

Challenging the Norms and Standards of Election Administration



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Introduction

Elections are important events in any democracy, but in developing democracies each election is a milestone and often the most prominent indicator used to measure democratic consolidation. Thus, the effective administration of the election process is critical to fostering faith in a democracy. The democratic wave of the past two decades has seen election management bodies (EMBs) in many new and established democracies respond to the challenge of fielding elections in rapidly changing environments. As electoral processes evolve, however, election administrators are faced with even more diverse management challenges and responsibilities. These responsibilities reflect reforms and new requirements for electoral processes to remain viable, sustainable and effective institutions of democracy.

The papers in this collection identify evolving concerns that EMBs increasingly face. The five electoral issues addressed by these papers do not currently have accepted norms and standards that EMBs (and others) can utilize to shape effective policies and procedures. In addressing these issues, IFES' goal is to assist EMBs—particularly those in developing democracies—to manage their responsibilities. To meet this goal, these papers provide guidance for election officials (and democracy assistance providers) as they administer (or support) the entire electoral process.

In *Challenging the Norms and Standards of Election Administration*, IFES explores five key issues:

- Electronic voting;
- Election administration and use of the Internet;
- External and absentee voting;
- Boundary delimitation; and
- Political finance.

For most EMBs in evolving democracies, these activities represent new areas of responsibility that have not been traditional targets of electoral assistance or best practice evaluation. While any single EMB may not face all of these issues, IFES hopes that the identification of norms and standards in each area will prove to be beneficial to every EMB.

Jarrett Blanc, a former IFES Advisor and currently a Council on Foreign Relations International Affairs Fellow and Visiting Scholar at the United States Institute of Peace, examines **electronic voting** and the advantages and disadvantages of direct recording

electronic (DRE) voting systems for developing democracies. Blanc emphasizes that the use of such systems must enhance, not weaken, the integrity of the electoral process. Through the late 1990s, the use of voting machines (whether electronic or not) was seen as an exclusively United States phenomenon, but in recent years IFES has observed an increased interest in the application of technology in elections in both advanced and developing democracies. Today, computerization of electoral information, validation, and certification requirements have become commonplace. While cautioning donors with respect to direct support for the use of DRE technology, Blanc urges donors to focus on providing expert advice to countries considering or using DRE systems—from the exploratory stage through to the observation of elections using DRE systems.

Steven Clift—one of world's leading experts on e-democracy—examines the **use of the Internet** by EMBs. Clift proposes a standards-established model for “must have” and “should have” online elements to guide EMBs whose online responsibilities are increasing as more citizens become active online. Clift presents policy recommendations for EMBs in four areas: 1) providing information online; 2) establishing an online legal environment; 3) monitoring the Internet media; and 4) ensuring technological access. One particularly compelling proposal he makes is to pilot open-source tools for election administration and voter guides; such a practice promotes cost-effectiveness and increases transparency of the electoral administration process.

Jeremy Grace is a lecturer of international politics, law, and political economy at the State University of New York at Geneseo; he also serves as a senior advisor and research coordinator to the Political Rights and Enfranchisement System Strengthening project of the International Organization for Migration. In his paper on **external and absentee voting**, Grace notes that patterns of forced displacement and economic migration require EMBs to review their policies surrounding external registration and voting, not only in post-conflict and developing countries but also in more established democracies. Grace examines issues of citizens' rights and eligibility, systems of representation, ballot secrecy and cost-effectiveness and identifies “areas where the development and application of standards would result in better management of external voting programs.” He concludes by proposing basic principles to guide the design and execution of external voting programs, underscoring that 1) the decision to enable expatriate voting should reflect a broad national consensus rather than partisan calculations; 2) external voting operations should be subject to complete domestic and international observation; and 3) donors and technical assistance providers should pay more consistent attention to external voting in transitional democracies.

Dr. Lisa Handley—president of an election consulting firm specializing in voting rights and electoral boundary delimitation—notes that the role of **boundary delimitation** in determining electoral outcomes often receives inadequate attention in assessing the credibility of the election process. Handley asserts that while some international standards have been proposed by regional and nongovernmental organizations to guide the delimitation process, “a number of proposed guidelines are narrowly focused and less than universally applicable” and “important guiding principles have been neglected.” Handley elaborates on the fundamental principles of impartiality, equality, representativeness, non-discrimination and transparency, and stresses the importance of an impartial boundary authority and a consultative and clear delimitation process. Her recommendations not only provide guidance to developing democracies but also to more established democracies, such as the United States.

Dr. Marcin Walecki, IFES Senior Political Finance Advisor, reports that EMBs are the bodies primarily relied on to enforce **political finance** regulations in 63 percent of the

countries that have such measures in place. As with boundary delimitation, broad international standards do exist for this field, but gaps remain in several key areas. Specifically, in order to promote a transparent and accountable system, there is a need for more detailed standards for public disclosure, proper internal control and effective enforcement. For enforcement agencies, financial and operational independence are key, and Walecki makes recommendations concerning a country's legal framework for political finance and the designated regulator's administrative capacity. He also describes the roles parties, candidates and the public can play in strengthening enforcement mechanisms.

As election management bodies, other agencies, domestic stakeholders and international partners tackle new electoral issues, international standards will help strengthen the conduct of elections, thus enhancing the credibility of the process and promoting political participation. All of the papers point to one basic and fundamental standard: access to information. The credibility of the electoral process clearly depends on its transparency, which is only meaningful when that process is open to electoral participants. The standards proposed in the papers that follow will clearly benefit EMBs, but even more importantly, they will benefit the public, which stands not only as a participant in, but also the guarantor of, electoral processes and democracy.

About the Authors

Jarrett Blanc ***Electronic Voting***

Jarrett Blanc is a Council on Foreign Relations International Affairs Fellow and a Visiting Scholar at the United States Institute of Peace, where he is researching elections conducted during civil conflict. He has managed IFES technical assistance programs in the Palestinian Authority and Iraq, advising senior national and international policymakers on elections and political processes and then organizing politically and logistically challenging elections, including the January 2005 elections in Iraq. Blanc also has field experience in Afghanistan, Kosovo, Nepal, Georgia, Lebanon, and Guyana.

Steven Clift ***Election Administration and the Use of the Internet***

Steven Clift is an online strategist and public speaker focused on the use of the Internet in democracy, governance, and community. For the last decade he has worked to fundamentally improve democracy and citizen participation through the use of the Internet. One of world's leading experts on e-democracy, he is actively networking people around the world determined to make a difference with this new media. Through Democracies Online, he shares knowledge and practical advice directly to thousands of subscribers on his DO-WIRE e-mail announcement list. His Publicus.Net web site contains dozens of original articles and presentations, including his E-Democracy E-Book. In 2002, Steven received the Minneapolis Award. In 2001 and again in 2003, he was listed among "The 25 Who Are Changing the World of Internet and Politics" by Politics Online and in January, 2000 he was selected as one of Minnesota's 100 rising stars of the decade by Minneapolis St. Paul magazine.

He volunteers as Board Chair of Minnesota E-Democracy. E-Democracy is a non-profit organization that hosts some of Internet's most highly regarded citizen discussions on state and community affairs. In 1994, E-Democracy created the world's first election-oriented web site and online candidate debates.

Jeremy Grace ***External and Absentee Voting***

Jeremy Grace is a lecturer of international politics, law, and political economy at the State University of New York at Geneseo. He also serves as senior advisor and research coordinator to the Political Rights and Enfranchisement System Strengthening project of the International Organization for Migration (IOM), an initiative focused on enhancing the political rights of refugees and internally displaced persons. He has also served as a consultant to the IFES Center for Transitional and Post-Conflict Governance, the Brookings/Berne Project on Internal Displacement, and the Organization for Security and Cooperation in Europe.

Dr. Lisa Handley
Boundary Delimitation

Dr. Handley has provided electoral assistance in more than a dozen countries, serving as a consultant on issues of democratic governance – including voting rights, electoral system design, electoral boundary delimitation and electoral dispute resolution – for the United Nations, the United Nations Development Fund (UNDP), the International Foundation for Election Systems (IFES), and International IDEA. In the past few years she has participated in election missions in more than a dozen countries, including Afghanistan, the Democratic Republic of the Congo, Georgia, Liberia, Lebanon, Nigeria, Sierra Leone and Yemen. In the United States, Dr. Handley's clients have included the U.S. Department of Justice, several civil rights organizations, and scores of state and local jurisdictions. She has also served as an expert in numerous voting rights and redistricting court cases.

Dr. Handley is the President of Frontier International Consulting, an election consulting firm that specializes in voting rights and electoral boundary delimitation. She holds a Ph.D. in political science from George Washington University.

Dr. Marcin Walecki
Political Finance

Dr. Marcin Walecki has overseen the growth of IFES' Program on Political Finance and Public Ethics since June 2003. Graduating in August 2003 from St Anthony's College, Oxford University, UK, with a D.Phil. in political science, Dr. Walecki has been involved in the management of international development activities since 1995. His areas of expertise include political finance and political party development, curriculum and material development, and training. Dr. Walecki has conducted activities (funded by USAID and DFID) in Bosnia-Herzegovina, Georgia, Iraq, Lebanon, Liberia, Lithuania, Nigeria, Poland, and Ukraine. He has consulted for a number of international organizations, including the Council of Europe, International IDEA, Transparency International, the Westminster Foundation and the World Bank, on projects in Brazil, Poland, Lithuania, Russia, Ukraine, and Azerbaijan. Additionally, Dr. Walecki has written numerous publications about corruption, political financing, and political parties and regularly participates in international conferences. He is a member of the board of the International Political Science Association Research Committee on Political Finance and Political Corruption and currently a Max Weber Fellow at the European University Institute.