



EUROPEAN DOMESTIC ELECTION OBSERVER FORUM

**Strengthening the Capacity of Domestic Election Observation in
the European Region**

Zagreb, June 25-29, 2003

Organized by the

Network of Europeans for Electoral and Democracy Support (NEEDS)

Funded by the European Commission

With complementary funding from the Ministry for Foreign Affairs of Finland

And the

Organization for Security and Co-operation in Europe

Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

With funding from the State Department of the United States of America

With participation by the National Democratic Institute for International Affairs (NDI)

Summary of Agenda

Wednesday, June 25

Day 1 -

Facilitating Democratic Transition for Over a Decade: Lessons Learned and Ongoing Challenges for Domestic and International Election Observation

Introductory Interventions

The 1990 OSCE Copenhagen Document: A Milestone in International Support for Domestic Election Observation

European Union Expansion and Domestic Election Observation: The Importance of a Vibrant Civil Society In Today's Europe

Building on Over a Decade of Shared Achievement: Strengthening the Capacity of Domestic Election Observation in Europe

Session I: The Evolution of Domestic Election Observation in Europe: Examples of Different Stages of Development and Corresponding Issues

Session II: Domestic Election Observation in other Regions: Africa, Asia and the Americas

Session III: Developments in International Election Observation and Current Initiatives on International Election Standards

Thursday, June 26

Day 2 -

Strengthening Domestic Election Observation: Organization, Structure, Professionalism, Non-partisanship and Reporting

Session IV: Founding Principles and Organizational Issues

Session V: Post Election Organization and Structure: Defining a Potential Post-Election Role for Domestic Election Observer Organizations

Session VI: Reporting: Data Collection, Analysis And Presentation of Findings

Friday, June 27

Day 3-

Advancing Standards for Domestic Election Observation: Towards a Common Approach and Improved Cooperation

Session VII: Developing a Common Approach for Domestic Election Observation

Session VIII: Cooperation with Domestic and International Actors

Session IX: Cooperation among Domestic Observer Groups

Saturday, June 28

Day 4 – Workshops: Advanced Monitoring Methodologies

Three Pairs of Concurrent Working Group Sessions

Workshop I: Defining the Electorate: Auditing the Voter Registration Process

Workshop II: Scrutinising Campaign Finance and Use of State Resources

Workshop III: Legal Analysis and Lobbying for Election Law Reform

Workshop IV: Party and Candidate Registration

Workshop V: Media Monitoring: Methodologies for Assessing Fair Access to the Media

Workshop VI: Parallel Vote Tabulations

Sunday, June 29

Day 5 – Closing Plenary - Domestic Election Observation in Europe: The Way Forward

I. Introduction

The European Domestic Observer Forum is being organised and funded jointly by the *Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR)* and the *Network of Europeans for Electoral and Democracy Support (NEEDS)*. The forum also benefits from the participation of the National Democratic Institute for International Affairs (NDI), which has a long experience working with domestic observer organizations in Europe and other parts of the world.

The ODIHR co-ordinates and organizes the deployment of thousands of international observers every year to assess whether elections in the OSCE area are in line with national legislation and international standards. It also provides technical assistance, including in the field of domestic election observation and is shortly to publish a handbook for domestic observer organizations. ODIHR funding for this project has been provided by the State Department of the United States of America.

The NEEDS Project is primarily funded by the *European Commission* with complimentary funding provided by the *Ministry for Foreign Affairs of Finland*. It comprises a network of European institutions and non-governmental organizations which have joined efforts to support the transparency and strengthening of democratic processes through a series of training programs designed for personnel serving in EU Election Observation Missions. The NEEDS Project builds upon previous EU support for domestic election observation through four regional capacity building forums in Europe, Africa, Asia and Latin America.¹ As an outcome of these regional meetings, NEEDS intends to produce a comparative handbook on domestic election observer best practice from a cross regional perspective.

The European Domestic Election Observer Forum is being organised in recognition of the integral role that domestic observers have played in facilitating and consolidating democratic transition in Europe since 1990, and is intended to further strengthen the capacity of domestic election observation in the region. Both the OSCE/ODIHR and the European Commission have demonstrated their commitment to domestic observation in the past through political and financial support.

The objectives of the forum are in line with both the OSCE Copenhagen Document (1990), and the European Commission Communication on Electoral Assistance and Observation (2000).

“The participating States consider the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place...” OSCE Copenhagen Document 1990

“the EU should adopt a strategy which...emphasizes support to local observers, who can play a key role in the development of democratic institutions.” European Commission Communication on Electoral Assistance and Observation 2000

Furthermore, the European Parliament ***“Stresses the role of national observers and civil rights organizations in the electoral process, both in itself and as part of the learning process leading to the stabilisation of democracy in the countries concerned...”*** European Parliament Report on the Commission Communication on Electoral Assistance and Observation (2001)

¹ The NEEDS Project is comprised of Abo Akademi University (Finland), the Austrian Study Centre for Peace and Conflict Resolution (Austria), Electoral Reform International Services (ERIS) (UK), Osservatorio di Pavia (Italy), and Scoula Superiore Sant'Anna (Italy).

The European Domestic Election Observer Forum builds on previous gatherings of non-partisan domestic observer organizations from Central and Eastern Europe, South Eastern Europe and the former Soviet Union, most notably the OSCE/ODIHR Human Dimension Seminar on Election Processes in Warsaw (2001), the NDI Domestic Monitoring Roundtable in Budapest (2000), and meetings of the European Network of Election Monitoring Organizations (ENEMO).

The OSCE/ODIHR and NEEDS would like to thank the Citizens Organised to Monitor Elections (GONG) for kindly assisting with the preparations for this forum.

II. Background

The emergence of non-partisan domestic election observer organizations has been a dramatic development for democratic transition processes. In the past decade and a half, they have demonstrated that a credible and non-partisan domestic observer effort can increase public confidence and enhance the integrity of the election process. The credibility of domestic non-partisan election observation has rested upon a number of principles, including that the organization:

- is open and fair to all political parties and candidates
- expresses a commitment to the process rather than to the outcome
- issues public statements that are balanced and factual

The potential for mobilizing large numbers of citizens to safeguard the democratic election process first emerged in the Philippines, with the efforts of the National Citizens' Movement for Free Elections (NAMFREL) during the 1986 presidential election. Realising the tremendous potential that the NAMFREL example held for other countries attempting democratic transition, the National Democratic Institute for International Affairs (NDI) has since been instrumental in promoting and further developing the concept of domestic election observation around the world.

The NAMFREL model was adopted in Latin America during the 1988 Chilean plebiscite, and then in South East Europe with the founding of the Bulgarian Association for Fair Elections (BAFE) and Romania's Pro Democracy Association (PDA). Since then, thousands of citizens from South Eastern Europe, Central and Eastern Europe and the former Soviet Union have volunteered their time and efforts as domestic election observers.

There are essentially three generations of domestic election observer organizations in Europe. The ***first generation*** emerged in South East Europe in the immediate aftermath of the fall of the Berlin Wall. The ***second generation*** emerged in the aftermath of the disintegration of the former Soviet Union and the former Yugoslavia in the early to mid 1990s. The ***third generation*** emerged in the mid to late 1990s, and are attempting to exploit the limited democratic openings that still characterise several countries in the region, most notably in the South Caucasus and Central Asia.

Domestic observers, like their international counterparts, soon recognised that irregularities do not necessarily occur only on election day. They have therefore expanded their efforts beyond mobilising observers on election day to undertake activities such as: analysis of the election law, auditing of voter registers, review of party and candidate registration procedures, review of constituency boundary delimitation, review of campaign finance regulations, monitoring of complaints and appeals and media monitoring.

Domestic observer organizations have also found a role for themselves in the post-election period through activities such as advocating election law reform, organising citizen forums and public policy debates, and organising parliamentary “watchdog” programmes.

Election observation by domestic non-partisan civic organizations is now well established, and an activity that cannot be easily dismissed or ignored. However, despite the increasing recognition of domestic observation, several challenges remain. In order to address these challenges, the European Domestic Election Observer Forum will focus on the following objectives.

III. Objectives

- Assess lessons learned from the past decade and a half of experience, share best practices and improve networking and cooperation between domestic observer groups within and outside the European region.
- Review how domestic observer organizations organise their internal structures in a manner that best enhances their professionalism and credibility as non-partisan actors, and which best meets the needs of the organization in the pre-election, election and post-election environment.
- Examine new and specialised activities undertaken by domestic observer organizations to achieve a more comprehensive observation and consider factors relevant to observation during the various stages of democratic transition.
- Identify ongoing examples of government limitations that could obstruct effective domestic election observation, and consider domestic observer strategies to address this problem.
- Examine how domestic observers relate to current international initiatives to advance democratic election standards, and discuss the utility for domestic observer organizations of developing and agreeing standards that outline a consistent approach for this activity.
- Examine operational synergies in the field between international and domestic observers, including a broader role for domestic observer groups to follow the implementation of recommendations resulting from election observation reports.

IV. Participation

Participation will include:

- Representatives of non-partisan domestic observer organizations from across Central and Eastern Europe, South Eastern Europe and the former Soviet Union.
- Representatives of the NEEDS Project, the European Commission, the OSCE/ODIHR, and individual experts.
- Representation from the National Democratic Institute for International Affairs (NDI).
- Representatives from domestic observer organizations in Africa, Asia and Latin America who will be invited to contribute a cross regional perspective to the meeting, and serve as a

common reference point for the development of region specific agendas for the other regional domestic observer forums intended within the scope of the NEEDS project.

V. Organisation

The venue for the Forum is the Hotel Dubrovnik, Zagreb, Croatia.

The Forum will open on Wednesday, 25 June 2003 at 09:00. It will close on Sunday 29 June 2003 at 12.00.

Discussions will be in English with simultaneous interpretation into Russian.

VI. MEETING AGENDA

Tuesday, June 24

Arrival of Participants

Evening

Welcome Reception – Museum of Art

Day 1

Wednesday, June 25

Facilitating Democratic Transition for Over a Decade: Lessons Learned and Ongoing Challenges for Domestic and International Election Observation

09:00 – 9:30

Welcome and Introduction

Representatives of the European Commission, the OSCE/ODIHR and the NEEDS Project

09:30-10:00

The 1990 OSCE Copenhagen Document: A Milestone in International Support for Domestic Election Observation

Speaker:

Nikolai Vulchanov, Acting Head of ODIHR Election Section

The OSCE has helped considerably to advance the cause of domestic election observation, by officially endorsing the practice in the 1990 Copenhagen Document. The ODIHR has consistently offered support to domestic election observation as an activity, even when domestic observer organizations encountered resistance from their own governments. Further, throughout the past decade, the ODIHR has persevered in sensitising OSCE participating States to the value of domestic election observation, and encouraged them to live up their to commitment that domestic observation “can enhance the electoral process for States in which elections are taking place”. A gradual consensus has evolved on this issue, culminating in the 2001 Human Dimension Conference on Election Processes at which there was widespread support from OSCE participating States for domestic observation. However, challenges still remain in some countries of the region.

10:00 - 10:30

***European Union Expansion and Domestic Election
Observation: The Importance of a Vibrant Civil
Society in Today's Europe***

Speaker:

**John Cushnahan, MEP
EU Chief Observer in Sri Lanka (2000 and 2001) and
Pakistan (2002)**

The European Union has made a concerted effort to strengthen Eastern Europe's NGO sector to promote democratic consolidation in countries in the region with a view to their future integration into the EU. There is therefore a heightened interest and emphasis on the ability of civil society throughout the region to fully realise its potential to promote transparent democratic institutions and to hold public officials and institutions accountable. It is essential that domestic election observers continue to demand that governments across the region deliver meaningful and transparent democratic election processes and continue to be involved in the consolidation of democratic institutions.

10:30 - 11:00

Break

11:00 – 11:30

***Building on Over a Decade of Shared Achievement:
Strengthening the Capacity of Domestic Election Observation
in Europe***

Speaker:

**Patrick Merloe, Senior Associate and Director for Election
Programs, National Democratic Institute for International
Affairs (NDI)**

Since 1990 domestic observation organizations have made a significant contribution to safeguarding the integrity of the election process in the European region. After initially focusing primarily on election day, many organizations have expanded their focus to look at administrative and contextual factors of the election process, including election law analysis, voter registration, boundary designation, media monitoring and campaign finance. Meanwhile, as the early years of democratic transition are now beginning to recede in much of the region, there are instances in which formally democratic electoral procedures are now established, but real competition is still obstructed. This may be due to the lack of an ethical approach to the conduct of elections, and the fact that political will cannot be legislated. There are also national examples where the door to democratic governance has still not been opened. While much has been achieved, many challenges remain.

11:30 - 13:00

**Session I: The Evolution of Domestic Election Observation
in Europe: Examples of Different Stages of Development and
Corresponding Issues**

Moderator:

**Gerald Mitchell (NEEDS)
Discussants: Pro Democracy Association (Romania), GONG
(Croatia) and Coalition for
Democracy and Civil Society (Kyrgyzstan)**

There are in essence three generations of domestic observer groups in Europe, which have emerged in diverse political contexts and are at varying stages of development. Some groups

are still trying to establish themselves in the face of authoritarian and semi-authoritarian governments, while others have successfully navigated the initial democratic transition and are now engaged in supporting democratic consolidation. In order to establish greater dialogue and cooperation among domestic observer groups in the region, it is first necessary to get an up to date picture of their respective stages of development and issues of concern.

13:00 – 14:00

Lunch

14:00 - 16:00

Session II: Domestic Election Observation in other Regions: Africa, Asia and the Americas

Moderator:

Andrew Bruce (ODIHR)

Discussants:

Reginald Matchaba-Hoeve (Zimbabwe Election Support Network), Percy Medina (Association Civil Transparencia - Peru), Dr. Paikiasothy Saravanamuttu (Centre for Monitoring Campaign Violence - Sri Lanka), Sherrilynn Bevel (Miami-Dade Electoral Reform Coalition - USA)

The Forum will benefit from the participation of participants from Africa, Asia and Latin America, who will provide an overview of domestic election observation in their respective region. This will give European participants the opportunity to approach the topic under discussion from a broader global perspective. Regional participants will participate throughout the week, and are invited to comment on issues under discussion from their own regional experience.

16:00 - 16:30

Break

16:30 - 17:30

Session III: International Election Observation and Resulting Initiatives on Election Standards

Moderator:

Gerald Mitchell (NEEDS)

Discussant:

Nikolai Vulchanov (ODIHR), Elsa Fenet (European Commission), Pat Merloe (NDI)

During the past decade and more, the OSCE/ODIHR, often in conjunction with the Council of Europe and the European Parliament, has observed well over a hundred elections in the region. The European Union also deploys an average of eight election observation mission a year to many parts of the world. This collective body of experience has enabled the progressive development of international standards related to elections. This session will review several initiatives underway, both in Europe and other regions of the world, to codify international norms and standards that consolidate best practices for democratic elections. The session will also look at how domestic observers view and relate to these initiatives.

Day 2

Thursday, June 26

Strengthening Domestic Election Observation: Organization, Structure, Professionalism, Non-partisanship and Reporting

09:00 - 11:00

Session IV: Founding Principles and Organizational

Issues

Moderator: Simon Osborn (NEEDS)
Discussants: Pro Democracy Association (Romania), Committee of Voters of Ukraine, For the Sake of Civil Society (Azerbaijan)

This session will review organizational structures that best reinforce the principles of professionalism and non-partisanship. Issues to be addressed include: founding principles, internal organization and structure; decision making procedures; establishing and relating to an Advisory Board; co-operation with field offices; co-ordination with coalition partners; recruitment; training; fundraising and follow-up with volunteers. The session will also consider structures that facilitate good relations with other domestic observer organizations, the government, the national election administration, political parties, the court system, national minorities, and the media.

11:00 - 11:15 Break

11:15 - 13:15 Session V: Post Election Organization and Structure: Defining a Post-Election Role for Domestic Election Observer Organizations

Moderator: Karen Gainer (NDI)
Discussants: Obcianske Oko (Slovakia), Republican Network of Independent Monitors (Kazakhstan), GONG (Croatia)

While the catalyst for the formation of domestic organizations that conduct election observation has often been transitional or contentious elections, some groups have defined a post-election role for themselves which keeps their structures intact and volunteers mobilized between elections. Such activities have included civic education, legal reform, parliamentary watchdog efforts and policy advocacy. This session will look at how domestic observation organizations have successfully adapted to the post-election period and developed appropriate structures to meet new objectives.

13:15 - 14:30 Lunch

14:30 - 16:00 Session VI: Reporting: Data Collection, Analysis and Presentation of Findings

Moderator: Mark Stevens (NEEDS)
Discussants: MOST Citizens Association (former Yugoslav Republic of Macedonia), Centre for Free Elections and Democracy - CeSID (Serbia and Montenegro), It's Your Choice – IYC (Armenia)

Balanced and factual reporting is essential for a non-partisan domestic observer organization to play a constructive role and maintain its credibility. Public reporting can include pre-election reports on specific issues or particular events, and election day and post-election reporting based on observer reports and parallel vote tabulations. This session will look at the timing and nature of reporting, use and analysis of accurate and verified information, presentation of findings and the formulation of recommendations.

16:00 – 16:30

Break

16:30 – 17:30

Session Continues

Evening

Group Dinner

Day 3

Friday, June 27

Day 3 – Advancing Standards for Domestic Election Observation: Towards a Common Approach and Improved Cooperation

09:00 – 10:30

Session VII: Developing a Common Approach for Domestic Election Observation

Moderator:

Simon Osborn (NEEDS)

Discussants: Asociacion Civil Transparencia (Peru), GONG (Croatia), and LADOM (Moldova)

Current initiatives towards the further development of international standards for elections underline the timeliness of discussing a common approach to domestic election observation. In order to assess an election process in a consistent and comprehensive manner, there could be a utility to agreeing upon common standards for domestic election observation. These could include an outline of the rights and responsibilities of domestic observers.

10:30 - 11:00

Break

11:00 – 13:00

Session Continues

14:30 – 16:00 Session VIII: Cooperation with Domestic and International Actors

Moderator:

Holly Ruthrauff (ODIHR)

Discussants:

Centre for Democratic Transitions – CDT, (Serbia and Montenegro), Voice Coalition (Russian Federation), Gerald Mitchell (NEEDS)

Domestic observer organizations have to build and maintain good relations with a broad array of actors and institutions, including: election authorities, relevant government ministries, political parties, other NGOs, the media and international organizations. This session will explore ways in which cooperation between domestic observers and other actors can be effective and will include a focus on how domestic and international observer organizations can work together to promote the implementation of recommendations that result from election observation missions. Participants will also have the opportunity to discuss approaches that strengthen cooperation between international and domestic observers.

16:00 – 16:30

Break

16:30 – 18:00

Session IX: Co-operation among Domestic Observer Groups

Moderator:

Committee of Voters of Ukraine (CVU)

Discussants:

Centre for Free Elections and Democracy – CeSID (Serbia and Montenegro), International Society for Fair Elections and Democracy – (ISFED), Partnership (Belarus)

Since the emergence of domestic observation, domestic observer groups have benefited from exchange of experience with their counterparts in other countries in the region. This has included observation of elections and the provision of technical assistance. It has also resulted in the formation of the European Network of Election Monitoring Organizations (ENEMO). This session will evaluate cooperation to date and look at ways in which it could be enhanced in the future.

Day 4

Saturday, June 28

Advanced Monitoring Methodologies

08:30 - 10:30

Two Parallel Workshops

Workshop I:

Defining the Electorate: Auditing the Vote Registration Process

Workshop Leaders:

Anders Eriksson (NEEDS), Percy Medina (Asociacion Civil Transparencia - Peru), Patrick Merloe (NDI)

The auditing of election registers can be a critical part of a domestic observer effort. It is a decentralized and labour intensive activity that requires the mobilisation of volunteers. This workshop will address issues such as: unreasonable registration criteria, inadequate voter education, failure to respect procedural due process, intimidation, appeals process.

Workshop II:

Scrutinising Campaign Finance and Use of State Resources

Workshop Leaders:

Simon Osborn (NEEDS), Dr. Paikiasothy Saravanamuttu (Centre for Monitoring Campaign Violence - Sri Lanka), Adrian Sorescu (Pro Democracy Association - Romania)

In order for all parties and candidates to have the possibility to fairly compete for elective office, campaign funding is normally regulated. However, campaign finance is not always very transparent, despite regulatory or disclosure rules. Further, the abuse of state resources is a recurring problem in a number of countries in Europe and the former Soviet Union. The role of domestic observer organizations in increasing the transparency of campaign finance will be reviewed, along with strategies to monitor the improper use of state resources during a campaign period.

10:30 – 11:00

Break

11:00 – 13:00

Two Parallel Workshops

Workshop III:

Legal Analysis and Lobbying for Election Law Reform

Workshop Leaders: **Raphael Lopez-Pintor, Autonomous University of Madrid
Centre for Free Elections and Democracy - CeSID (Serbia
and Montenegro)**

Electoral laws regulate who is, and who is not, allowed to compete in an election and under what terms. Electoral statutes and their administration can systematically work to privilege some political parties and candidates and disadvantage others. This workshop will review aspects of the election framework which need close scrutiny, and look at how domestic observer organizations can best go about advocating reform to bring election-related legislation in line with international standards.

Workshop IV: **Party and Candidate Registration**

Workshop Leaders: **Mark Stevens (NEEDS), Percy Medina (Asociacion Civil
Transparencia – Peru), Committee of Voters of Ukraine
(CVU)**

Parties and candidates need to conform to certain rules and regulations before they can compete for public office. These requirements may include a registration fee or a specific number of signatures. Parties may also have to submit a political program, establish offices in a determined number of regions throughout the country, sign a code of conduct and prove they have internal democratic procedures. This workshop will provide an overview of these issues and look at how domestic observer organizations can observe this aspect of the electoral process.

13:00 - 14:00 **Lunch**

14:00 – 16:00 **Two Parallel Workshops**

Workshop V: **Media Monitoring: Methodologies for Assessing Fair Access
to the Media**

Workshop Leaders: **Riccardo Barranca (NEEDS) (Osservatorio di Pavia)
Ratislav Kuzel (Memo 98 -Slovakia)**

Specialized methodologies for media monitoring have been developed that measure media exposure for parties and candidates in both the electronic and print media. This methodology has been used by a number of domestic observer organizations, and could be adopted by other groups wishing to monitor media access and balance. This workshop will discuss how domestic observer organizations have monitored the media and look at how this practice might be further improved.

Workshop VI: **Parallel Vote Tabulations**

Workshop Leaders: **Holly Ruthrauff (ODIHR), Ibrahim Makolli (Council for
Defense of Human Rights – CDHRF - Kosovo), Percy
Medina (Asociacion Civil Transparencia -Peru)**

Through parallel vote tabulations (PVT) or quick counts, observer organizations are able to provide a reliable quantitative estimate of what the official outcome of an election should be. As parallel vote tabulation findings have a political value, access to this information and timing of its release can become a politically charged issue. This workshop will review issues pertaining PVTs, including when to conduct a PVT, sample representation, the timing of releasing PVT findings, requests for early access, and how domestic observer organizations can best keep their findings confidential until they are ready to release them.

16:00 – 16:30

Break

16:30 – 18:00

Rapporteurs' Summaries from Working Groups

Evening

Group Dinner

Day 5

Sunday, June 29

**Day 5 - Domestic Election Observation in Europe:
The Way Forward**

9:30 - 11:00

**Closing Plenary Session: The Way Forward for
Non-partisan Domestic Election Observation in Europe
Summary of Meeting**

Moderators:

**Gerald Mitchell (NEEDS)
Andrew Bruce (ODIHR)**

Overview of key findings and conclusions from the Forum.