

STAKEHOLDERS IN THE ELECTORAL PROCESS: THE ROLE OF CIVIL SOCIETY, POLITICAL PARTIES AND THE MEDIA TO SUPPORT ELECTORAL MANAGEMENT BODIES

Carl Dundas, on whom I will rely heavily for much of my intervention, states that an electoral management body should have the necessary powers and authority to deliver free and fair elections. Any role to be ascribed to civil society, political parties and the media in support of Electoral Management Bodies must therefore be in support of this.

The purpose of the Association of Caribbean Electoral Organizations as reflected in its Charter is “to promote cooperation and mutual assistance among electoral organizations in the Caribbean in the pursuit of democracy by processes that ensure free, fair and peaceful elections.”

It is perhaps on that last phrase that our minds should be concentrated as we discuss this theme “The Role of Civil Society, Political Parties and the Media to Support Electoral Management Bodies” (in their pursuit of democracy by **processes** that ensure free, fair and peaceful elections) and in particular the issues which the Panel has been asked to address. These issues are outlined in the programme prepared for this meeting and they are: What is the role of civil society in the electoral process of your country? Does legislation permit national observers as well as international observers? Are these institutionalized mechanisms to facilitate dialogue among electoral authorities, political parties, media and civil society organizations? How would you characterize the relationship of the electoral authorities with each of these stakeholders? Not being a country representative, my particular interest relates to the institutionalized mechanisms to facilitate dialogue among electoral authorities, political parties, media and civil society organisations; and the relationship between Electoral Management Bodies and each of these stakeholders.

The processes that ensure free, fair and peaceful elections are listed in the Charter of this Organization. I will focus on the first five, i.e.

- (i) strong legal and constitutional basis for independent and impartial electoral organizations and administrators throughout the Caribbean;
- (ii) the promotion of public confidence in the Caribbean through open and transparent electoral procedures;
- (iii) the development of civic education programs and systems designed to motivate citizens involvement and electoral participation;
- (iv) the development of simple and functional voter registration procedures which will encourage maximum voter participation, and promote the development of accurate and complete voter registries and
- (v) the development of professional election officials with high integrity, a strong sense of public service and a commitment to democracy.

I posit that there are necessary roles for civil society, political parties and the media in support of all the above. Indeed, the support which these stakeholders can provide to electoral management bodies for example in the development of professional election officials cannot be disputed.

In *“Improving the Organization of Elections: A 2006 Perspective”* published in the UWI/CARICOM publication *“The Integrationist”*, Carl Dundas, a noted regional expert in this field and former Director of Elections, Jamaica, states, “at the end of each presidential or general election the focus of interested parties is on the integrity of the election administration. General confidence in the integrity of the election management will enhance the acceptability and hence the legitimacy of the winner”. Prime Minister Golding also underlined this position this morning in

his address to this meeting. Dundas adds, “this is perhaps the end product of fostering the integrity of the electoral process as a whole, but building integrity takes time and has many facets.” In addition to the need for electoral management bodies to have control over all functions and major processes affecting elections, he highlights transparency in election administration as a confidence-building measure. He argues that this helps to pave the way for acceptance of election results and hence plays a vital role in according legitimization to an incoming political administration. He provides an example in the Kenyan 1992 elections where the lack of effort by the Commission to promote dialogue with the political parties and to keep the electorate informed about the developing electoral process led to suspicions about the integrity of the Commission. This meant that the whole election process had an unfortunate start and for several months after public confidence continued to be lacking. There is therefore need for political parties to take their role in support of the integrity of the process seriously, demanding appropriate information but also ensuring the independence of the Electoral Management Bodies once appointments are made, i.e. institutions free from the influence of any outside individual, authority or political party and especially the ruling party.

Dundas also listed the attribute of efficiency as being the key to election management; its absence often equated with partisanship and election fraud. He underscores that efficiency is required because of the relative magnitude of the scale of preparation necessary to deliver free and multiparty elections. Efficiency, he adds, embraces the use of accurate and reliable information. Electoral Management Bodies should ensure that information compiled for use is verified and analyses and conclusions drawn are reasonable and objective. The interpretation and application of factual information should be wholly or, at worst, substantially consistent with the election rules and procedures. This requires a high caliber of staff. Dundas points to some Commonwealth countries where there is a role for political parties to assist in screening prospective appointees to the staff of Electoral Management Bodies.

The delivery of high quality election services to all voters should be a goal which pervades all the major electoral processes of election organizations, particularly the registration of voters and polling. This also applies to educating the voters in the voting procedures in order to reduce the incidence of spoilt ballots. Due consideration should be given to the treatment of people with special needs including illiterate voters. In other words, all stages of each election process should be designed to be as user-friendly as is practicable to encourage and facilitate legitimate use by eligible persons. In the mounting of CARICOM Electoral Observer Missions, team members ensure that they meet with all political parties; Civil society and the Press to discuss among other things the quality of the election service being offered. Feedback from these stakeholders is actively considered, processed and relayed to the pertinent Electoral Management Body

So from the above it can be deduced that civil society, political parties and the media as well as international observers have **a watchdog role to play** in support of Electoral Management Bodies especially as concerns the integrity of these Bodies in terms of the legislative framework under which Electoral Management Bodies exercise control of the process; and the transparency and the efficiency of the Electoral Management Bodies in the exercise of their functions to meet the needs of the voting public of whatever ability.

With so few minutes left to highlight the role of the stakeholders in the other four areas, I posit that Political Parties, Civil Society and the Press through active participation in the electoral process must recognize their role in supporting Electoral Management Bodies in strengthening the legal and constitutional basis for independent and impartial electoral organizations. A vital consideration when proposing any changes to election legislation, rules or regulations is the need to allow the widest possible consultation in good time before enactment, so as to enable feedback from stakeholders, including political parties, election workforce and non-governmental bodies. The Jamaica experience as articulated by

Professor Miller this morning is an excellent example of what can be achieved where there is sufficient consultation beforehand. Dundas argues that experience suggests that for many Electoral Management Bodies, last minute changes are typical election management practice, and timely consultations are the exception rather than the rule, but that is why modernization of election organizations must focus on these aspects of election administration which are so often overlooked. In that sense Jamaica was fortunate to have the contribution of an ordinary citizen in the modernization of its electoral systems in the person of Ryan Peralto Jr and his role as an individual (Civil Society) and as a politician in support of modernizing the legal and constitutional basis for independent and impartial electoral organization in Jamaica. Again turning to Dundas, "Electoral Management Bodies are entitled to do everything necessary for the proper conduct of elections as long as the directions are not contrary to the provisions of the Constitution, Representation of the Peoples Act,....".

With regard to output (2) – promoting public confidence - political parties, civil society and the media acting as a watchdog over the integrity of the Electoral Management Body and its staff as I referred to earlier, can through their articulation of issues and on events play a role in promoting public confidence in the systems throughout the Region. Again turning to Dundas – Electoral Management Bodies should be governed by operational principles, i.e. a proper legal framework; a non-partisan neutral culture; unsullied organizational integrity; transparency, efficiency and delivery of high-quality election services.

From the reports made by the CARICOM Election Observation Groups which have been deployed throughout the region when invited to do so by Electoral Management Bodies, Governments or other competent authority, there is much confidence for the most part in Electoral Management Bodies in the Region. In the Trinidad and Tobago elections held in November 2007 for example, little concern was expressed over the effectiveness of the Elections and Boundaries Commission by the political parties, civil society or the press. Other issues such

as campaign financing were raised as they have been raised in other regional electoral jurisdictions where CARICOM Electoral Observer Missions have been deployed and have held discussions with stakeholders.

Support to Electoral Management Bodies by these stakeholders regarding their civic education programmes and systems are a *sine quo non*. Electoral Management Bodies should, for their part, whether through public relations machinery, or otherwise, develop structures to facilitate working relationships with political parties, civil society bodies and other NGOs, the media, as well as with local and international observers.

Finally the development of a simple and functional voter registration procedure which will encourage maximum voter participation, and promote the development of accurate and complete voter registries is a role which I daresay has been claimed in our Region as taken for granted by political parties, civil society and the media to support Electoral Management Bodies in the pursuit of democracy by processes that ensure free, fair and peaceful elections.

Ladies and Gentlemen, that's my initial contribution. I await your contribution in the debate.