



Reflections on Electoral Management best practices and Electoral Integrity

Annexures:

- 1. Independence of Electoral Commissions and Commissioners**
- 2. Characteristics of a Commonwealth Elections Management Body**

Summary of discussion points

By:

Ahmed Issack Hassan, EBS*

ahmedissack786@gmail.com

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Mr. Ahmed Issack Hassan is the current Chairperson of the Independent Electoral and Boundaries Commission (IEBC), an Advocate of the High Court of Kenya and Chairperson of the Commonwealth Elections Network (CEN).

Reflections on electoral management best practices

Management of any electoral process is multi-disciplinary involving both the elections management body and relevant stakeholders. Timely preparation by the various stakeholders helps to create an environment for the conduct of a free, fair, transparent and credible election. Various factors enhance best practices in the electoral process. They include but not limited to:

- Structure of Elections Management Bodies- EMBs can either take the Independent model, the Government model or the Mixed model. Each model has its pros and cons. However, irrespective of the model, it is incumbent upon the elections management body to seem to be independent and to exercise impartiality. (further discussed in annexure 2, “*Characteristics of a Commonwealth Elections Management Body*”).
- Effective stakeholder engagement-the role played by various electoral stakeholders in elections is not only complimentary to that of the EMB but strategic. Regular consultation with stakeholders throughout the electoral cycle is important in enhancing the effective functionality of an EMB. In Voter Registration, they play an important role of voter mobilization and sensitization through Voter Education, and are critical in enhancing voter-turnout on polling day and providing election observation. In the Post-election phase, stakeholders provide candid lessons that are useful to the EMB in improving its effectiveness and drawing best-practices.
- Training and capacity building of permanent and temporary election officials-the continuous and effective training of the election officials in election operations and processes.
- Timely Election Operation Plans- helps to focus the management body on the calendar of electoral activities and to continually keep the electorate and stakeholders informed on electoral preparedness.

- Polling day operations-adequate preparations, provision of all election materials, effective polling station layout and flow of voters within the polling station.
- Result Management systems-transparency of the votes counting process, correct filling of relevant results declaration forms and proper transmission of the results.
- Dispute resolution mechanisms- timely hearing and determination of disputes arising from nomination processes.
- Electoral technology-embracing the use of technology in elections management to improve credibility, accuracy and transparency of the electoral process.

Electoral Integrity

Introduction

“It is enough that people know there was an election. The people who cast their vote decide nothing. The people who count the votes decide everything”
(Joseph Stalin).

At the heart of electoral integrity is the integrity of the people who manage elections and the integrity of the process they use to conduct the elections (people and processes).

Whereas there is no generally accepted definition of the term “electoral integrity, the debate is on-going in scholarly and policy circles around the same. Various parameters have been used to describe what would then pass as electoral integrity with widely accepted instruments that govern the conduct of elections based on the

democratic principles of universal suffrage and political equality as reflected in international standards and agreements.

According to the *Electoral Knowledge Network; ACE encyclopedia*, at the heart of the topic of electoral integrity is preserving the ability of voters to participate in genuine elections. Therefore, the integrity of an electoral process can best be described in terms of transparency, accuracy and accountability of the process. These are tenets that should be provided for in the legal framework implemented through various structures within Election Management Bodies (EMB). Further, enhancement of electoral integrity is safeguarded and strengthened by the participation of all stakeholders in the electoral process. Whereas the norm has been to only expect integrity from Elections Management Bodies, the electorate, political parties, development partners and governments have as a much a role to play in creating an enabling environment for electoral integrity to be realized. Thus electoral integrity is expected from all electoral stakeholders.

Challenges to electoral integrity

Although there are cross-cutting challenges in the enforcement of electoral integrity, various management bodies experience different challenges in the management of elections in as far as the integrity of the process is concerned. Whereas some EMBs operate within an enabling environment, as is largely the case in developed democracies, others particularly in unstable democracies have to grapple with sometimes hostile environments where the EMB is permanently perceived to be a puppet of the government of the day. In such cases some stakeholders particularly political parties are quick to raise integrity questions, real or imagined on the part of the EMB but with total disregard to their role in creating an enabling environment.

Electoral laws, the rule of law and electoral integrity- the legal framework of every elections management body is drawn from the set of laws of the individual country. More often, it is from the constitution of the specific country and other instruments that provide for the governance and human rights of the country. Questions on the integrity of elections have arisen in cases where the legal framework is perceived to be restrictive or does not measure up-to international and regional legal instruments. In some countries (as is the case in Tanzania in East Africa), the country's constitution does not provide for avenues to challenge presidential election results. In such cases, fingers are quickly pointed to the electoral commission despite the fact that laws are created and passed by parliament. In instances where EMBs make proposals on electoral laws aimed at enhancing credibility and integrity of the electoral process, Members of Parliament sometimes flatly refuse to pass such laws for their own selfish gains. Such cases put most EMBs in difficult situations and worse still; create tension between the EMB and political players.

Establishment of Elections Management Bodies and electoral integrity-of absolute importance to the operations of an EMB is its independence both institutionally, functionally and financially. The independence of an EMB is critical in its ability to manage an electoral process in adherence to democratic principles that meet national, regional and international standards for a free, fair and credible process. *(this is discussed further in the annexure on Independence of Commissions and Commissioners).*

Electoral stakeholders and electoral integrity-achievement of integrity in the electoral process is as much the responsibility of the EMB as it is of the stakeholders. An informed electorate, a political party with functional democratic internal structures, a responsible media and a supportive development community

are all crucial players in enhancing electoral integrity. In order to effectively play an oversight role, all the stakeholders must not only be critical of the elections management body but also supportive to the extent that it builds and enhances its operations. Arguably, the issue of electoral integrity is a Political problem.

Conclusion

According to International IDEA, Electoral integrity requires a legal and institutional system that encourages and protects fair and equitable elections as well as application of specific measures to protect integrity based on democratic election standards and best practices. The appropriate measures must be adapted to the social and political context of each country, but the basic objectives are the same and stem from the need to ensure genuine and credible elections. Some of the guiding principles that can help bring about an election with integrity are:

- respect for principles of electoral democracy;
- ethical conduct;
- Election disputes resolution mechanisms
- Inclusivity of the electoral process (voters, parties and candidates)
- professionalism and accuracy;
- institutional safeguards ;
- oversight and enforcement; and
- transparency and accountability

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