



Foreign, Commonwealth
& Development Office



International Election Observation and the Role of a Diplowatch

May 2023

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Westminster Foundation
for Democracy

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Contents

1. Introduction	4
2. What is Diplowatch and why do it?	4
3. How to Organise a Diplowatch	6
4. Considerations to keep in mind for Observation	8
5. Key Issues and Potential Activities during the Pre-Election Period.....	10
a. Pre-Election Period Issues Which May Involve Diplowatch Activity.....	10
b. Pre-Election Period Other Issues of Interest.....	12
6. Key Issues and Potential Activities during the Election Period	14
a. Election Period issues which may involve Diplowatch activity.....	14
b. Election Period Other Issues of Interest.....	17
7. Key Issues and Potential Activities During the Post-Election Period	19
Annex: International Election Observation: Background, Practices and Principles	21
The Development of International Election Observation Practices	21
Models Utilised by International Organisations for Election Observation	23
Some Important Principles for International Election Observation Missions.....	26

International Election Observation and the Role of a Diplowatch

1. Introduction

This paper aims to provide an understanding of how diplomatic missions can conduct electoral analysis / observation, with a specific focus on ‘Diplowatch’ and international election observation best practice. It offers practical advice on the implementation of a Diplowatch effort with a focus on areas where it can add value to the regular work of a diplomatic mission and to other observation efforts. It provides an insight into how international election observation is conducted and uses the electoral cycle approach to explain access points at various stages in the electoral process.

Diplowatch Activities

2. What is Diplowatch and why do it?

Diplowatch is the active engagement of Diplomats as observers to follow specific aspects of the electoral process. Diplowatch, or engagement in the electoral process by diplomats, does not constitute an international election observation mission or election expert mission. However, Diplowatch can provide a useful added-value to complement these other activities, as well as adding value to the work and profile of an embassy.

Long-term international election observation missions (see annex below) consider all aspects of the electoral process, across the electoral cycle, and their impact on the integrity of the electoral process. While the focus of an election may be on Election Day, it is important to be aware that other parts of the electoral cycle e.g. pre-election period may be critical in assessing the credibility of an electoral process. Any assessment of Election Day needs to be considered in this context. The focus of many diplomats is often on Election Day: the voting and counting at polling stations and the collation of the result. But it is also possible, depending on the embassy’s size, to follow other aspects of the electoral process throughout the electoral cycle (see also “Key Issues and Risks Throughout the Electoral Cycle” document).

A Diplowatch will vary in size and composition, depending on the context of the country and the embassy’s presence in that country. A Diplowatch consists of diplomats observing electoral processes or pooling the resources of several likeminded diplomatic missions. Setting up a Diplowatch activity facilitates the coordinated deployment of a group to observe aspects of the pre-election period

and/or over election days. It is common for such an activity to be focused on the voting and counting processes. Such efforts can be a useful tool for development partners to gain first-hand experience of how the process was managed, particularly if they have provided funding or support.

A Diplowatch effort can provide value to an embassy, by enabling it to collect first-hand information on developments on the ground. In cases where the Diplowatch involves cooperation with other missions or actors, the given embassy could also benefit from enhanced relations with those institutions. A Diplowatch provides visibility at an important moment and also demonstrates that the embassy's home country considers the election important. Further, as an official observer entity, access to the other international observation missions may be facilitated, enabling a further mechanism for gathering information.

It is common in many diplomatic missions to have regular 'election group' meetings for partners with an active interest in the electoral process. This group will bring together potential actors for a Diplowatch and will have an established practice for information-sharing and possibly collaborative efforts in drafting and issuing statements relating to the elections. The experience of such a group can be a good basis for considering the approach to a Diplowatch.

However, it is likely that the approach of an embassy will vary in terms of how officially they operate as observers. It could be the case that the embassy creates its own observer team or joins a Diplowatch network. Both of these approaches could follow aspects such as voter registration, party primaries, the election campaign or, most commonly, voting, counting and results.

In considering whether or not to engage in a Diplowatch it can be helpful to think about the extent to which the undertaking is useful, feasible and advisable. Below are some guiding questions to inform the thinking:

- **Useful:**
 - Will the observation provide the embassy with increased access to the process and to information that it cannot gather in other, less time consuming and costly, ways?
 - Will deploying staff to observe certain aspects of the process provide the embassy with a positive visibility, highlighting its interest in and support for elections in the country?
 - Will the deployment of diplomat observers add value to existing international and national observer efforts?
 - Will the formation of a Diplowatch activity provide the embassy with increased access to meetings of international observer groups and therefore increased access to information and influence?
- **Feasible:**
 - Is there sufficient time and resources in order to be able to support the deployment of staff as observers, given the time and financial commitment involved?
 - *The more advanced thinking on this can be the better it is. For*

example, if the interest is in an Election Day observation, then planning needs to occur a couple of months prior to Election Day in order to enable full operational planning and applications for accreditation.

- Will teams have the capacity to meet the operational and security requirements in order to be able to deploy to a variety of areas in the country?
- Will staff be able to access the process and parts of the country and report back in good time?
- **Advisable:**
 - Will engagement on the process risk providing legitimacy to a flawed process? For instance, is the election adequately competitive and inclusive to ensure that election day is meaningful?
 - Is active, visible involvement of international diplomats as observers welcome or is there a potential for a backlash or misperceptions of the intention?¹
 - Is the security situation, including for the post-election period, conducive to the deployment of staff?

Answers to the above, together with the political desire to engage in the process, will help missions determine the most appropriate approach to observing the process. This could include:

- Continuing to follow the process as part of the embassy's regular work only;
- Creating a small effort to observe, but with a relatively low level of visibility;
- Creating a larger effort (probably suitable for larger embassies) with a higher level of visibility;
- Joining with other missions to create a more substantive Diplowatch.
- A mixed approach, depending on different stages of the electoral process, e.g. following voter registration using a small number of teams, following the campaign as part of the embassy's regular political work, observing the election day through a larger team or as part of a collaborative Diplowatch.

3. How to Organise a Diplowatch

Decision-making on deploying a Diplowatch, including size of team and length of deployment, will depend on resources and funding available, and the situation in country. It will be important to consider potential political consequences and how these may be managed, as well as any potential security risks, e.g. linked to travel conditions or election-related violence.

Diplowatch can be a stand-alone exercise conducted by a single country's embassy, if there are no partners. But a Diplowatch can also bring together 'like-minded' embassies, including those engaged more broadly on governance and elections in a

¹ Such a potential environment may not prevent an engagement on the elections but may help shape thinking as to how it is undertaken and the associated risks.

country. This can be a win-win for all concerned as it increases the scope of the observation and maximises the information received from it.

Where there is cooperation, it can be helpful for one embassy to take the lead on coordination, including developing a consolidated deployment plan. However, in reality, and often for security reasons, embassies will often resource their own teams rather than forming teams and sharing resources with other embassies.

It is best practice, with a Diplowatch involving a number of partners, to use a common report form to facilitate the centralisation of findings. However, embassies may use a stand-alone approach to reporting, with key points shared with other missions after the election. In most cases report forms from previous Diplowatch or other observation exercises can be used, but they should be adapted to the specific local circumstances (including changes to reflect local legal and administrative procedures and timelines).

Steps for planning a Diplowatch:

- Determine the level of interest and capacity of the embassy and potential partner embassies to gauge the potential size of the Diplowatch deployment.
 - *Colleagues from outside of the embassy could be included such as political officers from other missions in the region or ministry-based desk officers, research analysts or governance advisors. But this would have cost considerations.*
- Develop a deployment plan, considering the administrative structure of the country and seek to place teams to cover main provinces of the country, to get a balanced approach to deployment.
- If the effort is limited, seek to have some teams report from outside the capital and to mix urban and rural areas.
- Ensure each team has an appropriate vehicle and accommodation.
- Ensure teams are resourced – including possibly a local assistant/interpreter, food and water, medical kit, emergency contacts, spare tyre for car etc.
- Have teams on the ground in good time so they can follow the opening, voting and counting processes.
- Each team (ideally two people) should be allocated a specific area of responsibility and move around their area on election day visiting a range of polling stations in urban and rural areas.
- Ensure adequate and coordinated communications for teams, both for security and to report findings back from the field. This can be directly to the embassy or to a Diplowatch central coordination point, as appropriate. Check these communications to make sure they work and that people understand the processes.
- Have alternative chat forums (such as a WhatsApp group), for sharing information and colleagues' well-being.

- Have a standard report form, so teams know what to observe and how long to stay in polling stations. This ensures they can report back in a coherent manner and findings can more easily be coordinated.
- Provide time for an observation / election specific briefing/training, to make sure all participants are aware of what should happen on election day, how to observe it, how to report on it and how to act as an observer.
 - *Such a briefing can also ensure all operational matters are covered as well as relevant security advice and communications.*
- If time and travel plans allow, have teams follow the tabulation of results at District/Province level.
- As well as regular phone communications on election day, have a debriefing at the end of the exercise to enable teams to go into more detail as required.

4. Considerations to keep in mind for Observation

International missions will receive an invitation to observe, and most require this some months prior to election day, to enable the mobilisation of a team, including a pre-election assessment. Invitations typically come from the executive or Ministry of Foreign Affairs or an electoral body.

Observers (national and international) require accreditation from the electoral management body (EMB), which gives observers the right to seek access to electoral events and information, attend appropriate meetings, enter polling stations and tabulation centres. Operating without accreditation will not only create impediments to the work but will de-legitimise the observers and their activities.

Diplomats may not require an invitation as EMBs usually afford them access or will provide accreditation on the basis of their status in-country, but this needs to be clarified well in advance. Access to parts of the process earlier in the cycle, such as voter registration, party primaries and campaigns probably do not require accreditation, but this should be checked well in advance.

It is advisable to engage on particular aspects of the process, assessing a specific issue which has been identified as a major risk area. For example registration of voters or following political party primaries. These activities require the agreement of national stakeholders as well as accreditation. The assessment of such critical moments in the electoral cycle is important.

Observing on election day only is probably the most common approach among the diplomatic community, either in the capacity as diplomats or as part of a Diplowatch. This can provide missions with useful information on the quality of the election day to supplement information gathered from other international actors, citizen observers and media. It can also provide good visibility and highlight the mission's interest in the election. It is important though, in drawing conclusions about the electoral process, that the election is about far more than just election day. As such, conclusions should be contextualised to take account of any significant lapses during the pre-election period and also be aware of the remaining stages in the process, such as results and legal disputes.

Criteria for the geographic deployment locations of observers is important to ensure the team has a balanced approach. As far as possible observers should be deployed to a broad range of locations around the country, including both urban and rural areas. Even with relatively smaller teams, efforts should be made to observe out of the capital.

In considering the deployment plan there are some deployment 'red flags'. There should be an awareness of potential 'hot spots' but you must avoid an over-concentration on such areas, particularly on election day, otherwise this will heavily skew the findings. The safety and security of observers is paramount and there may be strong security reasons for not deploying teams to a particular area or areas. However, if this means the level of access of teams to significant parts of the country is limited – both geographically and politically – then this will bring into question the advisability of undertaking the observation as it will undermine the analysis and assessment.

In terms of deployment locations, embassies can take an early lead in reaching out to potential partners and coordinating the deployment plan. This will provide them with a lead role, but also will be an important task, providing the Diplowatch with a good deployment plan, capturing the broad story of election day and avoiding the pit-falls of a narrow or skewed deployment plan.

While engagement can be a positive undertaking, it can come with a degree of political risk. For example, highly visible and active engagements could be misconstrued as to the intentions of the embassy. Further, if a public statement on the observation findings is required (this is not the norm, but is sometimes required) it may prove necessary to issue a negative one if things go badly during the election, which can impact on the political relationship with a host country. Conversely, a positive statement may not be to the liking of some stakeholders, which can also impact on the perception of the embassy. If the findings are used discreetly, for example to provide the ambassador with useful information for exchanges with government, political leaders or the electoral body, this is easier to manage.

The election period, including the campaign, voting days and post-election as the results are tabulated and announced can involve a degree of tension and even violence. Observation activities have to be aware of the security of teams, ensuring regular communication and monitoring, with a back-up plan in case of need to relocate teams or provide support. This will likely be led by the embassy's security coordinator. Teams must also be briefed on the importance of observers not putting themselves in danger and provided with information as to how to seek local support (such as health care) if required.

International missions such as the African Union (AU), Carter Center, European Union (EU), International Republican Institute/National Democratic Institute (IRI/NDI) and the Organisation for Security and Cooperation in Europe /Office for Democratic Institutions and Human Rights (OSCE/ODIHR) all use extensive report forms, including some 30+ questions, which are transmitted to the coordination team in the capital in using phone or tablet-based programmes designed for the task. This enables real time analysis and allows the teams to have substantive findings even

the day after the poll. To put this into context, if a Diplowatch deploys 20 people, this will mean 10 two-person teams. Each team typically visits some 12 polling stations on average on election day, so this means 120 forms, and over 3,500 data points (mixing quantitative and qualitative responses). A less digital approach is possible, with teams calling in key findings and reporting back after election day at a debriefing if time allows.

Another option would be to use one of these forms as a basis, but to only use the sections the embassy will find most useful e.g. 10 questions. Embassies should think about what data they will use and whether they have the ability to process it / use it to brief other colleagues during a busy election.

The British Commonwealth report form (See annex 3 of the Commonwealth Handbook²) is more of an *aide memoire*, used to facilitate phone reporting on election day and physical delivery of data on the day or so after the polls. This model may provide a useful example for missions with less technical capacity, as observers can use the form as the basis for phone communications throughout the day, enabling a coherent and consolidated collection of information.

Such an approach to reporting requires a detailed analysis of the technical and legal steps involved in the process and an assessment of the polling environment. A Diplowatch may decide to have a different approach, checking on the environment and gaining a general impression, in which case such a detailed form would not be required. However, such forms, potentially in the Commonwealth model, can be useful as a guide for observers, to ensure key points are captured and to facilitate the drawing of conclusions, based on a common approach.

5. Key Issues and Potential Activities during the Pre-Election Period

For a concise checklist of things to look out for during each phase of the pre-election, election and post-election periods, see WFD's Electoral Cycle infographic.

a. Pre-Election Period Issues Which May Involve Diplowatch Activity

- i) **Training of Electoral Officials**: Training of full-time electoral staff can take place at the national, regional and local levels and is likely to be an on-going activity throughout the pre-election period, but the frequency of it will increase closer to the polls, incorporating training of ad hoc staff recruited for polling etc. **With prior approval of the electoral body it should be possible to attend sessions to get an understanding of the quality of the training**, the level of women's participation and inclusion and also the level of understanding of electoral staff; all of which can be important for the quality of the administration of the electoral process.

² The Commonwealth (2019) [The Commonwealth Handbook on Election Observation](#)

- ii) **Political Party Primaries**: The conduct of party primaries is one of the critical stages in the pre-election period, which usually predates the arrival of international observers, increasing the value of Diplowatch engagement, the findings of which can be shared with incoming observers. The conduct of the primaries can often be a source of tension and even violence, with disgruntled aspirants later competing against party nominees, creating tensions during the campaign also. Further, the nature of the primaries, potentially prone to intimidation, bribery or manipulation, can result in the further exclusion of women, minorities, youth and persons living with disabilities.

The timing of primaries will be determined by law but will likely be some months prior to polling. In order to attend may require formal accreditation by the electoral body but also agreement of the parties. Diplowatch collaboration will mean that primaries in different parts of the country can be followed, and reports can be shared and consolidated. It is likely that national observers will also follow the primaries, which will be another good source of information.

- iii) **Candidate Registration**: Registration of candidates will take place prior to the start of the campaign, following the primaries. Registration may be centralised at the national level, or decentralised down to the regional or district levels, depending upon the administrative model and electoral type. Registration involves the submission of a defined set of forms and documents and observers can follow the extent to which the management of this is accessible and transparent, with decisions on eligibility taken fairly and in accordance with the law.

If the process is at the national level, then approval to follow proceedings can be sought from the national electoral body. If it is decentralised, then the national body will advise on how to gain access. Feedback should also be sought from parties and candidates on any obstacles they faced, notably in case of rejection of a candidacy. At the conclusion, analysis can be done to assess how inclusive and competitive the election will be, taking account of political cleavages, regional dynamics and participation of women.

It is important to check if the rejection of a candidate was reasonable or not. For instance, it may be due to electoral officials being overly pedantic or not offering advice or time for corrections, which will impact on the integrity of the process and create often avoidable tensions. Problems may also result from the conditions for registration, such as requirements for the collection of an unrealistically large number of signatures or a large financial deposit, which may impact on particular political or social groups or unfairly on women.

- iv) **Voter Registration**: The model for voter registration will vary from country to country and the extent to which observers can follow the process will vary accordingly. For instance, if the voter register is from an established and regularly updated civil registry then it may not be

possible to follow any activity, as such, but rather understand the extent to which the civil registry is adequately inclusive and analyse data from the published voter register, including feedback from parties, civil society.

In cases where an active voter registration drive or update is undertaken, this will likely be well before election day, possibly initiated more than a year before and concluded, many months prior to polling. Observers can gain access to registration centres to follow how it is conducted, assess the technical process to ascertain if there is a requisite balance of inclusion and integrity checks and if the equipment is functioning well, how familiar local communities are with the process, the participation of women, as well as accessibility for persons living with disability.

Building on data collected from published figures, qualitative findings from local observations and also feedback from civil society observers (who may have conducted an audit of the registration) Diplowatch partners should seek to clarify the extent to which there is universal suffrage, based on eligibility criteria, reasonable and inclusive regulations for the registration process and effective management of the registration by the electoral authorities.

Check if any reported gaps in registration unduly affect a particular area of the country and if there are political implications to this. Check also, if the electoral body cites technical challenges, do these claims seem reasonable and understandable or not. The electoral body should ensure universal suffrage and access to the vote for eligible citizens.

b. Pre-Election Period Other Issues of Interest

Many issues during the pre-election period may fall into the remit of the regular work of the mission's political and development teams. However, information gathered relating to these processes will also be helpful in analysing the conduct of the pre-election period and its impact on the overall integrity of the electoral process.

- i) **Boundary Demarcation**: In order for there to be equal suffrage, electoral boundaries should be drawn in a manner which ensures that districts are more or less the same size in terms of voting population. However, boundary demarcation will only be conducted periodically, to be determined by law. It may even be only every 5 or 10 years following a national census, for example. You will need to check the law to be clear what the process is in your respective location.

Analysis can be undertaken based on voter registration data, which is commonly made available by the electoral body, to assess the extent to which there is equal suffrage. An estimate can be done based on the national census, providing this is credible and relatively recent, to gauge the potential eligible electorate and compare this figure to the total number of registered voters. Discuss with civil society and political parties to seek feedback on potential local grievances around registration.

- ii) **Electoral Administration**: The Electoral body will undertake activities throughout the electoral cycle, including developing its strategic plan (which should provide a coherent roadmap for the management of the process and outline key changes), establishing its budget and funding streams (which must be adequate, completed in good time and not subject to delays in tranche disbursement by a ministry) and developing and publishing its election calendar (which should provide a clear and coherent timeline for the implementation of the electoral process).

These activities can be followed at national level to increase understanding of the capacity and effectiveness of the electoral body and potential later risks and challenges. Compare the performance of the electoral body with previous elections, to assess whether or not the body has learned lessons or made the same mistakes over again. Think through what the impact of any shortcomings are, and if they may create tensions or grounds for contestation.

- iii) **Electoral Security Planning**: Electoral security is critical to ensure the process is properly supported and protected, however it should not be so heavy as to unduly limit the rights of stakeholders during the campaign and voting. Coordinated security plans involving the electoral body, police and possibly other security agencies need to be developed, taking account of potential hot spots and risk areas. It is important to check that such plans are in place and are appropriate. It is possible that special electoral / human rights training may be provided to the police, for example. These plans and training activities can be followed, which will help identify if there are any enhanced risks either in terms of security threat or undue security measures.
- iv) **Introduction of ICT**: Increasingly, ICT is being used to support management of the electoral process, such as the biometric registration of voters and for results transmission. It is important that the choice of ICT solution is viable and sustainable. During the introduction phase the electoral body may have stakeholder consultation meetings and will later do public testing of the systems to enhance confidence. These can be followed, enabling an assessment of the quality of the ICT, potential risk areas and also levels of stakeholder confidence.
- v) **Role of Civil Society**: Civil society is often engaged across a broad range of areas in the electoral process, including observing phases such as voter registration, the election campaign, monitoring election violence and voting, counting and results. Groups may also be involved in voter education and also monitoring human rights more broadly. It is important that civil society does not face undue obstacles or intimidation and is able to engage freely in the democratic process. The level of access for civil society groups can be monitored, through regular meetings with such groups, and can provide a good indication of potential restrictions in their observation duties, which will help in the assessment of the environment for the polls.

6. Key Issues and Potential Activities during the Election Period

a. Election Period issues which may involve Diplowatch activity

- i) **Conduct of the campaign**: A lot of information on the campaign will be gathered through everyday work of political teams as well as reports from civil society and media and outreach to political stakeholders. More formal observation is also possible, such as attending rallies to gauge the tone and conduct of events and also to gauge public interest in respective parties/candidates.

A credible and inclusive election campaign, with contestants able to campaign on an equal basis (notably without misuse of incumbency and state resources), respecting freedoms of movement, assembly and expression and without instances of violence or intimidation, is critical for the overall integrity of an election. There may be shortcomings and some incidents, but the general perspective of the campaign on a national basis needs to remain positive. Candidates should be able to get out and about to put their message to voters, people should be free to attend.

The length of a campaign will usually, though not always, be defined in law and can vary from several weeks to several months. Typically, observers will attend campaign events across a broad range of political actors and in various parts of the country to establish the extent to which campaign rights are generally respected.

Accredited observers will have the right to attend rallies but they should also seek to meet representatives of political parties to gain further insight into whether or not they have faced any problems in the conduct of their campaigns. Observers will also be able to observe first-hand how rallies are conducted, any instances of incitement/hate speech by speakers and the behaviour of security forces, as well as assessing the participation of women.

At the national level, observers can also assess the management of the campaign and the extent to which campaign rules are enforced. To do this, they should meet with parties and civil society to verify if there have been complaints and how these have been dealt with by the electoral body or courts, as appropriate. If other international observers are present by this time, they would also be useful interlocutors.

It can be helpful to develop forms for the reporting on campaign events, notably if there are a number of partners collaborating in the Diplowatch, to help provide consistent reporting on issues from across the country. Such a reporting format will enable the Diplowatch team to collect both qualitative and quantitative data on key indicators of campaign rights, incidents and participation, as well as a regional breakdown, in order to help in the overall assessment of the election campaign. Such forms can focus on key issues such as:

- Did the campaign event face any obstacles?

- Were people free to attend?
 - How did the security forces behave?
 - Were there any incidents of violence? If yes, who was responsible?
 - Did speeches include any hate speech or incitement?
 - Were women present as speakers / audience?
 - What was the approximate size of audience?
 - What were the key political messages?
- ii) **Electoral Preparations**: In the lead-up to election day, the electoral body will have to put in place all arrangements for the conduct of polls, including procurement, ballot printing, recruitment, delivery of sensitive (including ballots, ballot box seals and printed voter register) and non-sensitive (ballot boxes and voting screens) materials.

Observers can follow the distribution of such materials, as will party agents and national observers. Identification of gaps in the distribution, such as missing materials or delays, are critical in terms of identifying risks for the process and to what extent this may impact particular areas. Observers may follow-up with the electoral body to raise questions/concerns in this regard. If the Diplowatch involves observers from various embassies then responsibility for different areas, to get a good national sample, will be feasible. Diplowatch teams should maintain close contact with other international observers to supplement their findings, as well as with national observers and party agents to get feedback from stakeholders, which is critical in terms of national confidence.

- iii) **Voting and Counting**: The conduct of voting and counting in polling stations on election day is often the main focus of attention. The extent to which voting and counting has integrity is a vital component, of electoral integrity (see [WFD Electoral Integrity resource](#)).

For voting, the key elements are whether or not polling stations are open on time and properly resourced (materials and staff), if voters can gain unimpeded access free of obstruction or intimidation, if the ID of voters is properly checked, ballots are issued correctly, voters can cast their vote in secret, ballot boxes are sealed, and materials are secure.

Ideally, observers will be operational for up to three days over polling and counting, possibly more depending on geography. The Diplowatch deployment plan should establish a balanced spread, as far as is practicable, of teams to get a good overview. Ideally, teams will be present to enable observation of the opening early on election day. Teams should then be mobile throughout the day looking at voting in a mix of urban and rural areas as far as possible, which is a best practice.

For the polling station count, it needs to be checked that it is done transparently, with agents and observers able to follow, it is reported accurately, with no discrepancies in the figures, party agents get copies of the result (if provided by law) and the outcome is transmitted to the next level for tabulation in a secure and timely manner. If the polling station result form is to be posted at the polling site, which is a fairly

common practice, then observers can take a photo of this, as many others will, and use it to check the later publication of results at the national level, if that occurs. Observers will follow a single count and then, if possible, follow the material to the next level.

It is helpful if the Diplowatch has a reporting format to collect as much data as possible. Examples of forms used by the OSCE/ODIHR, EU and Commonwealth can be found in their handbooks (see footnotes 2, 6 and 7). If electronic transmission of forms on election day is not feasible then regular phone reporting can be used to identify key findings from each team and a debrief after election day. Data from the forms can be used to create a coordinated report on the overall findings of observers on election day. Diplowatch can also plug in to the various observer coordination meetings to share findings. In addition, regular election day contacts are advisable to help build up a good picture from other teams and also identify potential risks, which can be helpful for security.

- iv) **Tabulation and Results**: The transparent, traceable and verifiable tabulation of the result at district/regional and national levels (the pathway will vary country to country and should be well clarified by the teams in advance) is critical for the integrity of the election. Party agents and observers should have access to all aspects of the process. However, in case of electronic transmission this may prove less feasible, and in such a case there may be increased focus on the national level. The extent to which safeguards and transparency measures are built in for checks on the integrity of the electronic transmission vary. In some cases, parties and observers may be given access to the server to conduct checks on the security of the system, in other cases it can be a 'black box' which does not assuage concerns. It is critical that there is stakeholder confidence in the process and the figures. In case there are disputes these must be properly considered and decided upon.

Where feasible, observers should seek to be present at some district/regional tabulation centres, though this will vary on the instructions and requirements of each diplomatic mission, and this may not prove possible. As for voting, it is important to have coherent and consistent reporting on the conduct of the process, identifying issues of concern. Examples of questions/reports forms on tabulation from the ODIHR, Commonwealth and EU can be found in their handbooks (see footnotes 1, 2 and 6).

At the provincial level, continue to discuss the process with civil society, party agents and media representatives to gauge their feelings on the process, identify any particular areas of grievance and weigh the likely merit of a grievance. Check with electoral officials if any formal complaints have been submitted and try to get an insight into these, or copies of the complaint. Try to gauge the extent to which the process is working, and the result is being collated and transmitted to the national level. If there are delays, consider if these are warranted, and the response to any such problems.

Many laws have established timeframes for the results process, giving a deadline for announcement of the final results. Observers should be familiar with this as it will help plan for the observation at the district/regional levels and finally at the national level. Diplowatch teams would likely be present at the national results centre, by virtue of their status as in-country diplomats, but it is also an integral part of the observation. Depending on the number of actors engaged in the Diplowatch, a coordinated schedule for following the national level tally of the result can be established, enabling a round-the-clock presence if required.

Teams should check how the electoral body at the national level is managing the final tallying of the result, if there are any disputes, how these are being managed, if the process is transparent with party agents and observers provided access and copies, and if the final result is provided in a clear and coherent manner, ensuring the outcome is traceable and verifiable, notably by the result being broken down by relevant region and even polling station. It may well be the case that an NGO has undertaken a Parallel Vote Tabulation (PVT) or Quick Count, which can be used as a further point of reference in assessing the accuracy of the official process. Example reporting on this can also be found in the various observer handbooks referenced in footnotes 2, 6 and 7.

- v) **Election Dispute Resolution**: Election dispute resolution is critical throughout the electoral process and the right to a timely and effective legal remedy is an important international standard. There needs to be an established procedure for the receipt, consideration and determination of complaints and appeals, be it by the electoral body and / or relevant courts. Failure to provide an effective legal remedy can undermine the integrity of the process and confidence in the outcome, with resultant tensions.

Observers should follow important court cases and electoral body deliberations on such disputes, notably if, for example, there is a petition against the results of a parliamentary or presidential election. In such an instance, try to attend court sessions, seek copies of documentation from stakeholders and seek to understand the key elements of the case for reporting. Indeed, observers should seek copies of materials as far as possible from complainants, while always being careful to be clear that it is only for information purposes, and observers have no formal role.

It is important to verify that the established procedure for election dispute resolution has been respected, notably in terms of process and timelines. This will be part of the overall assessment of the integrity of the electoral process.

b. Election Period Other Issues of Interest

Media Coverage: Observers follow media coverage of the campaign to assess the extent to which contestants were afforded fair and balanced coverage and if they enjoyed unimpeded access to media. Laws on the responsibility of private media in this regard vary, but it is usually incumbent upon state-owned media to provide such fair and balanced coverage, with no undue bias towards the incumbent. It is also

important to monitor output for hate speech or incitement. Monitoring usually takes the form of both quantitative and qualitative analysis and requires a specialised team. Larger international missions, such as the EU and ODIHR, regularly include such an activity, and there are sometimes also NGOs in-country equipped to undertake this monitoring. In some instances, a national institution such as a media council or broadcasting authority may be formally tasked with such monitoring as well.

It is useful for Diplowatch to seek to gather information and feedback on the role of media in the election, and the extent to which freedom of expression was respected and the nature of the coverage afforded to the contestants. This will form part of the analysis of the campaign. As such, meet with political stakeholders to ask if they have concerns, meet media to increase awareness of how they are covering the campaign and if they face any pressures or legal challenges (including restrictive or intimidating laws) and meet with organisations conducting monitoring to gain access to their findings.

- i) **Digital Communications and Social Media**: The role of social media and digital communications are an increasing area of focus for international observers, reflecting the increasing impact they have on election campaigns and politics. From an observation perspective, the focus is on the level of authenticity of communications/posts, if there are instances of hate speech/incitement and if there are any undue restrictions/limitations on digital media/bloggers. For further insight into how international missions assess the role of social networks in an election, see the recent OSCE/ODIHR Guidelines on this topic.³

It is useful for Diplowatch to seek to gather information and feedback on the issues relating to digital communications, including data protection, the role of social media in the election, the extent to which freedom of expression was respected and the nature of the output and discourse. Also consider how campaigns have used social media, their messaging, outreach and penetration to areas around the country of the various campaigns online. This will form part of the analysis of the campaign together with the media analysis. As such, meet with political stakeholders to ask if they have concerns, meet social media companies to increase awareness of how they are operating, including potentially later raising concerns, talk with a range of influencers and bloggers to assess whether there are any undue restrictions or laws which are used unfairly and meet with organisations conducting monitoring of social media to gain access to their findings.

Given the nature of new information environment in which social media plays a critical role it is important to also consider the extent of disinformation campaigns and digital manipulation of the news environment.

³ OSCE/ODIHR [Guidelines for Observation of Campaigns on Social Networks](#)

7. Key Issues and Potential Activities During the Post-Election Period

Post-election it is important to consider how the electoral process is being strengthened for future elections.

Election Management Body (EMB) Lessons-Learned: Following an election, the electoral body should conduct a lessons-learned exercise with its own staff and also where possible include feedback from civil society and political stakeholders. This exercise will help inform the electoral body on areas in need of improvement, notably with regard to the administrative management of the process, with ideas on how best to go about this. It is important that an electoral body is rarely responsible for legislation, therefore it is helpful if the main focus is on regulations and administrative procedures, which are more likely to be within the body's remit. Suggestions for legislative change may be valid but will likely need to be passed on to the parliament and/or relevant ministry. It can be useful to monitor this process and identify ways in which it may even be supported, notably by encouraging consideration of observer recommendations in the exercise.

- i) **EMB Strengthening:** In the months and years following the election, the electoral body should undergo strengthening, including capacity building, purchasing of equipment, development of resources (including training handbooks and outreach materials) and recruitment for new positions, based on the lessons-learned and its own internal needs. This may be particularly pertinent if there is a high degree of staff turnover, which is quite common for electoral bodies.

Check how appointments are made to the electoral body, including at national (commission) level, technical departments, provincial and district and local levels, as appropriate. Is there any controversy around this and how is it impacting on political and public confidence?

The electoral body may also engage with external institutions and processes, such as other electoral bodies, international organisations, international supplier companies, to address its needs. International partners may be well placed to help facilitate these connections.

- ii) **Reform process:** Following an election, and ideally in good time⁴ before the next election, a country may undertake a formal and wide-ranging or informal process of reform. Ideally such a process should be inclusive, to ensure there is consensus on addressing a broad range of issues identified by the EMB, national stakeholders and observers.

⁴ Good practice is that changes to the electoral legislation should not take place within six months to one year of an election. See for example: The European Commission on Democracy through Law (Venice Commission) Guidelines on Elections (2002), which has a limit of one year and the ECOWAS Protocol on Democracy and Good Governance (2001), which has a limit of six months. See: See EU Compendium of International Standards for Elections: <https://www.eods.eu/library/Compendium-EN-N-PDF.pdf>

International Election Observation and the Role of a Diplowatch

The process for reform can be challenging and is often highly politically contentious, particularly if it includes the electoral system and political finance. However, it could be useful to monitor this and identify ways in which the process could be supported⁵, including by encouraging the consideration of observer recommendations.

⁵ See “Supporting Electoral Reform: A Practical Guide”, WFD (2021)

Annex: International Election Observation: Background, Practices and Principles

The Development of International Election Observation Practices

International election observation has been going on in various formats since the 1960s and 1970s, when, for example, the British Commonwealth deployed a number of missions. International observation, as we know it today, was largely developed from the late 1980s and early 1990s, when the UN deployed large-scale missions in Namibia in 1989 and South Africa in 1994, and the EU in West Bank/Gaza in 1995/96. However, at this time established institutional methodologies had not been developed or published.

The 1995 publication of the OSCE/ODIHR handbook⁶ for election observation was significant, as it established a methodology for a major international organisation. This methodology was highly influential also for the EU when it published its Communication (2000) on election observation and its own handbook⁷, and to a large extent the practice of international election observation as we know it today continues to largely reflect the ODIHR ideas from 1995, albeit today the issue-range has deepened and widened.

This new approach aimed to institutionalise election observation, providing a more consistent, transparent, coherent and credible format. For ODIHR and EU, two of the major inter- governmental organisations conducting observation, this institutionalisation also enabled them to create a coherent link with their respective parliamentary partners, the OSCE Parliamentary Assembly and European Parliament.

It is important to note that practices between various organisations continue to vary, reflecting their differing financial and human resources, their commitment to seriously addressing problems in the election and the extent to which they engage in public commentary as against behind doors diplomacy. As such, international election observation continues to be practiced in a variety of ways, with varying degrees of credibility and impact.

However, the ‘new methodology’ developed and adopted by some of the better resourced institutions committed to undertaking observation in a credible and more consistent manner, highlighted the value of a “long-term” approach, with missions often, but not always, deployed for one-to-three months. This enabled the move from a sole focus on election day and a wider focus beyond the capital. Such missions have a core team of experts to manage the analytical and operational aspects and

⁶ <https://www.osce.org/files/f/documents/5/e/68439.pdf>

⁷ https://www.eods.eu/library/EUEOM_Handbook_2016.pdf

long-term observers deployed to the various regions to follow the campaign. Short-term observers and parliamentary groups supplement this long-term deployment to bolster the mission's numbers and profile over the election period itself. The African Union has now developed its own long-term approach, with similar processes and institutional relations. Other institutions have a slightly different organisational approach, reflecting their own institutional needs (see below).

The mandate of such missions includes consideration of all factors affecting the conduct of elections, including assessing the legal framework, role of the election administration, voter and candidate registration, conduct of the election campaign, the role of media, voting, counting, tabulation, results and election dispute resolution. In more recent years, analysis has developed further to include more comprehensive consideration of issues such as participation of women, accessibility for persons living with disability, campaign finance and the impact of social media on the process.

The signing of the Declaration of Principles (DoP) on International Election Observation in 2005⁸ further consolidated the methodology. The DoP, which is signed by most major governmental and non-governmental organisations and bodies conducting observation highlights that missions should endeavour to ensure the systematic, comprehensive and accurate gathering of information concerning the laws, processes and institutions related to organising genuine democratic elections; the impartial and professional analysis of such information; and the drawing of conclusions about the character of electoral processes based on the highest standards for accuracy of information and impartiality of analysis and the reporting of those findings.

A key feature of the established methodologies and the DoP is the linking of the assessment of a process to established relevant international and regional standards, which the observed country has committed itself to.⁹ Thus, missions are not making judgements based on arbitrary or imposed criteria, but rather on the basis of transparent criteria most relevant to the country. It should be highlighted that while a country may have committed itself to such regional standards they are not always adhered to in practice and may not necessarily be binding or with consequences for non-compliance.

Election observation seeks to provide value and utility in a number of ways. The deployment of an international observation mission to a country at the time of an election is very much support for development of the country's democratic institutions and procedures, as such it is a collaborative and supportive endeavour. At the same time, it is, by assessing the process in the context of a country's adherence to relevant regional and international standards that shortcomings and gaps in the process can be identified, providing a roadmap to future improvements

⁸ <https://www.ndi.org/DoP>

⁹ See EU Compendium of International Standards for Elections: <https://www.eods.eu/library/Compendium-EN-N-PDF.pdf>

through recommendations for reforms. By the visible presence of a mission in a country there will hopefully be support for positive trends and an attempt to prevent negative trends. Hopefully also the presence of a mission may minimise violence, fraud or intimidation and limit excesses, such as abuse of the legal process.

As a key output, missions can also offer an informed and impartial assessment, which can be useful to help increase confidence in the outcome and for identification of future necessary reforms. They can also offer recommendations for necessary changes in practices and legal reforms etc, thereby helping strengthen the process in the future. Some organisations, such as the AU, Economic Community of West African States (ECOWAS), Southern African Development Community (SADC) and the Commonwealth, also select a high-profile Head of Mission, such as a current or former head of state from a relevant regional neighbour, who can engage with national political leaders in a Good Offices role in case of a crisis.

Most institutions issue a public post-election statement within 24-48 hours after Election Day. The logic being that this is the moment of most intense interest in the assessment and also it avoids becoming embroiled in the results and a link between outcome and assessment. However, this means it needs to be clearly flagged that the statement is preliminary and critical aspects of the tabulation and results are on-going.

The value and impact of election observation continues to be debated within organisations, between them, such as through the DoP, and between practitioners and interested academics. Such discussions focus on the need for international observers to take account of a broader range of issues in order to make their assessment, such as the participation of women and the role of social media. But there are also concerns expressed that some missions in their assessments provide a too positive prognosis of the quality of an election, either because of their institutional shortcomings or a lack of political will to publicly address problems and thereby provoking tensions with the host country. Reports can also be instrumentalised, with local media taking one aspect of a report and providing an overly positive impression of the election or the opposite.

Models Utilised by International Organisations for Election Observation

i) Election Observation Missions

The models for the deployment of so-called full International Election Observation Missions vary somewhat but also have many common elements. Institutions such as the AU, The Carter Center, European Union (EU), International Republic Institute / National Democratic Institute (IRI/NDI)¹⁰, Organization of American States (OAS) and the OSCE/ODIHR and regional non-governmental organisations such as the Asian Network for Free Elections (ANFREL) and the European Network of Election Monitoring Organizations (ENEMO), deploy full missions, which can number tens or

¹⁰ IRI/NDI may deploy separate missions, but increasingly, given that they secure funding from the same source(s), their missions are joint undertakings.

even hundreds¹¹ of persons, including: a core team based in the capital to manage the mission; long-term observers deployed to the various regions to observe the election campaign and preparations; and short-term observers to cover voting and counting.

While ODIHR is committed to engaging with some form of electoral team in each participating State¹², the deployment of a “full” Election Observation Missions (EOMs) will depend on the assessed need of a specific election, plus also the organization only has a limited budget and “full” missions are expensive. The EU typically deploys some eight EOMs in a year, focusing on priority countries. This reflects the approach of others also, and there can be an overlap in priority countries, so some elections attract many missions while others have few or none.

The EU team will be led by a Member of the European Parliament (MEP). The African Union typically has a current or former African Head of State or senior political figure. The ODIHR head of mission is appointed by the ODIHR Director, following a recruitment procedure. ODIHR cooperates closely with the OSCE Parliamentary Assembly to facilitate parliamentary observers participating in election observation missions. IRI/NDI missions often have a joint leadership mixing a relevant regional political figure with a senior US political figure. The leadership of missions will typically be in-country for a limited period over the election day itself, to provide visibility and deliver the public statement.

Such “full” missions typically will have a long-term technical team active in the country for two-three months and will have an extensive reporting system, including electronic reports on election day. Missions usually issue a preliminary public statement 24-48 hours after the poll and a public final report within 2-3 months. Such missions clearly require substantial financial resources, major logistical support and access to specific expertise and a large number of suitably qualified members.

Alternate EOM models include the Commonwealth¹³, which deploys teams to member countries comprising some 10-20 eminent persons, such as members of election commissions and MPs from Commonwealth countries. This team is present in-country for approximately two weeks. While Commonwealth teams are present for a relatively short period, they do consult broadly, and their reports do cover all aspects of the process in their analysis.

¹¹ Carter Center and IRI/NDI tend to have a core team and long-term observers, but deploys smaller STO teams than the others, often using a short-term high-level delegation to supplement the long-term team. On occasion, IRI/NDI may also work in support of domestic observers, for instance by assisting in the organisation of a parallel vote tabulation.

¹² Of the 57 participating States OSCE/ODIHR has deployed some form of electoral team to 56, the exception being the Holy See.

¹³ See Commonwealth Handbook on Election Observation: https://production-new-commonwealth-files.s3.eu-west-2.amazonaws.com/migrated/inline/GPD_Handbook_Election_Observation.PDF

ii) Election Expert Teams

If the deployment of large-scale or relatively large teams across many weeks or months of the election is not feasible then the deployment of small expert teams¹⁴ is fairly common. This model is employed by many institutions and enables a more flexible, cost-effective and targeted approach, which may be more useful in many situations. Institutions such as the EU and ODIHR regularly deploy smaller Expert teams, comprising externally recruited consultants. Such an approach enables them to deploy teams to a broader range of countries than if they only used the larger, more expensive, EOM model. In the UK context, for example, WFD has deployed such teams to Gambia, Kenya and the Philippines, among others. The team was structured to reflect agreed priority areas and worked in close cooperation with the local embassy, sharing information, reporting to the embassy and responding to questions and concerns relating to the process as they arose.

For example, if it is decided that there is a need to assess one aspect of the pre-election environment, such as the registration of voters, party primaries or role of social media, then an appropriately small team of experts¹⁵ could readily be mobilised and deployed for days or weeks for the purpose of a targeted observation. In such an instance, reporting would likely be internal, but their findings could be a useful source of information in terms of policy and messaging as well as identifying potential areas for future reform and technical or financial support to the process.

An expert team, often only needing one or two suitable persons, such as an election expert and possibly a political expert, can be deployed to conduct a pre-election assessment or electoral political economy analysis, incorporating also a risk assessment of the process. Such an assessment, which typically takes some two to three weeks, can help map out potential areas of risk in the upcoming process and also targeted areas for intervention in the form of necessary reforms and/or technical support.

Expert teams can also be used to report on the election more broadly. Such teams often comprise some 2-3 experts including profiles such as Election Expert, Legal Expert and Media Expert, able to analyse and report on all aspects of the electoral process based on some physical observation and a broad range of meetings with stakeholders in many parts of the country over a period of three-four weeks, depending on the size of the country. Such teams would not pretend to offer a comprehensive observation of election day, some reflections also on polling could be included based on some first-hand reporting but also credible reports from larger groups, such as trusted citizen observers.

¹⁴ The composition of such a team will vary depending on the need or circumstance. In addition to the key skill sets such as an election expert, legal and media experts, it might be a useful model to also incorporate local expertise to support and supplement international team members.

¹⁵ The size of such teams will vary on a case-by-case basis but are often between 1-3 persons depending on the task at hand and the expertise required.

The final area for the potential deployment of an expert team is follow-up reporting to consider areas for longer-term reform and support, assessing what has changed since the last election and what still needs to be changed in order to enhance the credibility of the future election and improve political confidence in the process. Such a deployment, which typically lasts some two weeks, could take place for instance mid-term between polls or to coincide with an on-going reform debate within the country.

iii) Citizen Observers

In many countries, civil society groups may be active in observing the process both during an election and 'between the ballot boxes'. Such engagements offer the advantage of having a permanent on-the-ground presence as well as local expertise. As such, it is quite common for international partners to provide funding and/or expert assistance to local observer groups to enhance their capacity and increase the viability of their efforts. Domestic, or sometimes called Citizen, Observer Groups regularly deploy many hundreds or even thousands of observers to cover the election campaign and voting and counting etc. These missions represent a major involvement of a country's citizenry in their own elections and can help to enhance national ownership as well as transparency and accountability in the process.

There can often be a good relationship between international actors (be it formal observer groups or in-country diplomatic missions, which will be very familiar with NGOs active in this domain) and citizen observers, including sharing of information and coordination on deployment. Further, international actors can assess the extent to which the participation of citizen observers is being facilitated by the authorities or if, for example, they face obstacles in securing accreditation or any pressure or intimidation.

Some Important Principles for International Election Observation Missions

Accredited international observers are usually bound by a Code of Conduct issued by the local electoral authorities. In any case, the Declaration of Principles includes a Code of Conduct, which is fairly standard. Such Codes provide observers with both their rights (to follow the electoral process, meet stakeholders etc) as well as responsibilities. Failure to adhere to it can undermine the integrity of the exercise. While Codes may include a number of points, there are three vital ones: Independence, Non-Interference and Impartiality.

Observers should be independent of undue influence on their work or findings. This means that all operational aspects should be taken care of by the organisation without national actors, such as electoral commission or ministry, taking care of things. Conversely the observation findings should reflect the mission's findings and not be skewed by political interference.

Observers have no executive authority, their activities are limited to observing, meetings and reporting and must not interfere. Observers must not give instructions

to electoral actors and should not take responsibility for implementation of the election, for instance by providing assistance in transporting material etc.

International observers do not have a political stake in the election and must be impartial. This includes ensuring the observation mission gains a broad range of feedback and does not limit itself to a narrow range of interlocutors. It also includes ensuring observers are deployed to a broad range of areas and do not go solely chasing problems or particular stories. If an observation mission is issuing a public statement, and Diplowatch activities may not be doing so, it should reflect positive aspects of the process as well as problems observed.

The DoP stresses that cooperation with other Observer Groups is a best practice. Since the signing of the DoP, in fact, cooperation and coordination has become more common practice, for instance with pre-election and post-election meetings between missions to share information and operational details. In addition, missions will share contact details of observers deployed to the regions so that teams on the ground can be in contact and coordinate. Cooperation also includes national observers, with international missions having regular meetings and exchanges of information throughout the course of a mission.

Active Diplowatch members should establish contacts with the international observer teams arriving for the polls, have regular pre-election meetings and attend the various formal gatherings. Further, the findings from all of the suggested activities throughout the electoral cycle (see below) can be shared with incoming international observer groups in order to build up their deeper understanding of the electoral process. It may be the case that some international missions seek to maintain a distance from the broader diplomatic community, as a rather assertive manifestation of their independence and limit themselves to their respective members (e.g. EU EOM with EU Member States etc). But some groups will be open to such exchanges.

In keeping with the constructive nature of international observation it is common for an observation mission to include a number of recommendations as part of their final report, with the intention of offering some suggestions as to how significant flaws can be addressed and the process may be further improved in the future.

Recommendations should be based on international standards and best electoral practices and not merely an example from the observers' own country. At a suitable moment in the electoral cycle there can be follow-up¹⁶ on the recommendations, identifying which have been addressed and which remain outstanding, with possible engagement to help take them forward in good time prior to the next polls.

Experience shows that recommendations for legislative and particularly constitutional change are far harder to achieve compared to more technical administrative aspects. However, it may be the case that legal change is important for future improvements and so still worth highlighting.

¹⁶ See, for example: <https://www.osce.org/odihr/elections/244941>