by political parties, information on state expenditures or the actual costs of an election for each country. So becoming involved with women's organizations in order to obtain segregated information provides statistical data on sexes participating in elections, and this elucidates the situation and gives electoral management bodies an opportunity to communicate with the financial control organizations of the state.

Finally, the legal mechanisms in each country deserve mention so that those that do not have jurisdictional functions can interact with other bodies in their regions that involve electoral management bodies, as is the case in Tical and Quito.

Dr. Tibisay Lucena Ramírez
*President, National Electoral Council,
Bolivarian Republic of Venezuela*

There are many opportunities to work together, and Venezuela has already started to follow this path. For two years now, Venezuela has been holding highly relevant discussions. The second meeting in Caracas focused on technical aspects, allowing for the sharing of best practices. By cooperating and communicating directly and horizontally, EMBs can strengthen each other. In other words, weaknesses become strong points with the support of other EMBs, and strong points help to strengthen weaknesses of other electoral bodies elsewhere in the hemisphere. OAS member states set themselves the goal of tackling this fundamental issue and endeavored to create processes for reliable, transparent, and efficient electoral processes that are inclusive and that allow all voters to exercise their sovereign rights. A lot of progress has been achieved along this path. At the last meeting, the need was expressed to create and distribute some sort of database, an inventory of best practices and technological resources. This rich resource of knowledge regarding procedures, legislation, and logistical and technical issues continues to be important in order for electoral bodies to become more efficient and more transparent.

Electoral management bodies are also technical bodies, legal bodies, and, above all, political bodies. Political because through votes, the power of society is being distributed and redistributed, and this is fundamental. Over the past two years, electoral management bodies have been discussing the progress achieved at various meetings and, therefore, are already working together and moving forward to the next steps. EMBs are all aware that they have strong points and that they can learn, that they all have weaknesses and something to share. The issues of education, the voter registry, and logistics are all common problems. To a greater or lesser extent, EMBs share the same challenges, encounter the same problems with political organizations, and have different ways of resolving these issues.

Mr. Constancio Carrasco Daza
*Magistrate, Electoral Tribunal of
the Federal Judiciary, Mexico*

Mexico underwent wide-ranging constitutional and legal reforms regarding electoral issues following the result of the 2006 presidential election. The reform

has affected both the organization of elections and the various jurisdictional issues that encompass the Electoral Tribunal. The first element of reform is a new constitutional limitation in Mexico regarding access to contract time on radio and television by political institutes during electoral campaigns. This limitation is also extended to members of civil society who want to buy time and advertise, either in favor of or against candidates or political parties.

Another very important element in the reform is that penalties have become more wide-ranging for violations of the electoral code. The Electoral Tribunal now also covers citizens, unions, ministers of religious sectors, and MPs themselves, and there are now a number of penalties for any infractions regarding administrative responsibilities.

During the course of political debates and in advertising, the Electoral Tribunal tries to ensure that there are no expressions used that may denigrate other political parties and other political institutions or prejudice other candidates of other political parties. There is serious debate today about the consequences of the implementation of the aforementioned reforms. The media sector severely criticizes the constitutional limitations on access to radio and television broadcast time. The reforms affect access to radio and television as well as the possibility of supervising political debates in the Federal Electoral Institute (IFE)². There are various activities that are controlled by the IFE, including the distribution of media time of political parties; this has caused a hot debate. The debate is a major national debate because it involves freedom of expression, freedom of information, access to information, and freedom of political association, all of which are recognized in the Constitution as being fundamental rights. And in resolving these issues and legislating this, the Electoral Tribunal has seen a rise in activity as a result of major discussion throughout the country. On July 5, the House of Deputies will be reelected, and in this election, there is an important sector calling for counterreforms. Counterreforms should be undertaken very carefully and should be analyzed with the benefit of best practices learned from other countries in the region.

■ Mr. Walter René Araujo Morales
*Magistrate, Supreme Electoral
Tribunal, El Salvador*

Every electoral process in Latin America differs. Each process is the result of the country's own history, the

degree of involvement of government institutions and culture. It is possible to work on three levels.

First, the path to achieving cooperation lies in the new inter-American approach, where issues involving the institutionalization and objectives of each electoral management body are discussed. El Salvador has been very appreciative of this mechanism as implemented. This mechanism, for example, resulted in excellent verification activity by the OAS of the voter registry, auditing of the electoral rolls, and technical assistance. The inter-American system can play an extraordinary role in supporting efforts that can be implemented by the electoral courts.

Second, direct horizontal exchanges among electoral courts in the region and in Latin America are fundamental, as discussed at the Caracas meeting. For example, El Salvador received support from the courts of Panama regarding the first study on residential votes. The Dominican Republic and Venezuela also helped with technology enhancements. During El Salvador's last election, experts from Ecuador, Panama, Nicaragua, Colombia, and Venezuela assisted in the transmission of results, leading to a very successful election. These contributions were part of horizontal cooperation, which is very well outlined in the agreements following the meeting in Caracas.

The third dimension encompasses everything that can be done through the non-governmental path. For example, the Council of Latin American Electoral Experts has been highly involved in exchanges and institutional support, and it has held meetings in Venezuela, Dominica, and elsewhere, showing what can be done without government contact.

Cooperation is possible, and various mechanisms can be listed in order to have more successful events in Latin America. This event here in Canada is an excellent example. There are a number of small issues that can still be resolved, but horizontal cooperation is the key. With the desires and will expressed here, OAS member states will be able to achieve improvements for their electoral systems on a horizontal basis.

■ Ms. Jennifer Van Dijk-Silos
*Chairperson, Independent
Electoral Council, Suriname*

The Independent Electoral Council of Suriname has a supervisory mission and a task to declare an election

² Instituto Federal Electoral

valid after an evaluation. This means that the Council has to oversee all the activities of other actors in the electoral process. As a result, it is viewed as an enemy during election time. The Council tries to harmonize between election periods so that everyone understands that the Council is one of the actors for the same process. In Suriname, elections are organized by the government, and since the task of the Electoral Council is to review the voters' list and check all the steps of the electoral process, sometimes disputes arise with the government. The Council has tried in the past two years to discuss the question of an independent organizing committee for elections in the same way that there is an independent electoral council for supervision. However, it is very difficult to convince civil workers who are organizing elections as they do not understand the role of an election, which is basically to sustain democracy in a country. They do not understand this technicality because they are integrating everything from a political point of view. This constrains the preparation and supervision of elections. For instance, a month ago, there were problems checking the voters list. The law states that the voters list must be checked every year so that elections can be held at any time. A month ago, there was a discussion before the Electoral Council was given permission to check the voters' list. The government wanted to release only the voters list but not the results, supposedly for confidentiality reasons. After the Council declared that it would inform the people of Suriname that the voters' list had not been checked because the government refused to provide the resources, the Minister conceded and released the appropriate information, which the Council is currently reviewing.

These constraints are faced all the time. When Suriname holds elections, it is difficult to obtain resources from the government. It is time for Suriname to get rid of these constraints. Suriname has a good reputation, but it does not hold very good elections because its system is ineffective. It is time for the OAS to look closely at the country because they are not aware of the constraints of the system in Suriname. The government and the political party ruling the country should not be organizing the elections. The Independent Electoral Council finds it difficult to initiate discussion on the issue because of the tension that exists between the Council and the organizing committee. Discussion should be started to bring in assistance from the OAS. It is time to change the system to eliminate the uncertainty felt by the voters and to gain more transparency for the next General Elections in 2010. Working together is mandatory to achieve change in Suriname.

Mr. Joaquín Pérez Mercado
President, Departmental Electoral Court, Cochabamba, Bolivia

There are definitely opportunities to work together. For example, the OAS has played an extremely important role in Bolivia with regards to logistics. This year, the National Electoral Court (CNE)³ of Bolivia implemented several security mechanisms that were an important part of the electoral process as a product of technical recommendations made by the OAS. The goal was to find mechanisms of security for the votes to ensure transparency and avoid any potential questions or doubts. These new mechanisms have now been implemented. For example, the ballots now have certain security characteristics in order to avoid any falsification or fraud. There are now optical readers where demographic information can be established electronically. In Bolivia, codification is divided into departments, provinces, parishes, and cantons. The quality of the paper and the security hologram embedded in the document make it virtually impossible to falsify. Ballot boxes are still used for manual voting, but there is now a transparent container so people can see the vote drop in, and as a result, there are no questions regarding the matter. The voting card in Bolivia has been improved to avoid counterfeiting, and the format has been changed to make it simpler and decrease voter error. There were also recommendations with regard to the use of indelible ink. All of these changes have been instituted following recommendations from the OAS.

The OAS audited the voter registry, and this was tremendously important for Bolivia. There were recommendations regarding technology and technical procedures, and regarding the civil registry and the electoral registry. Bolivia received support from Canada and technical recommendations from Mexico in creating the biometric registration system and in improving the administration of electoral processes. All the different institutions ensured that Bolivia would overcome its difficulties, ensure greater transparency, and properly manage the different electoral processes. The CNE is critical to the process in the country given all of the work done over the past four to five years. Bolivia has almost two elections per year, raising tremendous challenges for the electoral organizations in the country. There are absolutely opportunities to work together, and this has been made clear through all the recommendations put forward by international organizations. As a result, the process in Bolivia is more transparent and better managed.

³ Corte Nacional Electoral

■ Mr. Pablo Gutiérrez
*Director, Department of Electoral
Cooperation and Observation, OAS*

Democratic elections are like different facets of a photograph, of a technical nature and of a political, legal, regulatory, and procedural nature. When elections are understood from those two perspectives, political actors and international actors all have the opportunity to look at the challenges moving forward. In the post-electoral period, there are strengths and weaknesses with respect to the so-called “opportunities” in this question. The term “weaknesses” is used because when the electoral process, the post-electoral process, and the election body are no longer on the front page of newspapers, very often they are almost the victim of regulatory changes, which then take place as part of the process. It is not necessary to go into the reasons why this sometimes happens. For example, it is very interesting to note that in the Republic of El Salvador, after the electoral process, the change takes place on the appointment of the Director of the Civil Registry, which goes from the executive to the electoral authorities. On the side of the strengths, the fact is that this General Secretariat has tried to change some of its tools, and one is the electoral observation missions. In this hemisphere, there is no longer any reason for the electoral observation mission to go and lecture on how to have an electoral process in any country. Missions go to countries today basically within the national context to cooperate with the challenges that the country and its body, on the basis of its sovereignty, have decided to carry forward. From this perspective, a second element has been added. Today, election observation missions absorb positive experiences and best practices, which are useful in terms of horizontal cooperation. For example, the experience Panama went through serves as a great example, and it could be very useful to a case like El Salvador. In other countries, extremely useful practices have been discovered.

The opportunity to work together is no longer based on a bilateral relationship between the OAS and elec-



Panelists at the Sixth Inter-American Meeting
of EMBS, Ottawa, Canada, June 2009.

toral management bodies. Most technical cooperation projects that are carried out today involve an electoral management body that has good practices, and the OAS is an intermediary in horizontal cooperation. Consolidated democracies do not need anyone from outside the hemisphere to tell them how to conduct elections. The average number of elections in Latin America and the Caribbean and North America has been gradually rising. This offers the advantage of increasing the level of participation in electoral processes. It also poses a challenge. Together with the OAS, Bolivia has established some procedural improvements on the mechanics of voting. This was a matter of pride for the OAS. In El Salvador, it was also a source of pride to be able to help the electoral tribunal when the mechanisms of voting were modified between elections as a result of a recommendation by the OAS Mission. In the January 2009 elections, voting could be done in plain sight; this changed for the March 2009 election, when they placed curtains in the voting booths. Other changes related to the placing of polling officers in different places, changes in the opening times of the voting tables, etc. Citizens were able to see that in less than 90 days, the electoral bodies were able to propose different mechanics, and they were visible and easy to see. So there are opportunities, challenges, risks, and weaknesses, but with the electoral bodies now present in the hemisphere, the concept has been changed from mere philosophical discourse to best electoral practices in the Americas. This is an essential element and has meant a change in the electoral field.



PANEL I – VOTER REGISTRY

Panel I: “Voter Registry”

■ **Moderator: Ms. María Teresa Mellenkamp**
*Chief, Electoral Technical Cooperation
Section, Department of Electoral
Cooperation and Observation, OAS*

■ **Mr. Joaquín Pérez Mercado**
*President, Departmental Electoral
Court, Cochabamba, Bolivia*

Mr. Mercado is currently the President of the Departmental Electoral Court in Cochabamba, Bolivia. He is a lawyer and a graduate of the Major University in Cochabamba, Bolivia. He has a Master's degree in Human Rights from the same university and is also a graduate in Public Administration and Governance, and has a degree in Administrative Management.

The National Electoral Court (CNE) of Bolivia has made progress in trying to build a new voter registry. This presentation will focus on the progress made by Bolivia's electoral management body in trying to build a new voter registry. This is something of extreme importance for Bolivia because, beginning this month, the electoral management body has taken on the enormous responsibility of building a biometric electoral register under a transitional law that emerged from the new Political Constitution of the State, adopted in January this year. The Constitution considerably changes the organizational structure of the state of Bolivia, not only in its organizational aspects, but also in its philosophical aspects. The transitional law establishes early elections, to be held in December this year. These national elections will determine the President, Deputies, and Senators of the Republic

of Bolivia. The law also establishes nine new special electoral districts in order to guarantee the presence at the pluri-national legislative assembly of minority groups in the population. Bolivia has 16 minority groups, and as a result of consensus in the National Congress of Bolivia, nine new special electoral districts were created for the rural areas. Finally, the law establishes the obligation to allow voter eligibility of Bolivians who are foreign residents.

The law stipulates that foreign votes can account for a maximum of 6% of Bolivia's total voter registry. This means that approximately 260,000 Bolivians living abroad in the United States, Spain, Argentina, and Brazil will be listed, which is another enormous challenge to be faced from now until December of this year. The Political Constitution of the State in its transitional provisions also establishes that there be a departmental election in April 2010 to elect departmental assemblymen for the first time through direct suffrage. The new governors of the departments will be designated in those cities where the referendum



Mr. Pablo Gutiérrez, DECO Director and Mr. Marc Mayrand, Chief Electoral Officer, Elections Canada

on departmental autonomy resulted in a Yes vote. A new referendum will be carried out in the five departments that voted No. This is a very complex task. However, all of Bolivia's electoral management bodies want to comply with the law.

It is appropriate to begin by explaining the applications established in 1991. The EMB applied an election-monitoring system called the SIMONEL system, and for the first time, the voter registry was computerized. Prior to 1991, electoral processes were carried out using manual processes. In 1993, the SIMONEL system was used along with the UNIFY system, with which a computerized purging of the voter register was able to be carried out. Between 1995 and 2002, the SIMONEL system was used with the REGINA system. With the REGINA system, the EMB attempted to use the information generated by the civil registry together with the electoral registry. This task continues.

There is a serious obstacle in Bolivia with respect to the civil registry. The civil registry was in the hands of the executive branch, specifically the Ministry of the Interior, which is now the Ministry of Government, between 1940 and 1992. Beginning in 1993, the EMB took control of the civil registry. The fact that it was under the executive branch meant that there were serious errors in it, including entries that were duplicated two, three, or four times. To this day, there are very serious errors in the civil registry, including spelling mistakes, editing mistakes, and fields that were transcribed into the computerized system in an incomplete way. The electoral management body has been trying to amend these deficiencies since it took over the civil registry. Therefore, the SIMONEL system and the REGINA system have not yet been consolidated. The electoral management body has always requested that the civil registry and the personal identification registry be consolidated in order to have a single national registry under the control, monitoring, and implementation of the EMB of Bolivia. The task is currently underway.

In 2004, there was a referendum, during which both the SERENA and REGINA systems were used. The SERENA system is an electoral registry system that tries to improve on the voter registry. During municipal elections in 2004, the SERENA system was applied, and for the first time, the results of those municipal elections were published on the website of the National Electoral Court. That meant considerable progress in increasing the transparency of the work of this very important body, the electoral process, and the issuance of election results. From 2005 to 2008, the EMB continued to use the SERENA election registry system. The electoral courts in each department have done a

lot of purging and made corrections in the database. The next step is to take it to the higher court to centralize the information. But up till now, this electoral registry has been used with the shortcomings just mentioned.

The growth in the electoral registry in Bolivia from 1997 to 2009 is reasonable, but in 2004, the voter registry contained 4,717,000 citizens, which was inflated. The register was inflated because in Bolivia, people who change address have the obligation to register. It is not that one updates a change of address; the person has to register again. Unfortunately, there is a lot of migration from rural to urban areas. There are millions of Bolivians abroad who come back to the country and reregister on the electoral rolls, creating duplicate entries. For that reason, the voter registry in 2004 decreased to its current size of approximately 3.8 million voters.

There have been many electoral observation missions in recent years, and in Bolivia, there have been several electoral processes, more than ever before. There were early national elections, consultative referendums, and a recall referendum, which was not formally established in the Constitution. The National Congress interpreted the Political Constitution in order to carry out the recall referendum with a popular mandate. Bolivia also held elections of departmental prefects, which had not been established under the Constitution either. This was made possible through popular suffrage. There was also an OAS Electoral Observation Mission in 2002, during which the OAS established that the voter registry was showing inconsistencies. The mission came to the conclusion that modernizing the voter registry had to be considered a priority in Bolivia. In addition, it recommended that there should be a restructuring of the civil registry system in order to have a purged and systematized registry, which included photographs, as well as a single document in order to vote, which could not be tampered with. The mission also recommended a new registry because the source of information for the registry was the civil registry, with the shortcomings previously mentioned, and the identification registry, which was administered by the National Police, an organization with serious deficiencies and high levels of corruption. The National Police doubled or tripled identity cards, which gave rise to very serious challenges in purging the voter registry. The OAS recommended the biometric system, with photographs of the voters. In the 2004 elections, CAPEL, the advisory center for elections promotion, noted in its observation mission that the voter registry continued to be a weak point in the electoral process of Bolivia and that it would be desirable for relevant authorities to make changes to

improve the voter registry for the next elections. The Parliamentary Confederation of the Americas (COPA) also mentioned that the problems that arose on the day of the 2005 elections were caused by problems with the voter registry. Results from technical reviews and audits carried out by the Center for Latin American Studies similarly concluded that the voter registry needed review.

In 2008, the OAS completed a thorough review of the electoral system. The review consisted of studying legal aspects, looking at computerized platforms, checking the reported irregularities, and reviewing the voter registry. It was recommended that there be digital images in the voter registry. The findings also referred to a problem of identification with pieces of ID. This is another major problem that Bolivia holds as citizens can register on the basis of four different documents: the ID card, passport, national registry, and military service ID. This is a serious problem for the country because it complicates purging at reliable levels. The OAS recommended in the study that there be only one ID document used for voter registration. The study also referred to a number of deficiencies in the system: it pointed to a lack of computerized security and deficiencies in the organizational structure of the EMB due to the concentration of information in the National Electoral Court. The OAS recommendations were taken into account by the EMB and have been implemented. However, the OAS carried out a review of the voter registry and found that many voters listed as eligible in the registry were actually deceased. This is caused by a two- to three-year delay in updating the voter registry from the civil registry. Nevertheless, the OAS determined that there was 96.23% accuracy in those registered and that the registries are 98.58% accurate with regard to repeat names. Results showed there is 99.01% accuracy in the voter registry. This verification work was truly important for the EMB, as it gave a true picture of the situation of the voter registry.

In 2008, the CNE endeavored to reengineer the voter registry, implementing a new generation of computerized supports, including biometric information, which includes a signature, a photograph, and a fingerprint to verify an individual's identity. The goal was to modernize and standardize the concepts and processes associated with voter registration as well as voters abroad. Canada has provided great technical assistance in helping us to reach this goal. Representatives from Canada visited eight times to advise and provide assistance in the creation of the new Euler system. The goal is the creation of a comprehensive electoral ID card. The cost of each ID card is estimated at roughly US\$4, and there would be 4 million voters registered,

so there are some characteristics of this voter registry card that cannot be implemented for the December and April elections later this year and next year.

There have been amendments to the electoral legislation through interim legislation, which regulates the development of national elections in December and departmental elections in April. In addition, for the December elections this year, the electoral management body will have to create nine new special indigenous electoral districts, register voters from four other nations, carry out referendums at the departmental and regional levels aiming at rural indigenous populations, and oversee the creation of a new voter registry from square one. There are tremendous challenges ahead, including setting up a biometric voter registry in only 90 days. There are serious limitations and difficulties to deal with, including a lack of resources, complying with legal requirements, and the time constraint. The decision was made recently to contract a company to provide the photographic camera, fingerprint equipment, and computer required to capture the signatures of voters. The CNE itself will carry out the biometric registry. At the moment, the CNE is working very hard so that in 75 days, 4 million Bolivians and 460,000 inhabitants living abroad will be enabled to vote.

■ Ms. Ruth Meighan

Chief Elections Officer, Elections and Boundaries Commission, Belize

Ms Meighan was appointed Chief Elections Officer of Belize effective October 1, 2007. Since that time, she has supervised a general election and a municipal/local government election in Belize. Ms. Meighan has been a career public officer since August 1983 and has moved up the administrative ranks within the Public Service of Belize from clerk through to her present position. Prior to her appointment in 2007, she served as Administrative Officer in several ministries of the Belize Public Service and as Coordinator of Governance and Modernization.

To begin, I would like to remind you of the purpose of electoral managers. As the Universal Declaration of Human Rights, Article 21 states: "Everyone has the right to take part in the government of [his or her] country, directly or through freely chosen representatives.... The will of the people shall be the basis of the authority of the 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 free voting procedures."

In Belize, general elections are held every five years, local government elections are held every three years, and village council elections are held every two years. The country is currently divided into 31 constituencies for the purpose of electing members of Parliament. There are 13 permanent registration offices country-wide, and the head office is further divided into data, records, and administration. The voter registration system is continuous, and the voters list is constantly updated. Throughout the year, people go to specified voter registration offices that are open year-round. In addition, throughout the year, electoral information is updated in the case of those people who have relocated from one division to another or may have changed their names. With continuous registration, people register to vote only once, voluntarily, in Belize and are requested to update their information as regularly as necessary. The voter registry is a fundamental component of any electoral system. The primary purpose of this list is to confirm the eligibility of voters to participate in parliamentary and local government elections.

Irrespective of the method used to create the list, it must be complete, accurate, and current in order to ensure that those eligible to vote are able to do so and those ineligible to vote are barred from doing so. If the list is incomplete, those eligible to vote may not be able to do so because their names do not appear on the list. An inaccurate voters list may include people not eligible to vote as well as errors in information for those who are eligible. An out-of-date voters list will not include the names of people who have recently become eligible and will still include the names of those who have ceased to be eligible. It may also omit information about changes of address or names of individuals who have recently moved or married. An accurate and up-to-date registration list can help safeguard against disenfranchisement and serve as a guardian against fraud. In short, it can reinforce confidence in the elections system. In the case of Belize, it is believed that 10 years is an appropriate time span in which changes in cards and characteristics of electors may have occurred, such as changes of names, addresses, etc. Also, there is an issue with respect to the proportionate numbers of electors who may no longer reflect a true representation of the persons residing in a given polling area or voting area. Section 90 of the Constitution of Belize makes a provision for an equal distribution of the population in each electoral division. Purging the voters list will clean up the database by eliminating possible errors and eliminating names of deceased and disqualified persons.

In conducting this exercise, one must always be careful that qualified persons are not removed from this list. The law contains several sections that deal with areas where the voters list can be cleaned up. Since reregistration in 1997, the voters list may still not be a true representation of the population it serves, even though it has been updated on a daily basis with new information. In 1997, it was enacted that reregistration be undertaken every 10 years thereafter. Prior to the introduction of the reregistration legislation, there were few provisions for the comprehensive, accurate representation of the people. The existing records on electors at the time included electors who had registered since 1978. With the reregistration exercise in 1997, all records were replaced, demographic information was updated, and we were able to remove those electors who had moved to another country and those that were deceased. Since that exercise, the Elections and Boundaries Department continues to register new voters. However, the reregistration that was to take place in 2007 did not occur. Act No. 11 was amended, and rather than 10 years, the reregistration process was now to take place every 15 years – that is, by 2012. One of the reasons given for not undertaking the reregistration exercise was that within the law, there is a provision that says that reregistration must not be conducted during an election year and had to be conducted at least six months before an election. Since general elections were being held in 2007, the provision was amended and extended to 15 years. 2012 is also an election year, so if the political will is not there, a reregistration exercise will not be held.

At the Elections and Boundaries Commission, there are several reasons why the reregistration process would be valuable. The photographs in place for the electors have faded, so facial visibility is poor. Additionally, there have been many demographic changes: there are people registered in Belize with some form of baptismal affidavits, and it is difficult to determine whether they are Belizeans or not because in Belize, there are a lot of immigrants from neighboring countries like El Salvador, Honduras, and Guatemala. These people are actually participating in the electoral process, and reregistration would enable the placement of our electors in their correct polling areas. It would also facilitate the removal of those persons who are deceased or who have migrated. It is not possible to verify when a person dies outside Belize, and even sometimes for those who die inside the country. It is also necessary to remove instances of double registration, which occurs when people provide different parents' names and register in multiple locations. Registration will produce a registry that captures an accurate picture of the constituencies and divisions.

Also, Continuous Registration Section 36, which provides for registration offices to remove deceased and disqualified voters in specific months of the year, has proven to be difficult because of the proximity of geographic locations. In some cases, Belize has only two offices for approximately four to five constituencies; this makes it difficult to verify these deaths. Section 59:1, under a general provision of the law, also provides for the transfer of electors from one electoral division to another during July and August of each year. This is one of the ways that the Department tries to maintain an accurate registry. The Elections and Boundaries Commission conducts an annual revision, a type of auditing of the voters list, but the audit is completed internally, so there is always room for error because the same office that completes the registration audits the list. The purpose of this exercise is to enable the removal of disqualified and deceased persons from the list.

An important goal over the past two years has been to modernize and upgrade the registry, because the electoral system is outdated. The Elections and Boundaries Commission made a request to the government for funding to move away from manually producing ID cards, processing applications, and producing all the records that are processed when a person is registered. The Elections and Boundaries database is built on Visual FoxPro software. It is a secure database run on a main server and a backup server. The application has administrative, registration, and reporting functions. It contains personal information on the electors, such as the name, date of birth, etc. This information is collected at the divisional offices located countrywide. After the application is verified, it is forwarded to the central office, and the data is registered into the system.

In terms of the production of ID and record cards, there is currently a voter ID system where photographs are taken with a Polaroid camera. The ID cards are outsourced, and the elector information is typewritten on each card. Laminating sheets are also purchased to complete the ID card, and pictures are manually cut, attached to cards, and finally laminated. All work is done manually, and most documents are produced in duplicate. It is necessary to provide a birth certificate, a Belizean Commonwealth passport, or a Belize naturalization certificate in order for electors to register. Previously, unverifiable affidavit information was used. There are many immigrants who are brought into Belize by politicians trying to get their votes. There are immigrants who vote who have been living in Belize for only two or three months, especially during an election year. This practice should be prevented. The Elections and Boundaries Commis-

sion continues to register voters countrywide, and wants to capture demographic data and a photograph that will be sent to a central location via a secure link, either across a wide area network or a remote synchronized server. It would be helpful to fully equip the 13 district offices, or if possible more, with computers and digital signature pads, cameras, and tripods, to have each computer linked to the Elections and Boundaries database. The goal is to introduce a new face to the ID system, which will be made with PVC image cards with some security features, mainly a laminating sheet with a logo. The goal is to facilitate the entire elections process. The advantage of this is that it will help to cut costs in the production of duplicate ID cards and help facilitate the process. Information will be sent electronically to produce ID cards and record cards. New ID cards will be more credible and fraud-resistant, and this will likely make them acceptable at various financial institutions as a form of ID.

There will be one entry in the system that will be captured on all relevant forms. Creating the wide area network will also help because there is a small population spread out over a large space, making it difficult to get information to people quickly. So the electronic information sharing will help to get the work done quickly. The link will also further assist registration and the production of ID cards and enhance security features. The registering officer will also have the possibility to view photographs and registering information from every elector, irrespective of the electoral division the elector is registered in. The goal is to create a complete registration solution: a software application for capturing photos, biometric data, and personal details from registrants and the issuing of high-quality ID cards and forms.

Of course, there are many challenges. The amendment to the law should be reflective of what the Elections and Boundaries Commission does daily: stakeholder buy-in, political will, technical expertise within the department, and funding for the system. The Elections and Boundaries Commission of Belize is looking to modernize its system and move away from the manual production and processing of applications.

■ Mr. Erasmo Pinilla Castillero
President, Electoral Tribunal, Panama

Mr. Castillero has degrees in Law and Political Science from the University of Panama. He is Magistrate from 2006 to 2016 and editor of the magazine Mundo Electoral. He is Deputy Mayor and Assistant Secretary-General of the capital city of Panama. He

was President of the Union of Latin American Voters of the American Continent from 2006 to 2008, and has spoken at a number of conferences on electoral issues at the national and international level.



The Electoral Tribunal is responsible for the civil registry in Panama. It produces the only personal ID document. It is also in charge of the permanent electoral register and is responsible for elections and any referendums that occur in the Republic of Panama. The Tribunal manages appeals against the register and any requests or declarations. It also manages the political party system and controls public financing of political parties and independent candidates. The Tribunal manages electoral criminal justice.

In Panama, there is a distinction between the voters list and the electoral registry. The voters list is a list only at a specific time. It is subdivided into the preliminary voters list, which is the result of one list produced a year before elections and distributed throughout the country in order to be reviewed and purged. It is a photographic voters list. The final list is distributed to all political parties and the rest of society in January of an electoral year so that everyone can have a chance to review it as necessary. The electoral registry is updated in a number of ways in Panama. First, through the issuance of an identity card, the only piece of identification they receive when they reach age 18 with which Panamanians are automatically registered in the electoral registry. They are registered in the Electoral College and at the closest voting registry to their residence. When a citizen loses the ID or needs to renew his/her information, the electoral register is updated at the same time. A citizen can actually make

a sworn declaration of his/her residence when they request their card. A year before elections, the register is closed, and changes of residence can no longer be brought into it. Hopefully, it will become possible with advances in technology to make changes closer to an election date, especially changes regarding residence. Unfortunately, voters move from one place to another quite often, and the Tribunal has to make the cut a year before the elections in order to purge the list. In more immediate terms, the Tribunal has to assign voters to voting centers and make sure that they are included in the electoral register. Citizens who change residence end up being included in the polling station closest to their new place of residence. There are polling tables in communities – even in places where there are fewer than 50 voters – in order to allow people to walk to polling stations if required.

Criminals are disqualified from the list as the criminal code states that criminals lose their citizen voting rights. The electoral registry is also updated through the civil registry when a citizen dies. Before being buried, a special permit is required from the civilian registry to note the death and to note that the person will be removed from the electoral registry. If citizens acquire another nationality, they may not lose their nationality, but they may have their citizenship suspended and thus lose the right to vote. Once this has been noted, they are automatically excluded from the electoral register. There are also special processes for people that challenge their inclusion on the voters list. The preliminary voters list is printed and distributed 11 months before the date of the election. The Electoral Tribunal produces the electoral bulletin, and there are 45 days allowed for citizens to challenge the voters list. Often what happens is that people move from one place to another, and this means that magistrates travel the country to hold hearings with the community – sort of town hall meetings. This preliminary list is shared with all political parties and all municipal authorities in the country. The final voters list is closed on December 30 of the previous year. It is disclosed at least three months before the election. It is published and then distributed to the offices of the Tribunal, the political parties, the communities, and all of the local authorities. Finally, this voters list, following all of the purging, is used to draw up the list for each of the voting tables. There are photographs of the voters on these lists.

Panama is making an effort to invest in the disclosure of voters lists. There are kiosks in public and private companies, in the busiest and most well-known shopping centers, 17 months before an election. Panama uses bills of basic services, including power, telephone, and water bills, to inform people about vot-



Panelists at the Sixth Inter-American Meeting of EMBs, Ottawa, Canada, June 2009.

ing centers. The names of voting centers are printed on checks for civil servants and on social security stub books for employees of public and private companies. There are special groups that travel to new neighborhoods and explain to residents where their voting station will be. The Tribunal also participates in traditional Panamanian handicraft fairs throughout the country and tours isolated places in the country with the voters list. There also exists an information center and a 1-800 number managed by the center. People can use this number to figure out where they are supposed to vote. There is information on the website of the Electoral Tribunal. Public servants visit local television and radio stations and speak to the need to update one's information on the list. The payrolls of major private companies are requested so that the information can be sent out to the employees so that they know where their voting centers are located. The Tribunal also has a multi-million-dollar media campaign. It has a number of different commercial spots – for people who are almost 18 years old, those who have changed residence, deaths, etc.

There were 2,161,000 citizens on the electoral register, with 906,000 people verified, for the elections held last month. There were 861,000 correct names, 118,000 changes of residence, 359,000 visits to peoples' homes, participation in 28 different fairs, and meetings held with 10 public institutions and 32 private institutions. There were 124 requests for purging from the preliminary list, which is a small percentage of the total number of names. It is still an important job to ensure that the voters list remains updated. The system of updating the voters list has ensured that it is a reliable source. The Tribunal has an efficient computerized voter system, and within a week following the elections, it can verify who has voted or attempted to vote twice. In 2004, only 14 citizens voted twice, and this year, only nine voted twice. When citizens are found guilty of voting more than once, they are prosecuted and serve a six-month prison sentence. As a result, people rarely attempt to vote twice.

■ Ms. Donetta Davidson *Chair, Elections Assistance Commission, USA*

Ms. Davidson was confirmed to serve on the U.S. Elections Assistance Commission (EAC) in 2005. On October 2, 2008, she became the chair of the EAC and served as VP in 2008. She was the Secretary of State of Colorado in 1998 and 2005, held elected positions as a Secretary and Registrar in Colorado, and was appointed Director of Elections for the Department of State in Colorado. She was a member of the Advisory

Board for the Federal Elections Board and that same year, named by Government Technology magazine as one of the top 25 dreamers and drivers in recognition of her innovative focus regarding improving government services.

In 2000, the United States had a very controversial presidential election. Congress subsequently decided that they needed to do two things: first, pass legislation to help improve the technology of elections and update it; and second, give money to the states to help them move forward in this process. There are two sets of laws that mainly affect the Election Assistance Commission. These are the *Help America Vote Act*, passed in 2002, and the *National Voter Rights Act*, passed in 1993. The *Help America Vote Act* allows greater accessibility. It allows people to vote independently, to change their ballot, to vote without any assistance whatsoever, and it even notifies a voter if they have cast their vote more than once.

The basic duty of the EAC is to develop voting system guidelines – how equipment is going to be tested in the future. The EAC also tests and certifies equipment as well as decertifies equipment. The EAC does not mandate that the states buy specific equipment, but it does establish a requirement for the EAC to certify the equipment. The EAC also carries out the *National Voter Rights Act*, in which money is provided to support states. Each state must have one voting system within each precinct to allow a person to vote independently and without any assistance. Upgrading voting equipment and developing a state-wide voter registration system are the two main mandates of the *Help America Vote Act*. This was the first time that states had been provided funding to support elections, and since 2002, over \$3 billion has been directed to the states for this purpose. In the past two years, \$215 million has been appropriated for elections; so far, 17% of that money has been spent on the computerization of state-wide voter registration systems.

The *National Voter Registration Act* established processes to increase the number of eligible voters, and it protected the integrity of the election process by ensuring that you cannot take a voter off the register if they do not vote in one election. The Act expanded the number of places in which a citizen can register to vote. The maintenance of a voter registration file must be uniform and non-discriminatory within the state, and the process of removing names from the list must comply with either regulatory processes or state law. Every state is different in this matter. The federal law requires states to keep a voter on the file

for two general elections after the first time they fail to vote. If, however, a voter submits a change of address or information, the voter's active status is once again renewed. Finally, prior to removing a voter name from the registry, the voter must be contacted by an elections official.

Voters can also register in the United States by mail, in person at motor vehicle service agencies, or through registration drives established by political parties and non-profit groups. The United States has a very decentralized system. The EAC provides support to the states, but they establish their own laws on how a candidate accesses the ballot and for the administration of the election. The federal government can only make laws for federal elections. The Constitution protects states in establishing their own elections procedures. For example, the federal law provides that one may not cut off the registration period any earlier than 30 days prior to an election. Many states, however, have set their deadlines at 15 or 10 days prior to an election, eight states allow for same-day registration, and one state has no registration requirement whatsoever. In that particular state, individuals can arrive at a polling booth, show their driver's license, and vote. Arizona has the most stringent requirement among states, requiring that a voter prove their state citizenship prior to registry. State legislation is very important. States have enacted new laws since 2000 and have published new regulations and processes in support of the *Help America Vote Act*. It has been a time of great change for our elections administration. Since 2001, there have been over 1,200 pieces of legislation introduced by states, and 1,800 new laws have been put into effect. Since 2001, 15% of those laws have been changed, and 110 were so controversial that they were vetoed by state governors. There are still 1,000 bills in debate in state legislatures, which indicates more change to come. There were at least 39 pieces of legislation passed in 2009 that are awaiting governors' actions, so there may be an additional 39 laws enacted. Three pieces of legislation this year have been vetoed by governors. One of these was a proposal in Minnesota that would have made voter registration automatic upon receiving a driver's license.

The National Voter Registration Act allows a citizen to receive his/her driver's license at the same time as registering to vote. This has been very popular throughout the nation, allowing people to update their information anytime they visit the drivers' bureau. The Act also provides for how states remove names, not solely based on one's failure to vote.

There are four states that have seen an increase of over 20% in registration in the four years since 2004.

The total number of voters in the 2008 election was 189 million, representing an increase of 17.5 million voters since 2006. Nearly 90% of citizens of voting age are registered, and of the 60.3 million voter registration forms received, 24 million were from new registrants. More than 20 million of the registration forms received had changes of names, addresses, and party affiliation. The use of mail or fax registrations increased to 30%. Eight states reported receiving 690,000 registration applications over the internet, a channel that has become increasingly popular. Individuals who already have a driver's license are permitted to register to vote online or change their address and personal information. Arizona adopted this system earliest, and 35% of their new registrants submitted their applications online.

List maintenance trends show that 8.8% of registration applications were invalid or duplicates. Along with this, 18 million were removed from the rolls, and more than 12 million were removed because of death or felonies. The Center for the Study of the American Electorate in Washington, DC, estimates that there are still 50 million eligible citizens who are not registered and that in the rolls, there are 20 million invalid names. Uncertainty about whether a ballot can be counted leads to court cases, and there were many such cases in the presidential election.

Continuing problems include the issue of individuals who have more than one home in the United States who register in more than one state. Also, the biggest problem is overseas and military voters. In 1952, there was a real push to pass legislation to help cast absentee ballots, but over 50 years later, there are still problems. There are 6.1 million absentee and military voters overseas, estimated by the National Conference of State Legislatures. Only 26%, roughly 1 million, requested overseas ballots that were cast and counted in 2006. Over 35,000 military and overseas ballots were returned undeliverable in 2006. Part of the problem is that the *Help America Vote Act* requires that once an application is submitted for an absentee ballot, the election director is to send the ballot to the indicated address in the future. Given that many of these people move often, particularly those in the military, these addresses are no longer accurate. Approximately 58% of military personnel did not vote in 2004, indicating that it was too complicated and difficult. Thirty-two states are moving forward in trying to solve the problem, allowing individuals to vote by fax or email. In this way, they are giving up the right to a secret ballot.

The EAC has been making progress with the National Institute of Standards and Technology (NIST) to set

standards and guidelines to help with security issues in filing absentee ballots electronically, through either the blank ballot, that is sent back by mail, or even receiving the ballot after the vote has occurred.

The next step is to continue working with NIST, forming guidelines for either sending or receiving registrations and also material for blank ballots. The end goal is to develop a high-level strategy for ballot returns in elections. Voter registration is the key to a successful election. Voting technology generates debate, but

ensuring that those with disabilities have the ability to vote privately and independently is important. Voting must be accessible to everyone regardless of their physical disabilities. Voting equipment is just part of the equation, and education is also crucial. Educating officials and poll workers, and informing voters is essential. Election management guidelines also need to go along with the voting process. This is a healthy discussion to have about election systems and technology. Any activity that brings this kind of attention to voting is worthwhile.

Panel I: Questions & Answers

1. Why does Belize only carry out purging in February, May, June, July, and August? Is it for any particular reason? Is it because there are deadlines in the electoral process?

Belize has a continuous voter registration system, conducted on a monthly cycle that begins on the 11th of each month and ends on the 10th of each month. In addition, there are periods during which the Elections and Boundaries Commission is engaged in other voter registry activities. The monthly cycles are mainly dedicated to looking at the list and trying to remove deceased and disqualified persons. These issues are dealt with during the few months of the year when there aren't many other activities going on because they can be tedious and time-consuming.

2. Does Panama hold discussions with communities about the preliminary electoral registry as a component on the electoral calendar, or is this done on an ongoing basis? This is important because in Venezuela, the National Electoral Council goes to the communities to register people but then returns to discuss the registry with the people, with exceptions such as the indigenous communities, who always want to review the registries. But in a systematic way, this has not been done with communities of the general population.

The preliminary voter registry, which is ready one year prior to the date of elections, is distributed to all municipal offices. Panama is divided into provinces, districts, and ridings, which constitute the smallest administrative and political unit. In every riding, a counselor is elected to represent the riding in the dis-

trict. The registry is distributed to that level. The registry is a photo registry, which, by law, must be shown in the offices so that the citizenry has access to the list. This is a source of challenges to the list, wherein citizens may challenge the registry because they do not reside in the district and should not vote there. Those challenges account for the fact that the justices in the Electoral Tribunal go to the head of the district to resolve the challenges that have been raised. This is an open process, with the participation of all of the community. The photograph of the person challenged is projected, and the community vouches for the individual or indicates that he has moved. It is an open assembly, and the magistrates decide who to believe and what decision to make in regard to the registry. The Electoral Tribunal may also conduct minor research as to where the person actually resides.

The Tribunal devotes approximately 10% of the electoral budget to the dissemination of the updated voter registry and is in close contact with the political parties. In fact, the electoral process is undertaken with the political parties. The National Council of Political Parties gathers the highest representatives of each of the political parties together with the Electoral Tribunal for a monthly meeting held during non-election times. It becomes a permanent or weekly meeting in the month prior to an election. There is continuous dialogue with them and this has proven to be a very good experience for all actors. In the National Council of Political Parties, parties facing their opponents are very moderate in their discourse, allowing the Electoral Tribunal to raise issues that, while they may not be good for one or two of the political parties, are just. In this way, the Tribunal tries to introduce reforms.

3. What is the percentage of the budget of the electoral body in the US devoted to updating and managing the voter registry? This question may be more complicated in the United States because of decentralization, but who is in charge of updating the voter registry in the United States, and what is the percentage of the budget spent on this activity? Also, how much of the staff of the electoral body works on the voter registry? Finally, how much importance is attached to promoting the voter registry vis-à-vis political parties, NGOs, the media, and the voters? Sometimes actions taken can be technically correct, but may not be understood socially or politically.

The Elections Assistance Commission has many third-party registration drives through non-profit organizations. They work very hard in-between primaries and the general election. During that time, the election offices receive 6,000 to 8,000 registrations per day that span duplicates, name changes, address changes, and new registrants. This occurs throughout the nation, along with applications for absentee voters. The registration system that Congress is funding for the states is

based on the processes in the states of Kentucky and Michigan, where six years were spent developing voter registration systems. These states had electronic downloads of motor vehicle records and vital statistics (to verify deaths). With some of the information thus automated, the elections office then only needs to check for mistakes. This both reduces errors and speeds up the process. The remaining states still have a long way to go before reaching the standards set by Kentucky and Michigan.

Federal money is only provided to build the state systems. States make efforts to use these funds wisely so that there is enough to pay for upgrades and maintenance. The registration in most states, however, is paid for by the municipality, including staffing. Once in a while, there is a state, such as California, that pays a certain amount per registration. But San Diego County representatives stated recently that the state of California has not paid for two years and is behind by \$4 million in paying counties a portion of each registration. The counties really face the brunt of the cost of registration, and it probably constitutes 25% of their budget.



PANEL II – INTERNATIONAL ELECTORAL OBSERVATION

Panel II: “International Electoral Observation”

■ **Moderator: Dr. Betilde Muñoz-Pogossian**
*Chief, Electoral Projects and Studies
Section, Department of Electoral
Cooperation and Observation, OAS*

In the case of the Inter-American system, international electoral observation is a tool that OAS member states have to promote and defend democracy in the countries of the region. There are three generations of international electoral observations. Observations began in the 1960s and were largely symbolic in nature. In other words, missions merely accompanied elections throughout the Americas. Then a second generation took place during the democratic transition in countries in the region. The third and most recent wave is more organized and systematic and goes beyond a symbolic presence in countries where elections are carried out. This is a trend that applies not only to the OAS but throughout the world, so much so that it has been consolidated into the Declaration of Principles for Electoral International Observation and Code of Conduct for International Observers, signed at the United Nations in October 2005. The document consolidates principles that have to be observed for international electoral observer missions. The objective of this session was to discuss what use international electoral observation has for countries in the region and, in particular, for electoral authorities.

■ **Dr. Magdalena Chú Villanueva**
Chief, National Office of Electoral Processes, Peru

Dr. Chú holds a Ph.D. in Science with a specialty in Statistics, a Ph.D. in Public Health, and a Master's degree in Public Health with a specialty in Health and Population. She is an Expert in Public Administration, holds a Bachelor of Statistics, and is a graduate teacher. She has published several books, essays, and articles in her specialty. She is also Head Professor at the Cayetano Heredia Peruvian University. She is currently Chief of the National Office of Electoral Processes (ONPE) in Peru.

This presentation examined international electoral observations, looking specifically at the internal observers of electoral processes and international observers in the framework of integral electoral observations as part of electoral processes themselves. There were two main ideas: the observers at the national level accepted the presence and the opinions of the international community represented by specialized organizations within the framework of an electoral process; and secondly, the international electoral observer maintained a relationship with the internal electoral observers through the various instruments used as an observer.

Election Audits

As part of improved elections administration in the Americas, especially in countries where democratic

systems have been reestablished since the 1970s, election audits have become an essential component of the electoral processes themselves. An election audit includes all of the operations carried out by the observers in an electoral process, whether they are of an administrative, legal, or political nature, or whether they are ensuring the integrity of the process.

Election audit participants include the national electoral bodies themselves; national state organizations with auditing expertise, such as the office of the public prosecutor; national ombudsman; the controller general's office; political parties; candidates; civil society representatives; communications media involved in shaping public opinion; and citizens in general. These entities conduct their auditing work through the people they employ, who have specific skills that reflect the organization they belong to. These are the election workers.

In conducting an election audit, one has to take into account who does the auditing and who is being audited. There is no single election audit body, and election audit activities are performed by different election workers and are conducted by overseeing the activities of others within a clearly established legal framework. On the other hand, one must also take into account which aspects are being audited and how the audit is carried out. Audit methods have taken different forms, depending on the entity involved and the process over which it has jurisdiction. Electoral management bodies have developed election audit mechanisms within their administrative and judicial roles.

In the case of Peru, where roles are separate, the body in charge of organizing the process has its own administrative audit mechanisms. But the judicial body is responsible for checking the legality of the whole process using auditing powers in order to guarantee the basic right to vote. Election auditors have the power to intervene and ensure compliance within the law and can assess and resolve any irregularities that may be discovered. Likewise, auditors from the office of the public prosecutor are empowered to intervene and settle criminal offenses affecting the process.

One aspect of election audits that has become more important over the years is auditing of the spending and funding of political organizations and candidates, mainly during election campaigns, but also even beyond the campaigns in the case of political organizations. With a number of different procedures for auditing, identification of irregularities and the application of penalties are a part of their authorities. Election audits do not just refer to the regulatory aspect, that is, the identification of irregularities with the consequent

penalties and recommendations for amendments. They must also be understood in a positive light from the perspective of ensuring that the law is being complied with and voting rights are being guaranteed. It does not include control of a particular aspect of the process when a group or entity seeks to manipulate an aspect of the process for their own benefit and to the detriment of others.

Election Monitoring

Election audits have been formalized, with the power to intervene in the actions of the electoral workers involved in the elections. There are other oversight roles that do not permit direct intervention, but allow observers to flag issues that may require intervention. This type of oversight is called election monitoring and is performed by entities such as political parties, which obviously have the right and responsibility to protect their own interests and those of their candidates. And for this, they prepare and rely on accredited representatives responsible for ensuring the correct application of all procedures. Communications media play an essential communications and opinion-shaping function and also have the ability to identify and make public any incidents affecting the process. Civil society organizations, while having different goals, do have the ability and the right to inform and express an opinion on certain aspects of the process. Additionally, there are organizations that have acquired specialization in tracking electoral activities for the purpose of protecting the integrity of the process. These do not necessarily represent special interest groups, but are committed to ensuring due process within the framework of a democratic system. These are those entities dedicated to what is called election observation. The members of these organizations, in addition to their specific functions, are called election observers.

Election Observation

The entities involved in an electoral process have authority to monitor the process. If so, why has it been necessary to set up organizations that, instead of being involved with the parties directly, are committed to the broader democratic system and carry out election observation? Perhaps the answer to this lies in the need to strengthen the legitimacy of election results so that they become a faithful expression of the voters' will, based on the need to strengthen citizens' confidence in a situation where it may have been very low. It seems that there is a certain correspon-

dence between the degree of public confidence and the presence of impartial observers. Low voter confidence in electoral bodies that are state entities corresponds with low public confidence in election results or processes, and consequently, more resources are needed to make it possible to build and strengthen this confidence. This genesis of observation in elections requires that certain essential requirements be met.

Observers must have full autonomy; they cannot be compromised by the interests of organizations or individuals directly involved in the process. Another requirement is the commitment to democracy and specialization. Observers are expected to be fully informed of the various aspects of the electoral process so that they can ensure the high quality of their information. Last, observers must have prestige. Observers must be members of organizations that are recognized for their integrity and their commitment to democracy. This is a very important trait since it allows citizens to transfer the confidence that they place in a person or organization to the process being observed.

International Election Monitoring

In the last decades of the past century, the international community in general, and in particular the international community in the Americas, followed a strong trend towards the establishment and consolidation of democratic systems. The collapse of the Eastern European socialist system and the redemocratization of many countries contributed to this trend. Member countries of international organizations that represented this community expressed their commitment to set up and adhere to internal democratic processes and, in addition, commissioned international organizations to ensure that the treaties and resolutions through which they had committed themselves to the democratic system were being complied with. The United Nations, the Organization of American States, and other organizations were then responsible for promoting these principles and monitoring their fulfillment. Furthermore, despite the efforts of national election organizations and interveners, many countries had a history of authoritarian tradition, and therefore, there was undue control over election mechanisms. In addition, there was a notable lack of specialization in electoral matters. Thus, it was necessary to use reference points that would ensure that they could build confidence in the electoral authorities and in the processes being organized. A natural convergence seemed to take place between internal and international forces so that the internal observers

pretty much accepted the presence of foreign agents. However, it was clear that the participation of these agents or agencies had to be clearly defined in order to safeguard national sovereignty. The result was a surge in international election observation, with the characteristics referred to previously, that are essential to observation work: autonomy, commitment to democracy, specialization, and prestige.

In the Americas, international organizations like the Organization of American States, the United Nations, and the Inter-American Institute of Human Rights, among others, as well as non-governmental organizations like the Carter Center, have taken on the role of international election observers. But possibly the most interesting aspect is that the presence and role of international observers has been accepted and generally welcomed by national electoral management bodies.

International Standards of Election Observation

An important aspect of election observation is found in the criteria on which the work of observers is based, since each country has its own legal traditions, its own electoral practices, and its own criteria for building trust. This has led to the formulation of observation and opinion reporting. Guidelines have been grouped and organized into international standards. Over the years during which election observation traditions have been consolidated, these standards have also evolved and been improved upon. The procedures consist of a sequence of specific steps that must be followed systematically, as well as standards, which include a combination of expected outcomes, the types of procedures applied, and the country's cultural and historical context. International organizations providing election observation have been identifying indicators based on these elements. On this point, perhaps greater information is needed about these indicators and their interpretation as international standards. International election observation has been formalizing a set of principles and criteria to be met, which have been recorded in a number of documents, such as election observation manuals and related instruments. This has allowed internal national election workers to perceive international observers as part of their own processes.

National Legislation

National legislation has been acknowledging the presence and role of international observers in accordance with its own electoral legal tradition. Full consideration

of national laws by international election observer members has been important in order to maintain acceptance by national bodies.

Observation Mission Establishment

It is crucial that the mechanisms for setting up observation missions as well as for recruiting observers reflect the characteristics expected in election observation. Employing specialists from the election organizations of member countries, and vouching for their experience and knowledge about the electoral process, have also been factors that have strengthened the process of international election observation.

Monitoring Tools for International Election Observation

The experience of international election observation has produced a group of observation tools that, seen from the perspective of the election bodies, provide mechanisms for liaising between the national bodies and the international observers within certain spaces that are becoming regular elements of the electoral process. However, it should be noted that none of these tools involve direct intervention in the electoral process, nor do they assume any type of dependence. The following is a brief summary of some of the tools that are used:

1. Information – Probably the most important tool for election observation is collecting and organizing information about the national context, the people involved, and the electoral process itself. Observation missions must recreate national conditions by establishing relations with the greatest diversity of groups in the country and by trying to maintain the highest level of objectivity and neutrality in the relations established with electoral organizations, government bodies, parties, candidates, and others. Next, having set up an observation plan, observers proceed with the monitoring of activities. This involves the development of standard forms and formats and, most important, establishing channels of communication with the organizations in order to compile the necessary information. And finally, in the course of this process, observation missions can provide suggestions and recommendations whose application is also monitored, although not for the purpose of supervision. National organizations may or may not incorporate these recommendations.

- 2. Opinion** – Election observation also uses public statements of opinion. These can take different forms, including individual opinions, media coverage, and making statements, suggestions, and recommendations to national groups, especially electoral organizations. Generally, media reports are used more frequently, while suggestions and recommendations are more specific. Statements are actually a tool of last resort, used when points of reference are needed in situations attracting a certain degree of criticism. In Peru, for example, these were needed for the year 2000 presidential elections, when a high number of irregularities were identified.
- 3. Mission reports** – Beyond being a document that summarizes and records what actions were carried out and the conclusions drawn by the observation mission, the report sets useful recommendations for national electoral management bodies.
- 4. Presence** – It must be recognized that the mere presence of an observation mission is a visible feature of monitoring that has positive effects on the development of the process. As a result, its absence or withdrawal can also have the opposite effect. Likewise, the presence of long-term or short-term observation missions, with larger or smaller numbers of observers, indicates to the national bodies the interest of the international community in the success of the electoral process in a member country.

To conclude, as indicated, the institutionalization of international election observation has involved, among many other things, the establishment of a space where national bodies and international observers can interact. This process has been characterized by broad acceptance by national bodies as a result of the convergence of the need to provide international monitoring and to bolster national confidence. The tools of election observation provide mechanisms for strengthening relationships between national bodies and international observers. Beyond waiting for election observation organizations to continue to refine these mechanisms, it is essential that the international community support these trends in order to strengthen democracy. This is an essential condition for the success of election observation. At the same time, it is important that the acceptance of, and confidence in, international observer missions by the national bodies be maintained and strengthened.

Ms. Nadica McIntyre
*Supervisor of Elections, National
Electoral Office, Grenada*

Ms. McIntyre is currently a Senior Manager with the Grenada Public Service. She has been a Permanent Secretary for the past 14 years and presently holds the position of Permanent Secretary at the Ministry of Legal Affairs. In conjunction with her substantive duties, she was appointed Supervisor of Elections effective September 2007 and successfully conducted the general elections in Grenada in July 2008.

Historical Overview

Constitutionally, the state of Grenada is comprised of three islands: Grenada, Carriacou, and Petit Martinique. The population is approximately 100,000 persons, with approximately 50% below the age of 30 years. Grenada attained adult suffrage and subsequently self-rule from Great Britain in 1951, and its first general elections were held that same year. Elections were then conducted every five years thereafter, and the state attained its independence from Britain in 1974. Nevertheless, the Queen continues to be the head of state, represented by the Governor General. The Constitution of Grenada follows the Westminster system of government, which provides for the election of representatives to sit in Parliament every five years and which states also that elections must be held within three months of the dissolution of the House of Representatives. The state is divided into 15 constituencies by the Constituency Boundaries Commission, which is a creature of the Constitution. Members of the House of Representatives are elected from the 15 constituencies with a simple majority, and this is the basis for general elections. At present, there are 136 polling divisions and 247 polling stations. At the end of elections, it is normal for the Governor General to appoint the leader of the party winning most seats the Prime Minister. The leader of the opposition is normally chosen by the Governor General as well. This person is usually the leader of the losing party or the member who commands the greatest number of members in opposition to the government in Parliament.

Grenada did not always have an elected government. In 1979, the New Jewel Movement unseated the government of 12 years, in the first coup in the English-speaking Caribbean, and installed the Peoples' Revolutionary Government. Despite its promises to hold

general elections within one year of taking power, this never materialized. One year later, the Constitution was suspended, and the country was run for four and a half years without a constitution and without general elections. After the party's demise on October 25, 1983, a provisional government was appointed for one year by the Governor General in order to put structures in place for general elections in December 1984. General elections were held, and parliamentary democracy returned to the island. From 1974 to 1984, general elections were held only once, in 1977.

The process of reconstructing the parliamentary system of democracy began with the establishment of the Parliamentary Elections Office, with the support of CARICOM and other international governments and organizations. The New National Party was overwhelmingly elected to form the new government in the elections of 1984. The party was a conglomeration of all the parties, put together with the support of the United States, to run against the Grenada United Labor Party (GULP) party, which was the party of the overthrown Gairy government. The Constitution was reinstated and general elections continued, with the next elections being held in March 1990. Four parties contested these elections, and no one party won a clear majority. Two of the successful parties crossed the floor to join the National Democratic Congress (NDC) to create a coalition government. In 1995, the New National Party (NNP) regained the House with an 8–7 victory; close margins like this have contributed to discord within the country.

It was not until the general elections of 1999 that the first request was made to the OAS for an observer mission. Those elections were won by the New National Party again, by a landslide: it won all 15 seats. In 2003, the same party was returned by a slim, one-seat majority. The NDC was returned to office in 2008, winning 11 of the 15 seats at stake, but the number of votes that separated the two parties was less than 2,000. This trend basically sets the tone for requesting observer missions because there never seems to be a clear majority.

Grenada is sometimes called the island of conflict, and this is not by chance. History has shown that Grenadians always find issues to fight about or issues to rebel about. In 1999, when the Minister of Foreign Affairs fell out with the NNP and tendered his resignation to the Governor General in the middle of the night, the Prime Minister immediately asked the Governor General the following morning to dissolve Parliament and call general elections. At that time, the opposition party, the civil society, and other interest

groups were seriously disenchanted with the government of the day. Given the intense and very volatile political climate in the country at the time, the incumbent government requested that the OAS send a mission to observe the elections. There was also mounting pressure from political parties, civil society, and the general public amidst claims of elections-rigging. These concerns began as perceived irregularities pertaining to the voter registry and then transcended into claims that the incumbent government was seeking to rig the elections. The government of the day, therefore, in order to prove to the world that its operations were above board, requested that the OAS send a mission.

Observer missions give assurances to the international community that elections are free and fair and in keeping with democratic principles and traditions of the particular country. Of course, democracy is more than just elections, but elections are a fundamental part of democracy. They also guarantee that governments continue to show respect for human, social, cultural, civil, political, and economic rights. Countries have a responsibility to ensure that all citizens are able to exercise their right to vote in the electoral process, and this process must be clean and its integrity maintained. In Grenada, missions were normally invited because of mounting pressure on the political directorate to ensure that elections were free and fair and free from fear. Political parties and civil society rarely trusted the ruling government to deliver elections that were not perceived to be rigged. Most groups did not trust the incumbent government and scrutinized everything it did, including the NNP government, which ruled for 13 years. It was expected that the OAS would assist the process and make recommendations that would assist in improving the democratic process.

Observer Missions in Grenada

In 1999, Grenada requested a small group to monitor the electoral process and certify the results of the entire exercise. The OAS mission was comprised of eight observers from five countries. The observers arrived in Grenada on January 12 and January 15, and election day was scheduled for January 18, so the team had very little time to carry out the necessary preparatory work for overseeing the process.

During the 2003 elections, the situation was so intense that the Prime Minister wrote to then OAS Secretary General César Gaviria, inviting him to send a mission to observe the country's general elections,

which were to be held on November 27, 2003. In his letter, he stated that, among other things, all political parties in the country would welcome the participation of an observer mission staffed by individuals familiar with the Caribbean political environment and with leadership at the highest level. The Secretary General accepted the invitation and appointed Ambassador Corinne McKnight to serve as Chief of Mission. Ambassador McKnight had previously served as permanent representative of Trinidad and Tobago to the OAS and to other member states. He further stated that he would send observers based on the receipt of sufficient, specific external funds, as required by OAS policy. It was noted that the length of time it took to request and receive funds delayed the deployment of the observers until just a few days before the elections. The mission was deployed from November 24 to November 29, 2003, and members were present at only 105 of the 124 polling stations that they had at the time. This was a big mistake as the elections were very close and there were several irregularities cited on the two islands of Carriacou and Petit Martinique, where the constituency was not covered. The margin between the winner and the loser of that constituency was seven votes. The incumbent party had a one-seat majority in the House. That constituency seat was finally decided in court. The mission claimed that its late arrival prevented it from covering all constituencies, particularly that one, because to get there, it was necessary to either catch a plane early in the morning or take the ferry, and by the time the missions arrived, that was not possible.

Research has shown that since 1999, three separate observer missions have been mounted in Grenada. These missions have all been at the invitation of the incumbent government. Research has also unearthed that the OAS has been the primary agent in this regard and, with the exception of the 2008 elections, has been the only mission.

An EOM has a responsibility to acquire the election laws and rules that will guide its operations based on the application of national law and practices as well as constitutional requirements. In this regard, it is normal practice for the host country to sign agreements with the OAS, confirming expectations and actions. This has always been the accepted practice in Grenada. During elections in July 2008, one was signed in Washington, DC, by Grenada's ambassador to the OAS, on behalf of Grenada, and by the General Secretariat of that organization, outlining the privileges and immunities that would be afforded during the process in Grenada. The second agreement was signed between the ambassador and the Supervisor of Elections regarding election guarantees in Grenada.

During Grenada's recently held elections, there were no less than three missions. The OAS appointed Ambassador Albert Ramdin as Chief of Mission, and this was vehemently challenged by the opposition party, the NDC. The party informed the OAS that it was not happy with the choice. The mission's first visit in March assessed complaints from the opposition about the electoral registry. Complaints centered around names being deleted and dead persons reoccurring on the list. It was even claimed that an outsider from Jamaica had come in and tampered with the system. The members of the team were mainly technical; therefore, as the parliamentary elections office was experiencing some difficulties with the production of the list, the office was encouraged to make efforts to purge the lists and to amend the inaccuracies it contained. Most of the inaccuracies related to omissions and names of deceased individuals that suddenly reappeared on the lists. On voter participation, since elections must be inclusive, the mission recommended that all eligible voters must be able to participate fully in the process through registration and entry on the voters list. This recommendation was acknowledged.

During preparation for elections, the observer missions do not interfere in the preparatory process but will encourage the active players to ensure that everything necessary for the support of the process is in place. The second visit, led by the chief himself, discussed the preparations for the general elections with the main stakeholders. The team was also fortunate to be present at one of the training workshops for the media. Although there was strong resistance to Ambassador Ramdin from the opposition forces, he showed his true mettle and led a very good mission. He was very supportive and always encouraged the use of best practices. The electoral climate is always rife with challenges to democratic governance, and a mission always tries to guarantee the existence of a climate that is free and fair and free from fear.

The final mission for the 2008 elections commenced with a small group of six persons, led by the Chief of Mission, to observe the special polling day of the police on July 4. This was the first time that the police were going to be voting prior to election day. There was a lot of apprehension, as would be expected. They were able to view firsthand the distribution of election material to the returning officers, which, in accordance with the *Representation of the People Act*, must be delivered three days before elections to the presiding officers. The chief advised that at least two observers would be stationed in every constituency. After the outcome of the 2003 elections, with the close results in Carriacou and Petit Martinique, two observers were also sent to that constituency

very early. They were briefed on their role in the process and familiarized with the constituency for which they were responsible. Grenada is not a very big country, but there is always a lot of drama and intrigue. They reported well before the stations were open, and all opened on time.

Post-Election Day

Political parties and civil society, as a rule, are not normally interested in observers once the ballots are counted and the results announced, provided that their party of choice is victorious. For the 2008 elections, despite the politically charged atmosphere prior to the polls and all the anxieties expressed about the experience and the capability of the supervisor to manage the elections, once the preliminary results were announced, all concerns ceased. Even the media, which was very vocal before the elections, expressed satisfaction with the process. Missions have a responsibility to investigate complaints and report findings, but before reports are written, clarification could be sought about some things that may appear to be challenges. One of the key elements of the partnership between the OAS and its member states is the provision of advisory and technical services in the maintenance of democracy and good governance. The general public is not always aware of this fact, and most believe that the OAS comes into the state to run the elections. However, these missions obviously do not have the legal authority to intervene in the internal process of the country.

Lessons Learned

There were lessons learned from past experiences as the 2008 elections saw a total of 32 observers from throughout the OAS region. They started arriving as early as July 2. They were able to observe the campaigns and rallies and occasionally served as a deterrent to the mudslinging and negative campaigning. The fact that they were deployed in all 15 constituencies was also a positive sign that the OAS had learned from the lessons of 2003. This mission was very thorough in its approach and application, and prior to its arrival, there were numerous complaints from opposition parties and civil society regarding the staffing at the Parliamentary Elections Office, the preparation of the voters lists, and a host of other presumed offenses in the preparation for elections. The early arrival of the team was able to allay these fears in part and, with the presentation of the final report, exonerated the

efforts of the supervisor and her team. The moral and technical support given by the OAS through its technical missions was highly appreciated. Ambassador Ramdin and his team did a good job before, during, and after the 2008 general elections. However, there is a concern regarding the presentation of the final report. Before the report is presented, there should be consultation on issues pertaining to elections as some of the cited issues are not really issues and there is no way to correct anomalies once a report is published. One particular concern expressed relates to the timeliness of the voters lists, and this is well appreciated. But everything related to this was done in conformity with, and within the confines of, the law. It is one of the observations that would require another amendment to the law to make it more applicable.

■ Mr. Manuel Carrillo Poblano

*International Affairs Coordinator,
Federal Electoral Institute, Mexico*

Since 1993, Mr. Carrillo has been International Affairs Coordinator of the Federal Electoral Institute. He holds a degree in Political Science and Public Administration from the School of Political and Social Sciences of the National Autonomous University of Mexico and has a Master's degree in Political Science from the Center of International Studies of the University of Mexico.

There are five questions that were raised under international electoral observation.

When did international electoral observation start? In 1948, there was observation that was not precisely electoral, but rather observation of migrants, carried out in Korea by the United Nations. And that is a reference that was used later and developed in the 1960s and the 1970s, especially when this new concept of electoral observation was developed. Beginning in the 1970s, 1980s, and 1990s, there has been a very important transition in the world, and many observation missions have been carried out in various places. Although in the 1980s there were about 65 countries holding free and transparent elections, there was a transition that began in the 1980s and continued until 2003, in which approximately 90 countries joined a democratic system. Today, more than 140 countries out of the 200 in existence hold elections with a variety of standards.

Why international electoral observation? Initially, international electoral observation was implemented in

order to avoid electoral fraud. The question of electoral fraud is no longer at the center of discussions of electoral management bodies, political parties, or the academy. Today, other issues are discussed more often, but no doubt, the question of electoral observation was one of those that came together with this transition to prevent changes of the citizens' will.

Who conducts observation? In the 1980s, international bodies such as the UN, the OAS, the Organization of African-Asian countries, as well as New Zealand, which has been gradually joining observation teams, conducted the majority of observation. But today, there are also many international NGOs and governments conducting observer missions. Legislators, political parties, and electoral officers' associations started this effort in the 1980s in Latin America with the protocols of Tical, Quito, and the Inter-American Organization of Electoral Management Bodies.

What is being observed? Basically, the electoral campaign and the observed entity used to be the electoral authority. This changed radically in the 1980s, and these days, not only are the campaign and election day observed, but everything that occurs before and after are subject to electoral justice. Also, the electoral authority is not observed by itself; there are a number of government and social players that are also observed because, in one way or another, they participate in elections and in the preparations of the electoral process.

Where is international observation taking place? It was said that if the entire territory was not observed, then the international observation was not being effective. However, we also later developed sampling techniques and participation techniques together with national observation.

There are three points to be emphasized in this presentation.

Electoral fraud – Electoral fraud gave rise to electoral observation, but today, there are other reasons, and the goals of the new forms of electoral observation are set out below.

Respect for sovereignty – A basic element in international electoral observation that must prevail is respect for the sovereignty of countries. That means that sovereignty is a quality of the state. It is the internal and external decision-making capacity.

International observation does not have an impact on the results of elections – Observation is not interested in the results; it is interested in the method

and the procedure, in the path followed. But electoral observation should never replace electoral authority, as limited as it may be, because of mistakes that may have been committed. International observations must bear a responsibility for respecting the sovereignty of countries.

In contemporary electoral observation, there are six goals that the electoral authority aims at.

- 1. Equity in competition** – It is not *equality* because not all political parties carry the same weight. But the conditions should be reasonable for equity in the competition, and this will be defined by the political parties and by the electoral authority.
- 2. Transparency** – Today, there are many complaints by citizens, national and international, as to the information that electoral authorities should make public about all of its acts and the underlying reasons.
- 3. Confidence** – In most countries in Latin America and the Caribbean, there exists the problem of building trust in electoral organizations. That is why electoral systems are so sophisticated, with so many laws and regulations. Elections Canada is a good example. Elections Canada is based on the trust of the citizens and trust in their institutions, so there is a small, very inexpensive electoral authority that is constantly increasing in professionalism. In Mexico, approximately six million people have to be trained to act as polling officers in every election, whereas in Canada, returning officers are trained gradually and benefit from an accumulation of experience. They become more efficient, and the cost is reduced. But there is a kind of integrity, and those principles will be explored shortly.
- 4. Accountability** – This has a great deal to do with making public the expenses, the origin, the destination, and the amounts of expenses. Accountability did not exist in the 1980s, when electoral observation began.
- 5. Impartiality** – With regard to the electoral authority, impartiality does not mean to act for or against a political party. Impartiality is strict compliance with the constitutional or legal order, and its implementation must be based on the criterion of impartiality.
- 6. Efficiency** – There is a direct relationship among resources, the savings of those resources, goals, a time factor, and an electoral authority that is inexpensive and effective in fulfilling its objectives.

In the past, international electoral observation focused basically on the day of the election. Today, we see that from the pre-election period, through the election period proper, to the post-election period, the tasks of observation missions are being incorporated. This is called electoral justice. The guiding principles that form the fundamental axis of electoral management bodies are those of integrity, responsibility, and civility.

Integrity is a word that comes from the Latin *integritas*, which means “the inability to corrupt.” It means to adhere to a moral code of values: the values of a given society or organization. This is somewhat difficult to grasp, but it should be one of the guiding principles of the work of electoral authority. The next principle is that of **responsibility**. It is the ability to respond, to give answers, and to ensure that the action or lack of action on the part of the electoral authority will have political and social implications. This question about the implications of doing or not doing has an impact on the conduct of the electoral authority, which at all times should maintain a low profile with relation to the positions of the political parties. Electoral organizations are not political parties. They are based on the law and lead the political struggle, but are not political actors. The final principle is that of **civility**. Everything that has to do with elections has to do with the participation of the citizen and his relationship with his community, his country, and his social environment. These are matters that advertising and campaigning make us forget, and at times, we no longer know where electoral management bodies and elections are aimed, but they are based on integrity, responsibility, and civility.

There are eight phases in the electoral cycle – i.e., within pre-, post-, and electoral phases.

- 1. Legal framework** – The legal framework of electoral organization includes not only the constitution and the legislation, but also all of the regulations that have to be issued by the electoral authority itself to conduct the campaign. Electoral authorities establish the rules and the policy so that the campaign and the struggle for power take place on civilized terms. Electoral authorities operate in accordance with the law and various procedures.
- 2. Planning** – The second component of the pre-electoral period involves the budget planning, and security and logistics planning, which are activities that must be undertaken in order to build the electoral process.
- 3. Civic education** – The third component refers to training and civic education: training for the poll-

- ing officers who are directly involved in the organization of the election and also in keeping citizens and voters informed, motivating them to participate in the electoral process.
- 4. Voter registry** – This refers not only to the registry itself, but also to the registration of candidates, political parties, and observers themselves: whether there are guarantees or whether conditions exist for there to be an electoral process based on the principles mentioned.
 - 5. Electoral campaign** – Phase 5 deals with the electoral campaign, including advertising, financing of candidates and parties, and access to media. This is one of the novel things in electoral observation, and it is not limited to the day of the election. Many of the main purposes of electoral observation are basically centered on conditions for everything that precedes election day. In Latin America, it seems that election fraud is no longer the issue, but rather how to get to the polls and how to conduct these campaigns among parties and candidates.
 - 6. Logistics** – The next phase has to do with logistics on election day. There are questions regarding electronic voting, the use of technologies, the vote of residents abroad, and documentation itself. These are the classic elements of electoral observation, but one can see the set of activities and different stages in which international electoral observation is involved.
 - 7. Results verification** – Verification of preliminary and final results continues to be of basic importance throughout the Latin American region and the world. This begins with dispute settlement and electoral justice questions.
 - 8. Electoral reform work** – Post-election work includes audits, electoral reform work, or work to update the voter registry.

The objectives of international electoral observation have to do with legality, legitimacy, deterrence of conflict, the inhibition of fraud, the building of trust, and proving the electoral system and organization.

The classic objectives of observation have been deepened and added to, and we now participate in international observation not only to avoid electoral fraud, but for the various other reasons outlined above. Elections have become an opportunity and a living laboratory for learning. Observers do not go in to determine the legality of an election; rather they assist so that the electoral observation exercise becomes a source of learning and of consideration of best practices. In this manner, electoral observation is now part of technical assistance because observation can yield information or an assessment of the organization of the elections. This in turn leads to the electoral management body being able to work towards technical assistance that it may receive and also towards strengthening the electoral authority.

Panel II: Discussion

■ Mr. Julio César Castaños Guzmán
President, Central Electoral Committee, Dominican Republic

What an EMB expects when it is subject to electoral observation is that there will be a useful report at the end. In the area of observation conducted by electoral courts and election management bodies, the report should always exist. The report should be well organized and factual and should be able to serve as an indicative guide referring to any visible weaknesses in the electoral process. The Organization of American States organized an observation mission to the Dominican Republic for the elections of 2008. The obser-

vation mission was chaired by Mr. José Bordon, and except for a few aspects with which the Central Electoral Board did not necessarily agree, the final OAS report was extremely useful. At times, the impression has been given that electoral observation missions have become something dull, almost like a tourist activity. This is something to be mindful of so as not to discredit electoral observation per se. It should only be discredited if it does not yield results. Electoral observation must not become a male *limoncillo* with many leaves but no useful conclusions. Electoral observation must identify what aspects need observation in technical terms. At the last referendum in Venezuela, some parliamentarians from other countries criticized in political terms the government of Mr.

Chavez. Political criticism is not electoral observation. It is important that electoral observation remains just that: observation.

■ Dr. Steven Surujbally
Chairman, Elections Commission, Guyana

This tile in the total mosaic of electoral democracy, which has been entitled *observation and monitoring of elections*, has two sides. The side of the observer mission has been discussed. The 2005 document that the OAS has endorsed, and that is so all-encompassing that all member states can use it as a guideline, should be distributed to the electoral management bodies of all the OAS member states. It also has an annex on the code of conduct, which is very good. However, the other side also deserves attention. And that is that election management bodies should be the ones that define and establish a code of conduct. The protocols that must be adhered to must first come from EMBs and must have a legal basis.



Panelists at the Sixth Inter-American Meeting of EMBs, Ottawa, Canada, June 2009.

The Guyana Elections Commission created a special Act called the *Elections Observers Act* in 1990 to govern the activities of international election observer bodies. This is important because EMBs cannot abrogate their responsibility. It is important to define very clearly the points that are not mentioned in the annex of the 2005 accord, like the election management bodies not bearing liability for damage to databases, or any other liability of the international observer mission.

The protocols that are established must differentiate between long-term observer missions and short-term observer missions as they are two distinct areas. What happens between the voting and counting, when the poll is counted elsewhere, such as in an army barracks, is something the observers and the people do not see. Electoral management bodies must define how the observer mission should operate. Are observer missions allowed to go into special areas that

are governed by different laws, such as, for example, ancestral lands of indigenous peoples? The law must cover this. The electoral management bodies must ensure that they impact upon that law.

In Guyana, exit polls are not allowed to take place on voting day. A voter, responding to a question after that voter has voted in certain areas, would not necessarily give a truthful answer, and what can be done with the exit polls can be horrific. There is also the issue of diplomats. More and more, diplomats accredited to the country holding the election are becoming a part of the election observer mission. The issue then arises as to whether they come under the rubric of their diplomatic specialty or the rules governing the observer mission. This must be defined. In Guyana, there is a list of mandates within a protocol that the international observers must adhere to because it is the electoral management body that is accrediting the international mission. Election management bodies must have the strength to tell observers if they fail to adhere to the protocol they have signed on to. Observers must sign on to it.

■ Dr. Tibisay Lucena Ramírez
*President, National Electoral Council,
 Bolivarian Republic of Venezuela*

International observation is not a minor point in election processes, but it has to take its rightful place. In some cases where observer presence becomes overwhelming, it becomes a bad experience because it does not guarantee in and of itself free and transparent elections. EOMs observe what is happening, but those who guarantee transparency of elections are the electoral management bodies themselves. It is very important to define the objectives of an international election body as it involves political actors and the citizens themselves, both of whom play an active role in the process. Quite often, international observation can have an abusive presence. There are international observation teams that are headed along the rightful path, and that can be useful, but there are also some international missions, not just from the OAS, but from the Carter Center and the EU, that have an exaggerated presence. Observation is very important, but the electoral management body is perhaps the most useful entity. In Venezuela, the recommendations in the reports sent by the OAS have been very illustrative and have helped to improve the electoral process. The recommendations are made in order to guarantee that operations and elections are carried out properly in order to guarantee higher equality.

Of course, the opposite has happened with some missions. Some reports have been sent directly to the Chief Magistrate of the Dominican Republic. Reports must not be sent directly to the political parties but only be delivered to the electoral management body that extended the invitation. Venezuela has elections that are highly contested and very dynamic. Between 2004 and 2005, elections were rather tense. In 2005, observation missions were present during several months, and the Electoral Council submitted a platform, as is customary for auditing in the presence of political parties. One of the last preparatory audit reports followed the electoral process very closely, and an individual who was an international observer specialist linked to a mission allied with a political organization, unduly interfered so that the audit would fail. Upon review, it was discovered that an international individual attempted to sabotage the audit. Venezuela was roughly one week away from elections, and it was crucial that the audit go through. Fortunately, the issue was able to be resolved prior to the elections, but the interference could have resulted in civil war.

On the basis of that very trying experience, the National Electoral Council started to take the necessary measures to counter such activity, including compliance with very strict internal rules and regulations for international observation. The Council sought and checked legislation from all countries available in order to pick the best from each and adapt them to the Venezuelan reality. The Council also defined what a mission would be and implemented regulations so that the sovereignty of the host country would be respected. The best observation is that undertaken by the electoral management bodies. It is also important to review what other organizations have done and oversee if experts have been brought in, and political actors have been invited.

In 2007, a political actor from another country meddled in the electoral process and tried to upset the scale so that it would weigh more in favor of a certain political party. Political actors must not intervene in other countries; otherwise, they should face penalties. Venezuela has had plenty of opportunity to learn lessons over the last few years in relation to international observation teams. Observer missions are important, but they have to be put in their rightful place because in the end, observers leave the country and the electoral management bodies are the ones left with the responsibility for a country that can be placed at risk with undue interference. The National Electoral Council sees interventions of international election observation missions becoming more positive. However, missions should not interfere. If they

have something to say, they can say it directly to the electoral management body without participating in political discussions and diatribe. Otherwise, they become another set of political actors playing political roles and usurping the roles of the national politicians.

■ **Mr. Erasmo Pinilla Castillero**
President, Electoral Tribunal, Panama

There are different types of electoral observation. There is the international electoral observation mission, local election observer unit, and election observation from the point of view of a critique of the electoral process. The American continent would not have seen the evolution in electoral processes as uniformly as has been achieved if not for these observation missions. Participation in international observation missions has generated in Panama a tremendous contribution to the development of electoral institutions. All of the great innovations incorporated into Panamanian elections have stemmed from electoral observations. When invited to participate in an electoral observation mission, Panama goes with the fundamental purpose of learning good practices carried out in the countries observed.

During the course of all of these observation missions, the Electoral Tribunal of Panama has learned to respect the important and vital work achieved through observation. Missions do not just observe EMBs; they observe the entire political climate of the country. The observation missions carried out on the continent are those that have contributed to the development of the electoral system in Panama as well as those of the Inter-American level. For example, in Panama, there have been local observation missions through the Catholic Church, with the intent to criticize and improve the system. After the system was improved, the Church wanted to get further involved, but it was not permitted because in the last three elections, the Tribunal funded them in order to make their observation report. They made an excellent contribution to electoral observations, and it is important that all sources contribute to improving electoral processes. There is no more efficient horizontal cooperation on the American continent than that carried out through these observation and electoral monitoring missions. There are different electoral processes in many cases, but we are all aiming at greater efficiency and transparency for our electoral systems.

■ Dr. Tania Arias Manzano
President, Electoral Disputes Tribunal, Ecuador

Recommendation No. 20 of the resolutions of the meeting of experts in Caracas stated that it is important to promote the analysis of electoral justice and conflict resolution and ensure electoral justice.

It is very important that, in striving to ensure the purity of electoral processes, a specialized rule is implemented for international observation. It is vital to make a distinction among different possibilities, the exchange of experiences among organizations, and to ensure that the rules of international observation are followed in the specific case of delicate or tough electoral processes. Especially when it comes to access to electoral justice, these requirements are all the more important. It is important to respect institutional frameworks and be knowledgeable of the legal and constitutional frameworks of the EMBs and of the countries involved. It is also important to ensure objectivity because international observation is not just a mirror. International observation is a specialized activity, but at the same time, it also has to be knowledgeable. Comments and opinions should be based on facts and knowledge of electoral processes. International observation should be carried out with greater attention, not just with regard to electoral processes and election day, but also to how specialized organizations for the management of electoral justice can operate in a parallel fashion. International observers are there in order to guarantee participation in elections, and it is key to ensuring access to electoral justice and establishing how these organizations can essentially create jurisprudence by guaranteeing access to electoral justice.

■ Ms. Eugenia Maria Zamora Chavarria
Magistrate, Supreme Electoral Tribunal, Costa Rica

In Costa Rica, civil society is organized like an NGO, but it is also organized in other ways that are more or less formal. For a number of years now, the Electoral Tribunal has established regulations on electoral observations, ensuring that the rules of observation are the same and are respected by the State, public representatives, as well as members of civil society. The observations have to be carried out according to the standards established by the members of the panel, but this observation can also be accredited before the Electoral Tribunal. This would be for invited electoral groups or any other academic or technical group that would like to be present during the observation.



Mr. Marc Mayrand, Chief Elections Officer,
Elections Canada and Staff, Ottawa, Canada, 2009.

They would be questioned on certain issues, such as whether they are NGOs with experience in electoral observation.

It can be very confusing to observe something that is different from what one is used to, leading to the temptation to judge negatively. It is dangerous to rush to conclusions without an understanding of the political and economic reality in a certain country. But there is space for civil society, especially in electoral processes that are not elective, such as referendums. In the 2007 referendum in Costa Rica, both public servants and members of civil society wanted to participate. It is important that this is carried out through public organizations, but it did not work very well during the referendum because political parties organized about 80,000 citizens' requests, whereas only about 3,000 channeled their requests through other national groups. Whether you represent the public or private sector, the rules of neutrality must be respected as electoral observers. It is not about seeing defects or supporting certain ideological perspectives, but respecting the role of observation, both international and national.

In order to move forward, it is important to state the advances that have been made in international observation. Observations need to be serious. This will allow us to move ahead as international observers when electoral organizations visit other countries or receive other international observers in their countries. It is key to learn best practices in electoral processes from other countries. Essentially, you take seeds, you plant them, and they will have an effect in their own countries. Everyone is committed to moving forward electoral systems. A clear break is being made with this outdated way of holding elections. Electoral organizations are committed to moving forward and learning best practices. They are stronger and more reliable, and this is a part of reinforcing democracy.

There have been a number of meetings to identify and strengthen horizontal cooperation among electoral organizations. Past difficulties are further and further behind following each meeting. But what happened to the electoral authorities in El Salvador and Suriname is something of concern. The host country authorities must have their papers in order, and at the same time, take into account the human rights of all people involved as they are representatives of institutions that guarantee democracy in their countries.

■ Mr. Walter Rene Araujo Morales
Magistrate, Supreme Electoral Court, El Salvador

It is important to recognize the advances made by electoral systems in Latin America, specifically through the ability to get to know the realities and issues that happen before and during an election. An important element is knowledge by the EMB of the type of observation they have to carry out. It is important to have a mission established by an OAS member state. It is also important to recognize the framework established in the Charter so that the EMB understands its mission. The OAS' role in El Salvador in 2009 ensured the success of the legislative election and eventually the presidential election. Following the suggestions of a report, the Electoral Authority of El Salvador endeavored to improve the electoral process. The report stated that there were problems with the voter closing authorities and the polling representatives at each polling station. The Electoral Authority agreed and applied the solutions suggested in the report.

To strengthen democracy it is essential to have observation mission of all types. However, whether it be the OAS or the EU, only the EMB themselves are responsible for the election and its legitimacy. The job of observation missions is to establish a framework for producing comments. It is important to understand where the conclusions come from, at what level they are made, and how to apply them. The OAS contributed greatly to the electoral process in El Salvador. It was an historical process that had the ability to ensure transition from the peace agreements in the country towards a solid and legitimate democracy.

■ Mr. Erasmo Pinilla Castillero
President, Electoral Tribunal, Panama

International observation represents a certain risk because if the organization is not properly prepared,

or if it is not working in good faith, then a number of circumstances may arise that may end up discrediting the process and reducing its legitimacy. In fact, the process may not necessarily continue because of a lack of guarantees. It is one thing to perform technical observation, but another entirely to observe political content. In the past, after accepting an invitation to observe elections in Panama, the OAS found that the Electoral Tribunal suddenly did not want to work with them. The Tribunal claimed that the OAS had an effect on the process, which almost resulted in delegitimizing the process. The situation has now improved, but it should never be forgotten that we have a tremendous responsibility when we ask a country to issue a formal invitation to a specific international organization, asking it to participate. Aside from those who fear transparency, most governments are in favor of EOMs and being audited, and want observation missions to be carried out with as much time as possible.

Not only did the Electoral Tribunal fund the observation by the Catholic Church in Panama, it also invited an ombudsman, who brought with him ombudsmen from other countries to provide parallel international observation in order to strengthen the process and ensure greater transparency. It will be seen whether this has positive effects in the countries from which the ombudsmen visited. It is important to remain committed as a state to ongoing improvement, learning from the good and the bad what should and should not be done, both with regard to observing and being observed. This is because sometimes, when people point out difficulties or what might be lacking, we become overly sensitive, whether the criticism is technical or political.

■ Mr. Pablo Gutiérrez
Director, Department of Electoral Cooperation and Observation, OAS

The main objective of this meeting is to listen to the electoral management bodies. There has been confusion in some cases because it seems that when a person goes to a country wearing a jacket of a particular color and starts to speak in front of microphones and makes use of communications media, they are an international election observer mission.

The Declaration of Principles can be used to try to resolve this. The Declaration of Principles points out that electoral observation can be holistic, but it can also be something that focuses on some specific elements. The concern is that, in all of this confusion, and in some cases where there has been non-rec-

ognition of the evolution that has taken place, there is an attitude that is somewhat faulty regarding the duties of the international election observer. International election observers do not guarantee, legitimize, or audit the process. Those who guarantee the electoral process are the electoral management bodies, and those who participate in it are the political parties. The electoral process is legitimized when the people's will is reflected in the results. Electoral observation is a new tool for international cooperation, but it is disturbing to see the word observe in the heading because of what it means. It actually means "to accompany" or "to live through." It is very important because in many cases, international bodies work at a very slow rate due to bureaucracy.

There have been instances where final reports may be incomplete, negative, or opportunistic. The OAS Department of Electoral Cooperation and Observation has published a tremendous number of reports and at the request of some electoral tribunals and electoral bodies, the Department has managed to change practices in terms of trying to provide reports as quickly as possible. A verbal report, which is a summary of the final report, is presented to the OAS Permanent Council. Non-governmental organizations are not similar to electoral management bodies. It is not the same thing to have an organization with unknown funding and an unknown agenda. It is impossible to check who is funding them or their agenda, as compared to an international organization, which has to respond to 34 Ambassadors to provide a report.

This is a new phase, a third phase in observing elections, but it means working hand in hand with this "soccer referee." If all parties who are part of this game start throwing bottles at the referee, then it is

not fruitful. Some people take pictures or bring media with them, and that is fine, but the damage that occurs in the country itself is something that cannot be measured.

The greatest difficulty and perhaps the greatest risk for electoral management bodies at the moment that they extend an invitation is not knowing the rules under which election observation will be carried out. When there are no clear standards, in the face of uncertainty, the risk becomes great. This is completely understandable. The observer missions have accountability because they provide a final report to the Ambassadors before the OAS. But the electoral management body must understand how to proceed in the structure they have: who occupies certain positions; what their mandate is. The Inter-American Charter sets out the framework. The Declaration of Principles further establishes the framework, which is known by all. This confirms that the path we are on to standardize procedures, making them public and more transparent, is the correct one.

It is now a fact that a great majority of countries are establishing rules, regulations, and procedures that will guarantee the principles of freedom, which is what international election observer missions require. Recognizing internal legislation is actually a benefit because it presents a reality that in the past was somewhat ad hoc. It appeared and disappeared, and things went on pretty much the same way as before. But now, there are clear rules set up by election management bodies in many more countries. In Mexico, there are bodies that coordinate observation with the electoral management body, leading to an integrated, natural system.



CLOSING REMARKS

■ Mr. Pablo Gutiérrez

Director, Department of Electoral Cooperation and Observation, OAS

It is a source of pride to have carried out the Sixth Inter-American Meeting of Electoral Management Bodies. This meeting has become a space in which to exchange views on two or three topics that have been of substantive interest during the last electoral year and that have been of interest to the electoral management bodies of the hemisphere. It is important to discuss certain issues, such as the voter registry, which has become a point of political and technical debate regarding its management, reliability, and establishment. It was relevant to have a substantive debate and especially a free expression of all the alternatives that exist in the hemisphere regarding the functions of the electoral management body and its registry. In that same context, it was also important to clarify and to share views on the many tasks that EMBs carry out between elections. There are a number of historical tasks that take place between electoral periods, but when one travels through the hemisphere, one gets the impression that there will be new tasks added because we have reached a stage in the hemisphere where never in so many countries has there been democracy.

In this context and under great political pressure, EMBs have moved forward successfully with a large number of electoral processes. There should be electoral processes in qualitative terms, with regards to the reliability of the results. It is true that when elections are close, politics replaces technical methods, and political debate replaces arithmetic. However, despite difficult situations faced in various countries, the final consequences were never so serious as to have to reject the electoral process completely. After difficult moments, the electoral process and people reached a result. And consequently, new authorities have taken power and important decisions have been made. Within this context, there are a number of electoral processes in which substantive decisions are being made about the future

of a country. Examples include the referendums on the Panama Canal, the free trade agreement in Costa Rica, the recall referendums, and a number of electoral processes that keep people linked to the future of their country.

Electoral observer missions have taken major steps to strengthen cooperation with tribunals and electoral bodies and entered into a different stage in which, for example, for the first time, they will provide substantive and technical follow-up to the work of the electoral observation missions. When a mission is established, there are certain recommendations, and it would seem logical for those recommendations to go somewhere. Observer missions have made efforts in cooperation with tribunals to work on recommendations, prepare an operational plan, and in agreement with the tribunal, sign on to instruments needed to move forward with those recommendations, not only in terms of implementing the recommendations in substantive terms, but also moving forward with those recommendations in real time. This was the case in Guatemala, El Salvador, and Paraguay, where agreements were recently signed.

In the same context, the Caribbean countries have recently reorganized their regional body, the Association of Caribbean Electoral Organizations (ACEO). Electoral observation missions are working on improving those aspects that are of interest to electoral management bodies and that, in addition, can be replicated in other countries in the subregion. There are several issues that keep repeating themselves as constant demands on the part of EMBs, and what is important is how to optimize available resources and replicate these good experiences. In conclusion, it is a privilege to have the possibility of coming together at such a crucial stage in the political process in the Americas because a number of very important changes are taking place. In that context, the only thing that can keep us abreast of the times is maintaining communication through efficient dialogue, a dialogue that is conducive to the improvements that people in the Americas call for.

■ Mr. Belaineh Deguefé

*Director General, Outreach, Communications
and Research, Elections Canada*

I would like to thank all of you for your active participation over the last two days. I think we have had an ambitious agenda, and it was a great opportunity to learn how we are each seeking to strengthen our respective electoral processes. I would like to thank all the speakers and panelists for the high quality of their presentations, for greatly enhancing our understanding on some of the key issues most electoral management bodies are facing, and for allowing for the sharing of best practices. I would also like to thank the OAS for giving Elections Canada the opportunity to host the Sixth Inter-American Meeting of Electoral Management Bodies. It was both an honor and a privilege to welcome you all here in Ottawa. I would like to thank the OAS staff in particular and my staff, who have worked very closely over the last several months to make this event a success. One of the important



Participants of the Sixth Inter-American Meeting
of EMBS, Ottawa, Canada, June 2009.

values of such meetings is the opportunity, over and above the discussion and the program itself, to meet colleagues, develop professional relationships, and explore opportunities for more bilateral collaboration. At this point, I would like to wish you all the best in your efforts to support and strengthen democracy and wish you a smooth and safe return home.



ANNEX I

Agenda of the Sixth Inter-American Meeting of Electoral Management Bodies June 22–23, 2009, Ottawa, Canada

Monday – June 22	
08:30 a.m.	Registration
09:00 a.m.	Opening Session - Ambassador Victor Rico Frontaura, Secretary of Political Affairs, OAS - Mr. Marc Mayrand, Chief Electoral Officer of Canada - Hon. Steven Fletcher, Minister of State for Democratic Reform, Canada - Hon. Peter Kent, Minister of State of Foreign Affairs (Americas), Canada
10:00 a.m.	Coffee Break
10:15 a.m.	Presentation: Conclusions of the Second Inter-American Meeting of Experts and Representatives of EMBS (Caracas, Venezuela) - Dr. Tibisay Lucena Ramírez, President, National Electoral Council, Venezuela
11:45 p.m.	Lunch
01:45 p.m.	Round Table: “The Role of EMBS between Elections” <u>Moderator:</u> Mr. Belaineh Deguef��, Director General, Outreach, Communications and Research, Elections Canada
03:00 p.m.	Coffee Break
03:15 p.m.	Panel I: “Voter Registry” <u>Moderator:</u> Ms. Mar��a Teresa Mellenkamp, Chief, Electoral Cooperation Section, Department of Electoral Cooperation and Observation, OAS 1. Mr. Joaqu��n P��rez Mercado, President, Departmental Electoral Court, Cochabamba, Bolivia 2. Ms. Ruth Meighan, Chief Elections Officer, Elections and Boundaries Department, Belize 3. Mr. Erasmo Pinilla Castillero, President, Electoral Tribunal, Panama 4. Ms. Donetta Davidson, Chair, Elections Assistance Commission, USA
Evening	Reception hosted by the OAS
Tuesday – June 23	
09:00 a.m.	Panel II: “International Electoral Observation” <u>Moderator:</u> Dr. Betilde Mu��oz-Pogossian, Chief, Electoral Projects and Studies Section, Department of Electoral Cooperation and Observation, OAS 1. Dr. Magdalena Ch�� Villanueva, Chief, National Office of Electoral Processes, Peru 2. Ms. Nadica McIntyre, Supervisor of Elections, National Electoral Office, Grenada 3. Mr. Manuel Carrillo Poblano, International Affairs Coordinator, Federal Electoral Institute, Mexico
12:15 p.m.	Lunch
02:15 p.m.	Closing Session - Mr. Pablo Guti��rrez, Director, Department of Electoral Cooperation and Observation, OAS - Mr. Belaineh Deguef��, Director General, Communications, Outreach and Research, Elections Canada
04:00 p.m.	Social event hosted by Elections Canada



ANNEX II

Conclusions of the Second Inter-American Meeting of Experts and Representatives of EMBs (Caracas, Venezuela)

■ **Dr. Tibisay Lucena Ramírez**
*President, National Electoral Council,
Bolivarian Republic of Venezuela*

Extraordinary progress was achieved at the meeting held in Caracas in sharing all the fundamental aspects which allow electoral bodies to guarantee clean, transparent, reliable, and above all, efficient elections. The results were extraordinary, and they are now embodied in the final statement. These meetings are held to share knowledge in order to hold increasingly reliable elections because, ultimately, electoral bodies are the guarantors of sovereignty exercised through the vote.

Annex I provides the final statement of the Second Inter-American Meeting of Experts and Representatives of Electoral Bodies of the member states of the Organization of American States (OAS), Caracas, June 11 and 12, 2009.

Whereas

Resolution AG/RES. 2428 (XXXVIII-0/08) "Modernization and Use of Electoral Technologies in the Hemisphere," by means of which the General Assembly of the Organization of American States was pleased to approve the offer from the Government of the Bolivarian Republic of Venezuela to host the "Second Inter-American Meeting of Experts and Representatives of Electoral Bodies," for the purpose of having another exchange of experiences and improved practices in the countries of the hemisphere on voter identification systems, voter registration processes

and automated voting systems, to name a few, the conclusions of which will be shared at the Sixth Inter-American Meeting of Electoral Authorities, to be held in Canada on June 21–23, 2009;

BEARING IN MIND that the General Assembly expressed its gratitude to the National Electoral Council of the Bolivarian Republic of Venezuela for holding the Inter-American Meeting of Experts and Representatives of Electoral Bodies of the member states of the OAS in Caracas on April 3–4, 2008;

BEARING IN MIND that the General Assembly asked the Permanent Council to call the Second Inter-American Meeting of Experts and Representatives of Electoral Bodies, to be held in Caracas, Bolivarian Republic of Venezuela, in 2009;

HIGHLIGHTING the intervention of the President of the Electoral Board of the Bolivarian Republic of Venezuela in the Meeting of the OAS Permanent Council on March 18 of this year, in which she spoke of the achievements of the Venezuelan electoral system, a guarantee for the exercise of participatory, protagonistic democracy, and reported on the Second Inter-American Meeting of Experts and Representatives of Electoral Bodies, held in Caracas, Bolivarian Republic of Venezuela, in June 2009;

REAFFIRMING that the General Assembly of the OAS stressed the efforts that the electoral authorities of the member states are making in the organization and administration of elections, in order to increase the quality and transparency of their electoral processes, including the incorporation of new electoral technologies;

EMPHASIZING that the General Assembly underscored the suitability of promoting, for these purposes, cooperation and the exchange of experiences in the areas of electoral legislation and electoral technologies with other international and regional organizations;

CELEBRATING the presence, as observers, of the electoral authorities of the Republic of Mali, of the Rector of Gaston Berger University of the Republic of Senegal, and of the Chief of Cabinet of the Office of the President of the General Assembly of the United Nations;

RECOGNIZING that the guarantees of security and auditability in every phase of the electoral process ensure its reliability and transparency, a condition that is made stronger by the participation of the political actors and their dissemination to all the citizenry;

RECOGNIZING that the electoral bodies and authorities apply to all electoral processes common criteria and procedures intended to ensure the exercise and inviolability of the vote;

We, the Experts and Representatives of the Electoral Bodies, have concluded:

1. To emphasize the importance of building a referential framework of optimal procedures for the management and control of manual or automated electoral processes, that ensure the auditability of electoral processes in the countries of the hemisphere.
2. To agree that the technical know-how accumulated by the electoral bodies and authorities of the hemisphere can be shared, systematized and improved in order to create distinctive standards that reflect the particularities of the voting systems of the peoples and cultures where they are implemented.
3. To agree to continue the processes of exchange between electoral bodies for the purpose of conducting a technical and procedural standardization that, in the form of a compendium, will systematize the criteria and best quality procedures for the management and control of the electoral systems of the countries of the region, adapted to the particular features of each nation, people or culture.
4. To welcome the proposal from the Electoral Board of the Bolivarian Republic of Venezuela to organize, during the second half of 2009, a meeting of

electoral bodies and authorities of the member countries of UNASUR [Union of South American Nations], which will be held in Venezuela.

5. To welcome the proposal from the Central Electoral Board of the Dominican Republic to sign an agreement for horizontal cooperation with the National Electoral Council of the Republic of Bolivia to implement a pilot experience in automated voting, in the elections scheduled for May 2010.
6. To welcome the initiative of the Central Electoral Board of the Dominican Republic to organize a preparatory meeting for the Third Inter-American Meeting of Experts and Representatives of Electoral Bodies of the member states of the Organization of American States (OAS) during the second half of 2009, in that country, where the attendees will continue and look deeper into the issues initiated in this meeting.
7. To ratify the commitment made by the electoral authorities of the member countries of the Organization of American States during the Fifth Inter-American Meeting of Electoral Authorities, to implement active, ongoing cooperation with Haiti in electoral matters.
8. To welcome the initiative of the National Electoral Council of the Bolivarian Republic of Venezuela to promote a Framework Agreement for Electoral Cooperation with the *Conseil Electoral Provisoire* of the Republic of Haiti.
9. To confirm that the trend in nominations within the countries participating in the event is that of assuming criteria of efficiency, transparency, simplicity and cost reduction in a complex process with growing participation and a high number of elected positions, in which the constant is the incorporation of technological tools that contribute to the security of the database of nominees and minimize errors in the preparation of the electoral instruments.
10. To agree that the processes of selecting, notifying and training members of the subordinate electoral bodies are similar in all countries, and that the functioning of the polling officers can be improved considering the provisions of Colombian legislation regarding double shifts of operation. It is observed that the way in which electoral bodies are formed leads to the reduced influence of political parties, especially in the case of polling officers.

- 11.** To recognize that there are regulatory mechanisms for electoral campaigns that the bodies in charge find difficult to implement, making it necessary to find a platform that promotes the establishment of processes that respect the democratic principles of equality of conditions and the right of voters to receive equal information on the voting options.
- 12.** To recognize that there is, in general, great concern for achieving the proper level of control of electoral financing, but there is an evident absence of mechanisms that minimize the risk of irregularities in raising and using funds, such as the application of automated systems that optimize oversight of controlling bodies by making it easier to obtain the information necessary to undertake the pertinent evaluations.
- 13.** To recognize the importance of the presence of witnesses and representatives of organizations with political purposes in all fundamental stages of the electoral process and that they also have the necessary tools to provide validity and legitimacy to the process.
- 14.** To agree that in order to improve the times required to count and ensure the integrity of the information it is important to automate the process of transmitting results in both automated and manual voting processes.
- 15.** To agree that electoral instruments must be practical, simple and verifiable and both their production and their distribution must be done under criteria of reliability, transparency and rational use of resources.
- 16.** To assume the best practices proposed in the matter of voter registration, in order to achieve the objective of promoting and guaranteeing registration of voters in the most optimum manner, increasing political participation and trust in the electoral system.
- 17.** To recognize that an effort must be made so that voters, political organizations and the population in general become aware, know and value the many processes entailed in preparing the Voter Registry.
- 18.** To procure and facilitate processes of inclusion of populations traditionally excluded from the civil and electoral registry, in countries dealing with this situation.
- 19.** To agree that there must be maximum and minimum limits on voters registered for each polling place, that allow the voting places to open and function correctly, considering and respecting the special characteristics of the communities that each country defines.
- 20.** To promote before the pertinent inter-American authorities analysis of the issue of electoral justice, especially the system for resolving disputes, mechanisms for submitting challenges, access to electoral justice and electoral jurisprudence.

As a result, we recommend:

- 1.** Bringing to the Sixth Inter-American Meeting of Electoral Authorities the conclusions of this Second Inter-American Meeting, especially the recognition of the technical-electoral heritage that the electoral bodies and authorities of the hemisphere possess for the creation of guarantees of trust and transparency in the electoral process.
- 2.** Presenting during the Third Inter-American Meeting of Experts and Representatives of Electoral Bodies, to be held in Caracas, Bolivarian Republic of Venezuela in 2010, the compendium of the common criteria and optimum procedures that electoral bodies and authorities utilize to ensure the management and control of electoral processes, whether manual or automated, the conclusions of which should be presented to the Seventh Inter-American Meeting of Electoral Authorities.
- 3.** Proposing the establishment of a mechanism for exchange that would allow us to review general definitions of the regulation of electoral campaigns that take into account the different situations, identify common weaknesses and work on that mechanism.

This was the declaration of Caracas.

