

Election Observer Manual

Parliamentary Confederation of the Americas

This guide is an adaptation of *Election observing, Practical guide for members of election monitoring missions abroad*, by the Chief Electoral Officer of Québec. It was prepared by the Secretariat of the Committee on Democracy and Peace of the Parliamentary Confederation of the Americas (COPA), which is hosted by the National Assembly of Québec.

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Preface

The purpose of this document is to provide members of COPA election monitoring missions with a practical tool for adequately preparing themselves and quickly acquiring the basic knowledge to carry out their mandate. This document will enable readers to familiarize themselves with the latest knowledge in the election observation field and acquire tangible skills needed for appropriate and comprehensive monitoring.

In this guide, we will successively examine election observation, its principles and the applicable codes of conduct, the main stakeholders, preparing for a mission, conducting a mission, and following up on a mission. The personal preparation of observers and the items likely to be observed will be dealt with in the appendices. The complete By-laws of COPA Electoral Observation Missions are in Appendix I.

Needless to say, a tool such as this COPA Election Observation Guide will have to be updated on a regular basis. The authors welcome comments from users. Readers may rest assured that their comments and suggestions will be taken into consideration.

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1. Introduction

1.1 Parliamentary Confederation of the Americas (COPA)

Since the late 1970, an unprecedented wave of political democratization has been sweeping the Americas. A number of governmental and nongovernmental organizations have therefore been called on to help promote and strengthen democracy across the Americas through programs strengthening democratic institutions, as well as technical electoral assistance and election observation. The Parliamentary Confederation of the Americas (COPA) is among these organizations.

Founded in 1997, the Parliamentary Confederation of the Americas (COPA) is an interparliamentary organization bringing together the congresses and parliamentary assemblies of unitary, federal, federated, and associated states, as well as the regional parliaments and interparliamentary organizations of all of the Americas. Its main objective is to help strengthen parliamentary democracy and build the Americas into a community founded on respect for dignity, human rights, peace, democracy, solidarity among peoples, social justice, and gender equality.

To achieve this objective, at its sixth General Assembly in Foz do Iguaçu, Brazil, in May 2005, COPA expressed its wish to take an active part in international election observation by adopting the “By-laws of COPA Electoral Observation Missions.” These by-laws fall under the responsibility of the Committee on Democracy and Peace.

1.2 COPA Committee on Democracy and Peace

COPA's Executive Committee created six permanent thematic working committees in May 2002, in Mexico. The committees gathered for the first time a few months later, in November 2002, at the 4th COPA General Assembly in Ixtapan de la Sal, Mexico.

The COPA committees are responsible for providing follow-up, within their respective fields of jurisdiction, on the negotiations for the Free Trade Area of the Americas (FTAA) instigated at the Summits of the Americas, and on any other issue assigned to them by the Executive Committee.

The mission of the Committee on Democracy and Peace is set out in Article 2 of the COPA committee by-laws:

The Committee on Democracy and Peace examines issues related to the strengthening and promotion of democracy and the rule of law, current political and parliamentary events, electoral observation missions, and the promotion of peace in the Americas.

1.3 Objectives of COPA electoral missions

The objectives of these missions are set out in Article 1 of the By-laws of COPA Electoral Observation Missions.

The electoral observation missions of the Parliamentary Confederation of the Americas (COPA) have the following aims:

- a. To testify impartially, to the voters and to the international community, as to the conduct of the electoral process (presidential and legislative elections, referendums) and to certify their legality through electoral observation.*
- b. To contribute to the consolidation of democracy and to the strengthening of democracy in the Americas.*
- c. To rigorously observe the democratic process with the goal of assisting in fostering a climate of trust, security, and credibility.*
- d. To contribute, in the respect of the sovereignty of the states and keeping with the national legislation in force, to ensuring the transparency and integrity of the electoral process.*
- e. To encourage broad-based participation by voters in the election.*
- f. To establish COPA as a major player in the area of consolidating parliamentary democracy at the international level.*

1.4 Election observation missions around the world

In recent years, the number of election monitoring missions around the world has grown. While it is true that there has been some improvisation in election observation in the past, this type of initiative is henceforth characterized by a higher degree of professionalism.

Assessments of election monitoring missions have already been made at both the regional and international levels. Based on experience acquired in the field, international agencies that promote democracy have established basic principles and codes of conduct, and have developed work tools for observers. Moreover, those countries that held their first democratic elections in the past decades are now in a democratic institution consolidation phase, which requires greater specialization and expertise on the part of observers. Expectations are high, and the international community must respond to them appropriately.

2. Observing, principles and codes of conduct

2.1 Nature of observing

First of all, it is important to specify what is meant by “election observing.” According to the definition of the International Institute for Democracy and Electoral Assistance, it entails

“The purposeful gathering of information regarding an electoral process, and the making of informed judgments on the conduct of such a process on the basis of the information collected, by persons who are not inherently authorized to intervene in the process, and whose involvement in mediation or technical assistance activities should not be such as to jeopardize their main observation responsibilities.”¹

This definition makes it possible to identify the exact role that observers are called upon to play. It is important to reiterate that observers are first and foremost witnesses. What they are asked to do is to observe, note, and suggest. Some people would like observers to have the role of mediator. This should only be the case under very exceptional circumstances, at the risk of jeopardizing the principle of non-interference in a country’s internal affairs, a principle that all observers must heed. Needless to say, the testimony of observers must respect the sovereignty of the country requesting the observation mission, the terms of reference of their mission, and the rules of ethics that will be discussed.

2.2 Types of observers

Generally, there are two types of observers: international observers and national observers. Both types of observers are not necessarily present at a given election. Whatever the case may be, there are common points and also significant differences in their roles.

2.2.1 International observers

International observers are not citizens of the country in which the observation of an electoral event is taking place. They are delegated by their own countries or by an international body to be part of an observation mission. Their knowledge of the country where the election is to be observed and their professional experience vary considerably depending on the case. That is why it is important that international monitoring missions be made up of experienced observers as well as less experienced members, who will benefit from the experience of the former. Under COPA, the number

¹ International Institute for Democracy and Electoral Assistance, *Code of conduct. Ethical and Professional Observation of Elections*, p. 10.

of members in the international monitoring mission is determined by the president, with a concern for adequate regional representation of COPA's member states.

2.2.2 Domestic observers

Citizens of the country in which the poll is being held may also want to take part in the observation of the electoral process. These persons are generally volunteers from civil society organizations who want to ensure the democratic nature of the political process in their country, be it on a short term or ongoing basis. While the indepth knowledge that domestic observers have of the host country is unquestionably an asset, some people wonder about their technical expertise and their degree of involvement in the political debates of their country, which occasionally may undermine the credibility of their observation efforts.² Hence, international observers must make sure, in their contacts with domestic observers, that they gather comments that are representative of the range of opinions held by the country's electorate.

2.3 Long and short term observation

2.3.1 Long term international observation

A well-informed judgment on an election or a referendum cannot be based solely on the observations made on polling day. The level of preparation of electoral officials and the preparatory climate leading up to a vote are two keys to the success of an electoral event. Observing the period prior to voting day and the actual election campaign is essential. According to the terms of the Organization for Security and Cooperation in Europe (OSCE), election observation does not involve simply taking a photo on polling day, but rather seeing the film of the event unfold.³

This explains the importance of ensuring the presence on site, a few months ahead of time, of a small group of long term international observers. By being present in the country where a vote is to be held, these observers will be able to develop their knowledge of the country and the electoral process, and create a network of contacts with the institutions in charge of holding the elections and within civil society. When the short term international observers arrive in the country a few days before the vote, they will be able to benefit from the analysis made by their colleagues already on site.

² On this subject, see Neil Nevitte and Santiago A. Canton, "The Role of Domestic Observers." *Journal of Democracy* (July 1997), pp. 48- 61.

³ Organization for Security and Cooperation in Europe, *The OSCE/ODIHR Election Observation Handbook*, p. 8.

2.3.2 Short term international observation

After taking part in a preparatory session, short term international observers arrive in the country a few days before the vote and generally leave a few days after it has been held. The number of short term observers is generally much greater than that of long term observers. Their short stay is compensated by their great numbers and their presence in all regions of the country. Their observation efforts focus on the final days of the vote, namely voting day, the counting of votes, and the announcement of the results. It is important to emphasize the fact that short term observers must make sure that they are adequately prepared. Moreover, they must make the appropriate contacts, as soon as possible, with the authorities of the host country, long term international observers, members of other short term international observation missions, domestic observers, as well as representative organizations of civil society.

2.4 Principles and codes of conduct

The presence of foreign observers in a country raises questions of an ethical nature. Simply being at the heart of an election campaign and on site during an electoral event in a foreign country can put an observer in very delicate situations at times.

COPA applies the following rules of conduct for election observers, as stipulated in Article 4 of the By-laws:

Rules of conduct for COPA observers

Each observer must comply with the following rules of conduct at all times:

- a. Be non-partisan and neutral.*
- b. Act with independence and impartiality. Be thorough and record all relevant circumstances.*
- c. Abstain from any action that could hinder the conduct of operations.*
- d. Avoid placing oneself in situations of conflict of interest.*
- e. Record any request for contestation or interpretation of the electoral rules by the personnel of the polling stations or by voters, while avoiding taking any position.*
- f. Draft the report accurately.*

These rules of conduct for COPA election observers are further to those formulated by the Organization of American States in the Inter-American Democratic Charter. In September 2001, heads of state of the Americas adopted this Charter in Lima, Peru, setting out the following provisions concerning election observation missions:

- Member states are responsible for organizing, conducting, and ensuring free and fair electoral processes.
- The member state shall guarantee conditions of security, free access to information, and full cooperation with the electoral observation mission.
- These missions shall be conducted in an objective, impartial, and transparent manner and with the appropriate technical expertise.

A number of international agencies dedicated to the promotion of democratic rights and that sponsor observation missions have prepared observer codes of ethics to promote greater professionalism in observation missions. These organizations include the International Institute for Democracy and Electoral Assistance (International IDEA), the Organization for Security and Cooperation in Europe (OSCE), the Inter-Parliamentary Union and Organisation internationale de la Francophonie (OIF). Some of these codes appear in the appendix.

3. Main stakeholders

3.1 Authorities from the requesting country

Among authorities from the requesting country are the government of the host country and the structure responsible for running elections.

3.1.1 Government

The government is the highest political authority in the host country. As the entity responsible for governance, it grants members of the election-monitoring mission the accreditations and identification documents necessary for their travel within the country. The government also assumes responsibility for the security arrangements put in place for voting. In all communications with the government, as in any action or statement, observers must respect national sovereignty.

3.1.2 The structure in charge of running elections

This structure varies considerably from one country to the next. For example, Organisation internationale de la Francophonie (OIF) has noted three ways that governments divide up responsibility for elections: election operations entrusted to the Ministry of the Interior; organization entrusted to the Ministry of the Interior with which a National Electoral Commission is associated; management of the entire electoral process by an autonomous or independent National Electoral Commission (CENA or CENI).⁴

- Election commission

In some cases, an election commission assumes responsibility for the conduct and holding of the vote. This structure, made up of a variable number of members, is composed in certain countries of representatives appointed by the executive branch, the legislative branch (including opposition parties), civil society, etc. Its members may be appointed by parliamentary institutions. The commission may be a permanent or ad hoc body. In this latter case, it may have only been created a few weeks before the vote. The commission can also issue accreditations to observers.

⁴ Agence de la francophonie, Délégation générale à la coopération juridique et judiciaire, *Consultations électorales en Francophonie : Bilan, implication de la Francophonie et perspectives d'avenir : Sessions d'échanges à Bordeaux en 1995 et à Dakar en 1997*, p. 66.

- The Ministry of the Interior and Territorial Administration

In some countries, the government itself handles the electoral process by entrusting this responsibility to the Ministry of the Interior and Territorial Administration. Elections are then managed by regional and local officials who report to the ministry: prefects, sub-prefects, and governors. Opposition political parties frequently contest this form of electoral organization.

3.2 Political parties in the requesting country

Wherever there are elections, there are political parties. Together with the candidates, political parties are the main political stakeholders in an election campaign. The feature that distinguishes a political party from an interest group is that a party is seeking to exercise power, or at least to participate in its exercise, for example by forming a coalition government with other parties. Some well-structured parties have a nationwide organization and present candidates in almost every electoral division. Other parties have a regional or ethnic basis. Still other parties are made up of only a handful of active members. In all cases, the members of the election-monitoring mission will have to ensure that they make contact with the political parties representing the broadest possible spectrum of opinion in the country, including independent candidates.

3.3 Civil society organizations in the requesting country

The term “civil society” refers to all groups in a country that intervene collectively on the political stage, with the exception of the government and political parties.⁵ Unions, associations, churches, the media, professional bodies, and women’s and youth groups are all examples of organizations that make up civil society. Having a strong and pluralistic civil society is one of the basic prerequisites of democracy. Within the framework of an election campaign, civil society plays a significant role by mobilizing electors and monitoring the democratic process. Here once again, it is important that the members of the observation mission meet with the greatest possible number of representatives of civil society.

3.4 Democracy promotion agencies

The expansion of democratic values and practices has resulted in the birth and development of numerous groups and agencies dedicated to promoting democracy. These agencies and groups have developed extensive expertise and can contribute to the consolidation of democracy in those countries that solicit their cooperation, in particular by sending observers, publishing reports, etc. Here are some of these

⁵ On this subject, see the *Journal of Democracy* (July 1994), Vol. 5, No. 3, pp. 4–56.

agencies and groups, which the observer may be called upon to cooperate with or contact:

- Assemblée parlementaire de la Francophonie (APF)
- Carter Center
- International Centre for Human Rights and Democratic Development
- Council of Freely Elected Heads of Government
- Fundación Arias
- Hemisphere Initiative
- International Foundation for Electoral Systems (IFES)
- International Human Rights Law Group
- International IDEA
- National Endowment for Democracy (NED)
- Organization of American States (OEA)
- United Nations
- Organisation internationale de la Francophonie (OIF)

3.5 Parliamentary authorities in the observer's country of origin

Parliamentary authorities in the observer's country of origin may be involved at two points in time: when the members of the observation mission are chosen and when consideration is given to follow-up on the report. Between these two points in time, these authorities do not intervene directly with the members of the mission, but may express their comments to the various COPA bodies.

3.6 Parliamentarians

COPA election-monitoring missions are generally made up of parliamentarians. However, they may be accompanied by election experts. It is important to underscore the specific qualities and unique expertise of parliamentarians, which make them vital participants, in partnership with election management experts, in election-monitoring missions.

Parliamentarians are first and foremost elected officials, namely people who have experience in the field and who have successfully managed or run in one or more election campaigns. They have tangible and practical knowledge of the main workings of an election. Their knowledge of political life and the work of grassroots activists represents a clear advantage.

Parliamentarians also enjoy another asset—their knowledge of parliamentary life: participation in the deliberations of the Assembly, committee work, representation of the interests of their constituents, oversight of the actions of government. Their political experience, in particular in the management of political crises and the holding of

negotiations, has put their analysis and assessment skills to good use and gives parliamentarians undeniable expertise.

Lastly, by reason of their status, parliamentarians have a moral authority that can be very useful within the context of an observation mission. All these qualities make parliamentarians key players in supporting the implementation and strengthening of the constitutional state and, in particular, parliamentary and electoral institutions in countries moving towards democracy.

3.7 Experts

As for experts, the election-monitoring mission benefits from their contribution in a number of respects.

When the experts are election administration specialists, they are familiar with all aspects of the management of electoral operations—drawing up and revising voters' lists, drawing up the electoral map, training election officers, setting up polling stations, compiling results, handling logistics and security, financing political parties and candidates, overseeing election expenses, handling media relations, preventing election fraud, dealing with election disputes, and fielding complaints. Moreover, experts have a very good knowledge of electoral operations in the field. Furthermore, they generally have had first-hand experience with a number of electoral events in their own countries and often have taken part in election-monitoring missions, analysis, or technical support missions abroad.

These experts have an operational knowledge that enables them to evaluate the quality of the preparation and organization of electoral activities, while remaining mindful of the political realities inherent to the electoral context.

Some specialists, however, are neither parliamentarians nor election management experts. They come from a variety of backgrounds: university professors, magistrates, presidents of jurists' associations, etc. Some of them have knowledge of the various voting systems and electoral procedures and can make a significant contribution within the context of an observation mission.

4. Mission preparations

Article 2.1 of the By-laws of COPA Electoral Observation Missions stipulates the following with regard to the processing of applications and the selection of observers:

4.1 Origin and processing of applications

Any application for an electoral observation mission to be sent under the auspices of COPA must be submitted in writing to the President of COPA two (2) months before the election is to be held.

In order to be considered, any application must receive the approval in writing of the governmental authorities responsible for the foreign affairs of the applicant state.

The electoral processes concerned shall be presidential and legislative elections, as well as referendums, should the need arise.

4.2 Application evaluation and the president's decision

Once the COPA President has received an application for electoral observation submitted in due form, the President shall refer to the Board of the COPA Committee on Democracy and Peace, who shall verify the following aspects: evaluation of the political situation in the applicant state, diagnosis of the preparations (logistics, security, communications) and evaluation of the electoral management structure (election commission, electoral tribunal, etc.).

The Committee Board shall formulate a recommendation to the COPA President, who shall decide whether or not to send an electoral observation mission, and shall define the mandate conferred upon the members of the mission.

The applicants shall be informed in writing of this decision.

4.3 Process for the designation of parliamentary observers

Regarding the designation of parliamentary observers, Article 2.2 of the By-laws stipulates the following:

Upon recommendation by the Board of the Committee on Democracy and Peace, the COPA President shall choose certain parliamentary assemblies, according to geographic distribution, who will be invited to designate observer parliamentarians. The choice of parliamentary assemblies must also respect the principle of rotation.

The Committee Board shall set the number of parliamentarians to participate in the electoral observation mission.

The participation of parliamentary observers is dependent on their travel and accommodation expenses being covered by the parliamentary assemblies to which they belong.

The COPA President shall inform the authorities of the host state of the names of the parliamentarians who are members of the electoral observation mission.

4.4 Specific duties of the secretariat of the Committee on Democracy and Peace

According to Article 3 of the By-law:

The Secretariat of the Committee on Democracy and Peace shall:

a. *Establish relations with the officials of the host state in order to have the COPA members accredited as international observers of the process under way, and to ensure the independence and security of the mission during the process.*

b. *Coordinate and supervise the duties of mission organization, administration, and logistics.*

4.5 Coordination of the observation mission

According to Article 2.3 of the By-law:

Upon recommendation by the Committee Board, the COPA President shall designate the mission officials: the mission leader responsible for the overall operations of the mission and for media relations and the rapporteur responsible for recording the observations of the mission members and for drafting the final report.

4.6 Mandate and status of the observer

Generally, the mandate of observers is to report on what they observed and to give an opinion on the credibility of the electoral process on the basis of criteria relating to the honesty and the democratic nature of the election, the enforcement of election legislation and the approved procedures, while taking into account basic democratic principles. The mandate also consists of promoting the instigation of better electoral systems through technical recommendations in the mission report on upcoming elections.

Observers also represent their home countries. To avoid any misstep prejudicial to the delegation to which they belong or their countries' authorities, observers must remain cautious in their interventions and respect the sovereignty of the host country.

4.7 Knowledge of the host country and its legislation

To ensure the success of an election observation mission, a minimum knowledge of the host country is essential. The Secretariat of the Committee on Democracy and Peace will send the observer a file dealing with the following three subjects:

4.7.1 Geography, history and economy

Data on the land, history, population, economic situation, and customs may prove very useful, and will give an idea of the conduct and rules that should be followed, which vary from one country to the next.

4.7.2 Political situation

The following information on the host country is very important: system of government, institutions, governing power, political forces in place (political parties, unions, other), the country's electoral tradition, etc. With respect to political parties, the following items should be noted: names of parties and their leaders; orientation and main supporters; foreign or other affiliations.

4.7.3 Electoral process underway

A detailed knowledge of the legal basis of the country's electoral system is indispensable, since election observations are notably intended to ensure that the various actors concerned properly follow the electoral rules (voters, political parties, election officers, etc.). An attentive analysis of the constitution and the election legislation or electoral code in effect is also required. These legal documents provide a framework for the entire unfolding of the electoral process. A good knowledge and understanding of the constitution, election legislation, and electoral code will greatly facilitate the work in the field.

Election legislation designates administrative authorities in charge of enforcing the legislation. It is important to know the name, the composition, the duties, and the method of appointment of the members or any other characteristics of the various components of the administrative structure.

4.8 Briefing of parliamentary observers

Article 2.6 of the By-laws stipulates the following with regard to the briefing of parliamentary observers:

The Board of the Committee on Democracy and Peace shall provide members of the electoral observation mission with the principles, codes of conduct, and elements of observation to be applied during the electoral operations, and shall provide to them any relevant information documents to assist them in properly fulfilling their duties.

In addition, the Board of the Committee on Democracy and Peace shall take measures to enable the parliamentary observers to acquire a basic knowledge of the host state, of its constitutional and electoral system, and of current political events. It shall also ensure their training as electoral observers.

The personal preparations of each observer (passport, visa, vaccines, etc.) are the responsibility of the parliamentary assembly to which the observer belongs.

First and foremost, those asked to participate in observation missions must clearly grasp the importance and the impact of the role that they are being called upon to play. Their report may have a significant impact on the international community's acceptance or non-acceptance of the election's validity, with all of the consequences this entails, notably on the legitimacy of the political authorities elected.

It goes without saying that improvisation has no place in an electoral observation mission. While it may happen that observers have only a few days between their appointment and their departure for the host country, it is important to pay special attention to preparing them for the tasks that await them. If observers have the appropriate aptitudes and knowledge, the mission's chances of success will be greatly improved.

4.8.1 Qualities of the observer

Observers must be very much at ease when working as members of a team and be very open minded as they will inevitably be called upon to collaborate with persons from different countries, backgrounds, and cultures. They will also have to live in an unfamiliar setting and will be confronted with different social, cultural, and political values. Moreover, this type of mission demands a great deal of flexibility on the part of observers as they will have to cope with the unexpected.

Excellent health and the ability to adapt are essential prerequisites given that the living conditions are often difficult due to the climate, the lack of basic comforts, and the demanding nature of the work. It is important that all potential members of an observation mission be informed of the potential risks inherent to such missions. Although security arrangements are generally provided by the forces of law and order of the host country, it is nevertheless important to exercise caution and observe basic rules of safety.

Those who take part in observation missions must also be aware of the political impact of their intervention. They must show discretion, judgment, objectivity, impartiality, and neutrality in the performance of their duties.

See Appendix II for further details on preparing for an upcoming election observation mission.

4.8.2 Knowledge required

To take part in election-monitoring missions, it is imperative that mission members be able to express themselves in the language(s) of the host country. Moreover, as the mission is of an electoral nature, participants must have good expertise in matters pertaining to the electoral process and electoral systems as well as the ability to understand and follow election legislation.

Moreover, participants must be aware of the minimum prerequisites of free and democratic elections under the various international agreements that govern the matter. For individuals and groups, these prerequisites pertain to the following rights:

- Freedom of expression
- Freedom of association
- Right to meet
- Free and secret voting
- Right to equality

5. Unfolding of the mission

5.1 Activities prior to voting day

Regarding the deployment of the observation mission, Article 2.5 By-laws of COPA Electoral Observation Missions stipulates the following:

5.1.1 Deployment of the observation mission

The parliamentary members of the electoral observation mission must meet with the political, administrative, and electoral officials within the host state in order to obtain a maximum of information so as to establish a reading of the situation that is as objective as possible.

They must deploy themselves so as to cover the largest possible number of polling stations over the widest possible territory.

In observing the vote, they shall carefully record their observations on the conduct of voting operations, devoting particular attention to the counting of the ballots.

For reasons of security and integrity of the observation mission, the mission leader shall ensure that the parliamentary members of the electoral observation mission shall always move around in groups of at least two.

5.1.2 Arrival in the country

Within the framework of an observation mission, observers should arrive in the country a few days before the event in order to be able to observe the climate surrounding the election, to supplement their knowledge, and to collect any information necessary for the process underway.

At the time of arrival, observers are generally welcomed by a person designated for this purpose. Prior to your departure, you should find out what provisions have been made to welcome you.

5.1.3 Settling in

Once you arrive in the country, you should inform your country's embassy or its representative of your arrival. The embassy will be able to provide useful health information such as a list of doctors, dispensaries, or hospitals for emergencies. It will also be able to inform you about the measures that should be taken or the existing provisions for an emergency evacuation from the country.

As soon as possible, you must provide the delegating institution with a mailing address, telephone number, and fax number where you may be reached quickly and at all times.

During this initial period, briefings are generally held to familiarize you with your duties, the procedures to follow, the makeup of the team, your assignment, and the means at your disposal. If other observation missions have been organized in the country, there may be meetings throughout the course of your stay where you can share information, tasks, and responsibilities with other observers and form "sister teams."

If you have not already been advised of such procedures as official accreditation and where you will be staying and what you will be doing, this information will be conveyed to you at the time of your arrival or in the days that follow.

5.1.4 Contacts with civil, political, and administrative authorities

As soon as possible after arriving in the country, the head of mission makes the necessary contacts with the civil, political, and administrative authorities of the host country, notably the authorities in charge of the organization and oversight of elections. He or she will see to obtaining the necessary accreditations and identification documents. The quality of the initial contacts may be decisive in the success of the mission. That is why special attention should be paid to this aspect.

5.1.5 Preliminary activities and observations

As soon as you arrive, you must make yourself visible and make your presence known. In order to obtain the most objective possible portrait of the situation, you must endeavor to establish contacts with and collect information from persons and organizations that are representative of the country's main activity spheres such as

- Persons responsible for running the elections
- Representatives and leaders of political parties
- Candidates
- Administrators and civil servants in departments involved in running the elections
- Unions
- Human rights agencies
- Ethnic groups

- Voters
- Religious leaders

Contacts with voters will make it possible to gauge the electoral climate. Endeavor to find out electors' expectations, their level of trust in the election process, their interest in the parties, their knowledge of the candidates and the election process, as well as how accessible information is. To promote freedom of expression, these interviews should not be conducted in the presence of government security forces.

Your preliminary observations should also run the gamut of groups: unions, religious organizations, the police, the army.

Also note the country's attitude towards observers with respect to freedom of action, contact with other observers, and the administrative and legal framework. In some cases, this framework may differ from the preliminary agreements. When this occurs, the Board of the COPA Committee on Democracy and Peace must be informed.

5.1.6 Contacts with the media

Throughout this period and during the entire stay, pay special attention to both the written and electronic media. Three aspects should be monitored in particular, namely the general coverage of the election campaign, the fairness of this coverage and access to the media, and the potential existence of censorship.

During the course of your stay, you may be asked to give your opinion or to make comments on various aspects of the process being observed. It is important to remember that you must remain impartial in any action or intervention. Moreover, unless you have been officially mandated to speak, you must refrain from making any public statement, and refer any request for an interview or a statement to your head of mission.

5.1.7 Cooperation with other international observation missions

Article 2.7 of the By-law stipulates the following:

In order to ensure optimal deployment of its members, the leader of the mission may decide to collaborate with other international electoral observation missions.

Increasing the number of contacts with other observers will make it possible to become aware of a greater array of facts, opinions, and analyses. Ideally, heads of mission should maintain regular contact with their counterparts for the entire duration of their stay in the country.

5.1.8 Progress report for the period prior to voting day

The drafting of reports is an essential task that is incumbent on every observer. In fact, it is an integral part of the mission. There are two types of reports, namely progress reports and the actual mission report, which is drawn up after the elections. Basically, these reports summarize the observations made at various stages of the electoral process and relate the conclusions and recommendations of the observers. To facilitate this task, it is essential to take notes on a daily basis.

Depending on the type of mission, these reports must be written according to the various periods in the electoral process.

The progress report for the period prior to voting day should cover

- The electoral documentation collected on site such as the election legislation, the standards and the instructions for the vote, or any other relevant document
- The electoral organization in general as well as the pre-election climate
- The complaints filed and the difficulties encountered
- The agenda and the persons met
- The recommendations made

This progress report should be sent to the head of mission.

5.1.9 Observation of preparation activities on voting day

Observation missions are generally concerned with the vote. However, they may cover the entire electoral process. We will therefore examine a number of factors below.

5.1.10 The election legislation and electoral administration

The election legislation is the cornerstone of the electoral process. It must be fair for all stakeholders in the electoral process (voters, candidates, political parties). One of the minimum conditions for the holding of free elections⁶ is adoption of an electoral code based on the broadest possible consensus of parliamentarians.

With regard to administrative aspects, meetings should be organized with the central authorities in charge of running the elections. The observations should be structured around the following points:

- Competence of administrators
- Accessibility of authorities and personnel
- Organization and efficiency of action of the agency
- Training and supervision of personnel
- Existence of electoral procedures
- Regional structure (authority, powers)
- Existence of monitoring commissions

In terms of the preparation and planning of the election, it is important to check whether the forms, manuals, or documents for the vote are available and appropriate. Special attention should be paid to the design of ballots (type of ballots used) and the security measures surrounding printing and quality control.

5.1.11 Electoral boundaries

The establishment of fair electoral boundaries is linked to certain concepts, including the equal value of each voter's vote (one person, one vote). Ideally, the boundaries should be set by an independent organization. If this is not the case, the opposition should be able to take part in the boundary-setting process.

⁶ International Republican Institute, *Election Observation: What Makes an Election "Free and Fair"*, Washington, 3 p.

5.1.12 Voter registration

The voter registration period is a major phase in the electoral process, as it can promote or undermine voter confidence in the electoral authorities. The presence of observers contributes to the transparency of the process. Observers must be familiar with the following:

- Voter registration standards and procedures
- Materials employed
- Steps in the registration process
- Voters' lists (drawing up, publication, and correction)
- Identity cards or voter I.D. cards

5.1.13 Political parties and candidates

Before leaving for the host country, observers must have received a file containing basic data on the political parties. At this stage, they will have to focus their attention on the formalities for registering parties, their participation in the electoral process, the nomination period, the method for designating candidates, and the posting of lists of candidates.

Fair access to state resources for all political parties is undoubtedly one of the ways to certify that the vote is free, honest, and democratic. Failure to respect this principle seriously handicaps the election campaigns of opposition political parties.

When it comes to financing, various aspects must be monitored, including the following:

- Amounts that the state grants to parties or that come from outside sources
- Election expenses
- Use of various state resources (public buildings, transportation, etc.)

5.1.14 The climate surrounding the election campaign

Any factor that is liable to disrupt the sociopolitical climate and, in so doing, participation in the electoral process, must be reported, in particular the following:

- Boycott of the election
- Violation of rules of law
- Economic conditions
- Activities that risk interfering with the conduct of the campaign
- Possibility of violence and intimidation

5.1.15 Access to the media

In some countries, an authority oversees access to the media, making sure that airtime is distributed evenly between the political parties during the election campaign and that journalistic coverage is impartial.

Special attention must be paid to all of the media. In this respect, it would be useful to record the following with regard to the written press and the electronic media (television and radio):

Written media

- Names of the main newspapers
- Affiliation (independent, government, or opposition)
- Circulation

Electronic media

- Permit required
- Affiliation
- Percentage of the population with access to these media

Observers must monitor three points in particular: censorship, access to the media and coverage.

If censorship exists, observers must determine who exercises it, the legal basis for it, and what type of information is subject to censorship. With regard to media access, observers must find out whether the media have given access to all of the candidates and parties or to a limited number. They must also check whether the various parties benefited fairly from the available airtime. On election campaign coverage, it is important to determine whether the media were balanced in their treatment of the campaign.

It should be noted that in emerging democracies, outdoor signs and posters remain a widely used means for disseminating information. It is therefore important to monitor the following points: users, extent of use, and respect for posted materials.

5.2 Unfolding of the mission on voting day

Before we examine the various steps in the actual observation of a vote, a few preliminary considerations and recommendations are in order.

The vote observation period extends from the time polling stations open to the counting of the votes. In other words, observers must prepare for long hours of work and anticipate

certain needs, in particular food. During this exercise, observers are expected to take note in an unbiased manner of all shortcomings or discrepancies liable to interfere with voting, and to evaluate the quality of the electoral process as a whole.

A work plan must be prepared to properly plan the day of observation. The plan must include the following points:

- Team composition
- Itinerary, schedule, and point of departure
- List of polling stations to visit (location, persons to meet)
- Logistical support (human and material resources)
- Mandate and task

Any serious evaluation of the vote requires that a sufficient number of polling stations be visited. Upon arrival, observers must introduce themselves to the election officers and political party representatives and present their official accreditation or identity cards. If there are no problems, a minimum of 20 to 30 minutes per polling station is necessary to allow observers to make their presence known and record any information they have noted.

5.2.1 The opening and location of polling stations

The layout, location, and accessibility of the premises as well as the hours of operation of the polling station should be noted. On the subject of the layout, everything must be done to preserve the secrecy of voting.

5.2.2 Availability of ballot boxes, ballots, voters' lists, and election material

Special attention must be paid to the material at the disposal of election officers and voters: voters' list, poll book, minutes, ballots, ballot box, polling booth, lighting, etc. It is important to note whether there are sufficient quantities and whether the materials have been available throughout the day, from polling station opening to close.

5.2.3 Voting

Identify all of the officers at the polling station and evaluate their proficiency, in particular their knowledge and application of election standards and procedures. Political party representatives at polling sites are subject to the same legal criteria.

Each polling station should be assigned to handle a specific number of voters in the electoral procedures. To avoid confusion, there should also be no last minute changes in procedure. When monitoring voting, the following points should be noted:

- Arrangement of the premises
- Accessibility
- Presence of representatives of political parties or candidates
- Quality of polling station personnel
- Waiting time and voting time
- Voter identification procedures
- Voting procedures
- Secrecy of voting
- Refusal to allow a voter to vote
- Number of registered voters who did not vote
- Number of voters who requested assistance with voting
- Complaints
- Possible acts of intimidation (nearby or inside the polling station)
- Security of persons and election material (ballot boxes in particular)
- Partisan advertising at polling sites
- Satisfaction or dissatisfaction of the various stakeholders (political parties, voters)

5.2.4 Counting of votes and announcement of the results

In addition to being present at this stage, observers must make sure that the standards and procedures for counting the votes are known and applied by the election officers assigned to this task. These points should be monitored:

- Stakeholders
- Vote counting and compilation methods
- Transportation of the minutes and the material

When the counting of votes occurs in a place other than the polling station, make sure that all the security procedures are in place, particularly concerning the transportation of ballots.

The total votes are tallied after counting. The observers must be present at this important stage to avoid any possibility of fraud.

Various documents must be completed, signed, and sent by the authorized election officers. Check to see that these formalities are duly completed. The results must be also be announced by the electoral authorities in a timely manner so as not to undermine the process.

5.2.5 Progress report on voting day

The progress report on voting day should summarize all of the observer's activities on the day and be structured along the following lines:

- General climate on voting day, territory covered, and polling stations visited
- Organization of polling stations
- Conduct of the vote
- Counting of votes
- Tallying of the votes
- Disclosure and publication of the results
- Complaints and follow-up
- Conclusions and recommendations

As was the case for the progress report for the period leading up to voting day, the progress report for voting day will be transmitted to the head of mission. Observers can use the list in Appendix IV to prepare their observation checklist.

5.3 Activities following voting day

5.3.1 Processing of complaints

On some missions, observers are sometimes empowered to receive and forward complaints throughout the observation period. This duty is normally governed by rules provided by the mandating agency, the electoral or governmental authorities. It is a crucial duty given the impact it can have on credibility and trust in the electoral process.

This duty is particularly sensitive and requires a great deal of tact by observers. In some cases, complainants may expect observers to investigate and settle the matter immediately. Observers must act in an unbiased, objective, and impartial fashion by showing interest, but without getting too involved. Moreover, they must not take the place of the courts or rule on the dispute. Observers are not arbitrators, and in no case must they intervene when serious problems arise, except where they have been expressly mandated to do so. Their role should be limited to collecting information and reassuring the complainant that the complaint will be forwarded to the appropriate authority. The complaint form should include the following information:

- Complaint number
- Name and address of the complainant
- Date, time, and location of the incident
- Nature of the complaint (illegal registration, etc.)
- Summary (circumstances and witnesses)
- Observer's comments and actions taken

5.3.2 Progress report on the postelectoral period

This report must be prepared on the basis of the following points:

- Preliminary results
- Tallying of the votes
- End of the process
- Official announcement of the results
- Complaints and disputes

5.3.3 Press release

Article 2.8 of the By-law stipulates the following:

A press release shall be issued in the days following the vote, relating the general conclusions of the observation mission.

The head of mission is the one who distributes this press release to the media.

5.3.4 Mission report

Article 2.8 of the By-law stipulates the following:

The Board of the Committee on Democracy and Peace shall ensure that the COPA electoral observation mission prepares a summary of the observations and records its conclusions in a mission report.

It is important for members of an election-monitoring mission to begin writing the mission report as soon as possible and, if possible, complete it before leaving the host country. The progress reports prepared during the stay can serve as a basis for the report.

As for the content of the mission report, it should summarize in a narrative and descriptive style all of the activities undertaken and the mandate received. The content should cover the following points:

- Overall and electoral context
- Importance of the elections
- Objectives
- List of observers
- Terms of reference of the mission
- Mission mandate
- Composition, mandate, and distribution of teams
- Work plan and timetable

- Itinerary of observers
- Observation methods used
- Terms of cooperation with the other missions
- Results of the observation
- Conclusions of the mission
- Recommendations to improve the electoral and administrative process
- Appendices (press releases, instructions, newsletters, schedules of meetings, communications, etc.)
- Summary of the report

6. Follow-up on the mission

6.1 Report process and deadline

Article 2.8 of the By-law stipulates the following:

Following approval by the COPA President, this report shall be transmitted to the officials of the host state of the electoral observation mission, as well as to the media within thirty days of the official end of the mission. Afterwards, this report shall be officially submitted at the following COPA General Assembly.

The mission report is studied by COPA authorities, who decide on what follow-up should be done.

It is the responsibility of the COPA Committee on Democracy and Peace to take the appropriate steps as soon as possible.

The Committee on Democracy and Peace sees to the publication of the report.

In recent years, election-monitoring missions have given rise to numerous comments, be it to call attention to the benefits or to criticize the shortcomings.

7. Conclusion

Helping strengthen and promote parliamentary democracy and build the Americas into a community founded on respect for dignity, human rights, peace, democracy, solidarity among peoples, social justice, and gender equality remains one of the primary objectives of the Parliamentary Confederation of the Americas. It was to this end that COPA has committed to playing an increasingly active role in election observation in the Americas.

The nations of the Americas must have the support of COPA parliamentarians as they develop and strengthen their democratic institutions. We have already made note of the fact that electoral observation missions have been characterized by greater professionalism in recent years. As parliamentarians, your technical and political expertise can only help further the success of election-monitoring missions.

In addition, you must be suitably prepared and equipped with tools to observe the electoral process in a manner that is complete, accurate, and professional. The publication of the *COPA Election Observation Guide* seeks to address these requirements. Indeed, it is with this goal in mind that it was prepared.

We hope that this guide will meet your expectations and needs.

Have a good mission!

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9. Appendices

Appendix I – By-laws of COPA Electoral Observation Missions

ART. 1 AIMS

The electoral observation missions of the Parliamentary Confederation of the Americas (COPA) have the following aims:

- a.** To testify impartially, to the voters and to the international community, as to the conduct of the electoral process (presidential and legislative elections, referendums) and to certify their legality through electoral observation.
- b.** To contribute to the consolidation of democracy and to the strengthening of democracy in the Americas.
- c.** To rigorously observe the democratic process with the goal of assisting in fostering a climate of trust, security, and credibility.
- d.** To contribute, in the respect of the sovereignty of the states and keeping with the national legislation in force, to ensuring the transparency and integrity of the electoral process.
- e.** To encourage broad-based participation by voters in the election.
- f.** To establish COPA as a major player in the area of consolidating parliamentary democracy at the international level.

ART. 2 PROVISIONS FOR ELECTORAL OBSERVATION MISSIONS

2.1 Origin and processing of applications

Any application for an electoral observation mission to be sent under the auspices of COPA must be submitted in writing to the President of COPA two (2) months before the election is to be held.

In order to be considered, applications must receive the approval in writing of the governmental authorities responsible for foreign affairs of the applicant state.

The elections must be presidential or legislative. Referendums may also be covered, should the need arise.

Once the COPA President has received an application for electoral observation submitted in due form, the President shall refer it to the Board of the COPA Committee on Democracy and Peace, which shall verify the following aspects: political situation of the applicant state, diagnosis of the preparations (logistics, security, communications), and electoral management structure (election commission, electoral tribunal, etc.).

The Committee Board shall formulate a recommendation to the COPA President, who shall decide whether or not to send an electoral observation mission, and shall define the mandate conferred upon the members of the mission.

The applicants shall be informed in writing of this decision.

2.2 Process for the designation of parliamentary observers

Upon recommendation by the Board of the Committee on Democracy and Peace, the COPA President shall choose certain parliamentary assemblies, according to geographic distribution, which will be invited to designate observer parliamentarians. The choice of parliamentary assemblies must also respect the principle of rotation.

The Committee Board shall set the number of parliamentarians to participate in the electoral observation mission.

Participation of parliamentary observers is contingent on their travel and accommodation expenses' being covered by the parliamentary assemblies to which they belong.

The COPA President shall inform the authorities of the host state of the names of the parliamentarians who will be members of the electoral observation mission.

2.3 Coordination of the observation mission

Upon recommendation by the Committee Board, the COPA President shall designate the mission officials: the mission leader responsible for the overall operations of the mission and for media relations and the rapporteur responsible for recording the observations of the mission members and for drafting the final report.

2.4 Briefing of parliamentary observers

The Board of the Committee on Democracy and Peace shall take measures to enable the parliamentary observers to acquire basic knowledge of the host state, its constitutional and electoral system, and current political climate. It shall also ensure their training as electoral observers.

The personal preparations of each observer (passport, visa, vaccines, etc.) are the responsibility of the parliamentary assembly to which the member belongs.

2.5 Deployment of the observation mission

The parliamentary members of the electoral observation mission must meet with the political, administrative, and electoral officials within the host state in order to obtain a maximum of information so as to establish a reading of the situation that is as objective as possible.

They must deploy themselves so as to cover the largest possible number of polling stations over the widest possible territory.

In observing the vote, they shall carefully record their observations on the conduct of voting operations, devoting particular attention to the counting of the ballots.

For reasons of security and integrity of the observation mission, the mission leader shall ensure that the parliamentary members of the electoral observation mission always move around in groups of at least two.

2.6 Observation process

The Board of the Committee on Democracy and Peace shall provide members of the electoral observation mission with the principles, codes of conduct, and elements of observation to be applied during the electoral operations, and shall provide to them any related information documents to assist them in properly fulfilling their duties.

2.7 Association with other organizations

In order to ensure optimal deployment of its members, the leader of the mission may decide to collaborate with other international electoral observation missions.

2.8 Conclusions and media coverage of the electoral observation mission

A press release shall be issued in the days following the vote relating the general conclusions of the observation mission.

The Board of the Committee on Democracy and Peace shall ensure that the COPA electoral observation mission prepares a summary of the observations and records its conclusions in a mission report.

Following approval by the COPA President, this report shall be transmitted to the officials of the host state of the electoral observation mission, as well as to the

media, within thirty days of the official end of the mission. Afterwards, this report shall be officially submitted at the following COPA General Assembly.

ART. 3 SPECIFIC DUTIES OF THE SECRETARIAT OF THE COMMITTEE ON DEMOCRACY AND PEACE

The Secretariat of the Committee on Democracy and Peace shall:

- a.** Establish relations with the officials of the host state in order to have the COPA members accredited as international observers of the process under way, and to ensure the independence and security of the mission during the process.
- b.** Coordinate and supervise the duties of mission organization, administration, and logistics.

ART. 4 RULES OF CONDUCT FOR COPA OBSERVERS

Each observer must comply with the following rules of conduct at all times:

- a.** Be non-partisan and neutral
- b.** Act with independence and impartiality. Be thorough and record all relevant circumstances.
- c.** Abstain from any action that could hinder the conduct of operations.
- d.** Avoid placing oneself in situations of conflict of interest.
- e.** Record any request for contestation or interpretation of the electoral rules by the personnel of the polling stations or by voters, while avoiding taking any position.
- f.** Draft the report accurately.

These By-Laws were adopted on May 11, 2005, at the Plenary Session of the VIth COPA General Assembly, Foz do Iguaçu, Brazil.

Appendix II – Preparing for an election observation mission

Personal preparation of the observer

Under Article 2.4, paragraph 2 of the By-laws of Electoral Observation Missions:

The personal preparations of each observer (passport, visa, vaccines, etc.) are the responsibility of the parliamentary assembly to which the member belongs.

Authorizations and conditions of secondment

Under Article 2.2, paragraph 3 of the By-laws:

The participation of parliamentary observers is dependent on their travel and accommodation expenses being covered by the parliamentary assemblies to which they belong.

As such, all observing parliamentarians must receive official authorization from their parliamentary assemblies to take part in a COPA observation mission. Parliamentary assemblies are responsible for the conditions of secondment and for funding participation in the election observation, including the following:

- Purchase of travel documents and payment of airport tax
- Transportation expenses in the host country
- Hotel reservations and payment
- Per diem allowance
- Travel expenses and cash advances
- Release period
- Insurance (medical, repatriation, etc.)

Necessary documents

Most of the necessary documents are listed below. To prevent them from being lost or stolen, it is imperative to store these documents in a security box. Moreover, it is strongly recommended that photocopies be made of the most important documents and that they be kept in a separate location.

- Passport valid for the assignment period (some countries require an additional six months)
- Visas (plan for any stopovers)
- Vaccination booklet
- Travel documents
- Insurance (medical, repatriation, etc.)
- Accreditations, instructions, mission statement (it is possible that these documents will only be provided at the time of arrival)
- Traveler's checks, money, and credit cards
- Business cards
- Calling card with international code
- Photos (passport size; required for various formalities)

Medical measures

It is important to find out about the sanitary conditions in the host country and the precautions that should be taken both prior to departure and once on site.

- Appropriate vaccinations:
 - Plan in advance.
 - The designating parliament must cover the expense.
- Blood type
- Medical certificate
- Medical and dental prescriptions
- First aid kit
- All the necessary information about your state of health

Personal effects

As for luggage, it is preferable to take only the strict necessary:

- Appropriate clothing (adapted to the climate, natural fibers, light colors; plan for suitable dress for official visits)
- Travel belt (passport belt)
- Toiletries
- Extra pair of glasses and dentures
- Insect repellent

- Current converter and adapter
- No obvious jewelry
- Pocket light
- Take any indispensable articles and a change of clothing with you on the plane.

Appendix III – Observation prior to voting day

Election act or code

1. Who took part in drafting the election legislation?
2. How was the election legislation enacted (order, law, referendum, etc.)?
3. Who administers this legislation?
4. How and by whom are election officials appointed?
5. What powers do they have?
6. What is their degree of autonomy?

Drawing up electoral boundaries and the voting system

7. Who is responsible for drawing up the election boundaries used for election purposes?
8. How are these boundaries determined?
9. What are the main criteria for boundaries?
10. How many “electoral divisions” is the territory divided into?
11. What is the voting system for each elected level?

Registration

12. Is registration mandatory?
13. How does one register?
14. What procedure is put in place to determine who has the right to vote?
15. Which categories of persons (inmates, etc.) are deprived of their right to vote?
16. Are voters well informed of the dates, times, and places where they can register?
17. What means were used to inform electors?
18. Are registration offices adequate and accessible?
19. Is the required material available?
20. What material (poll book, registration card, etc.) is used?
21. Do the staff members assigned to this task seem to be proficient?
22. What is the role of each staff member?
23. Does the registration process unfold in an orderly manner?
24. Were voters intimidated or did they receive illicit gratuities?
25. Were voters registered who should not have been?
26. Is there a revision period? If so, what are the procedures?
27. Were there any requests for names to be taken off the voters’ list?

Political parties and candidates

28. What are the rules concerning the registration of political parties?
29. Do these rules exclude certain parties?
30. Does the election legislation control certain activities of political parties?
31. Which means are available to political parties to make their platform known?
32. Do political parties have a role to play in the running of elections?
33. Does the election legislation contain provisions regarding the funding of political parties?
34. Does the state allocate amounts or resources to all political parties?
35. Do political parties receive financial backing from outside supporters?
36. Does the party in power use public resources for partisan purposes?
37. What are the eligibility criteria for candidates? Is a deposit required?
38. What is the period for receiving nomination papers?
39. What are the terms and the documents required for nomination papers?
40. Is the official list of candidates published in the media or posted in public places?
41. Are there procedures for challenging nominations?
42. Did any candidates withdraw?

Election campaign climate and media access

43. Are human rights respected?
44. Is the rule of law generally respected?
45. Are there other factors that could disrupt participation in elections?
46. What is the duration of the election campaign?
47. Can one say that the press is free?
48. If there is censorship, how and by whom is it exercised?
49. Do all parties have fair access to the media?
50. Do the media provide balanced coverage of the election campaign?
51. Is electoral advertising limited?
52. Is information accessible to the entire population?
 - Illiteracy rate
 - Percentage of the population that has a television, radio

Appendix IV – Monitoring the vote

Polling stations

1. Are the site and the layout of polling stations suitable?
2. Are the premises monitored by the police or by soldiers? If so, do the latter facilitate voting?
3. Is there a sufficient number of polling stations (number of voters per polling station)?
4. Is the location of polling stations well known and easily accessible to voters?
5. Is all the necessary material available?
6. Are there special polling stations (advance polling, mobile polling stations, etc.)?
7. What are the hours of operation of all polling stations and are these hours respected?

Ballot

8. What type of ballot is used?
 - one for all candidates
 - one per candidate
9. Is the ballot sufficiently clear?
 - candidate's photo
 - acronym of the political party
 - candidate's name
 - color of the paper
10. How do voters mark the ballot?
11. Are ballots numbered?
12. Do ballots bear the initials of one of the election officers?
13. Can an elector be traced from a ballot?
14. Does the elector place the ballot in the ballot box?

Secrecy of voting

15. What type of ballot box is used?
16. Are seals employed? What type?
17. Does the layout of the polling booth ensure the secrecy of voting?
18. How are ballots collected after voting?

Procedures

19. Are remarks pertaining to the conduct of voting recorded in a document such as the poll book?
20. How are unused or smudged ballots disposed of?
21. What measures are implemented to prevent electoral fraud?

Electors

22. Who has the right to vote?
23. What means are used to identify voters?
 - voters' list
 - voter's card
 - other
24. May a voter who has an I.D. card but who is not registered vote?
25. Are there provisions for voting by persons who are absent? If so, what are they?
26. Are there provisions for persons who are unable to go to polling stations?
27. Were voters prevented from voting? If so, why?
28. Can voters be assisted? By whom? How many were assisted?
29. How much time does it take to vote, from the receipt of the ballot paper to its deposit in the ballot box?
30. Is the wait outside the polling station long?
31. How many voters voted during your visit?
32. Do electors seem to clearly understand the voting procedures?
33. Can the voters make it to the polling places easily?
34. Does there appear to be any form of intimidation of voters?
35. Do the persons present at the polling station attempt to influence voters?
36. Do the voters seem to find the process credible?
37. When the polling station closed, were the persons who were still waiting able to vote?
38. Overall, do the voters seem satisfied?

Election officers

39. Are the election officers (the person in charge, the deputy returning officer, the person responsible for security, etc.) easily identifiable?
40. Which other persons (representatives of the political party in power and the opposition, volunteers, journalists, forces of law and order) are present?
41. How were the election officers chosen?
42. Were the staff adequately trained? Do they seem proficient in their duties?
43. Do the election officers carry out the tasks assigned to them in accordance with the standards and procedures?

Counting of the votes and tallying of the results

44. Where is the counting done?
45. How much time elapsed between the closing of the polling station and the counting of the votes?
46. Who is present at the counting of the votes?
47. Are the persons assigned to the counting of the votes well acquainted with the rules?
48. Under what conditions does the counting of the votes take place?
49. Who observes the counting of the votes?
50. Who tallies the results?
51. How are the results transmitted and to whom?
52. Are unused or smudged ballots counted?
53. Does the counting of the votes take place at a location other than the polling station? If so, where and what security measures are taken?
54. Who carries the ballot box?
55. How long did the counting operation last?
56. To whom is the statement of votes sent?
57. How are the results certified?
58. Who can contest the results and were they contested?
59. What is done with the election material (ballot boxes, ballots used, lists of electors, poll books, etc.) once the counting of the votes has taken place?

Results

60. Who is authorized to disclose the results?
61. What is the credibility of the organization in charge of disseminating the results?
62. How much time lapsed between the end of the vote and the announcement of the official results?
63. What were the results of the vote?
64. What was the turnout rate?
65. What was the rate of rejected ballots? Did it seem unusually high?

Fraud and complaints

66. What steps are taken to avoid election fraud?
67. Are observers included in all stages of the election process and in particular during the counting of the votes?
68. Did the parties take part in the counting of the votes?
69. Were there any complaints?
70. Was the population informed of the possibility of lodging a complaint?
71. Are there any irregularities or unusual incidents to report?

Most frequent election irregularities

- Intimidation, violence
- Unfair redistribution of the electoral map
- Erroneous application of the provisions of the election act or code
- National, regional, or local electoral authorities adhering to the cause of a party
- Voter with several voter's cards
- Sale of voter's cards
- Voters not having the possibility to register
- Illegal modifications to the voters' list
- Obstruction of the right to vote
- Voting by persons who are not qualified voters
- Same voter voting more than once
- Stuffing or manipulation of ballot boxes, manipulation of ballot papers
- Bogus or fictitious polling stations
- Deliberate poor organization of the vote
- Exploitation of the ignorance of voters
- Cheating by using visible indelible ink
- Falsification of reports
- Manipulation of figures at the time of the publication of results
- Complicity of the justice system during disputes
- Buying of some voters' votes.

Sample summary report by an observer

Observer's name: _____ Accreditation zone: _____

Type of election: _____ Date: _____

Number of polling stations visited: _____

Numbers of the polling stations observed: _____

Description of the irregularities detected: _____

Statistics on irregularities detected: _____

Administrative shortcomings: _____

Recommendations concerning the legitimacy of voting in the observation zone: _____

Recommendations to improve the management of the electoral process:

Documents to be appended: Observation checklists for each polling station observed

Appendix V – Rights and duties of observers

Observers are independent, but they have the rights and duties listed below; these rights and duties are not mutually exclusive, with some being both rights and duties.

Rights:

- Travel anywhere within the host country without prior authorization or notice, with the sole constraint being personal safety
- Be entitled to observe the entire electoral process
- Be free to meet with and speak to the representatives of political parties, candidates, and election officers, subject to their availability
- Observe any meeting of electoral and political authorities during hearings, objections, complaints, and appeals
- Accompany the transport of material and observe its delivery
- Have access to every voter registration office, every polling station and every center where results are compiled
- Report their observations to their organization

Duties:

- Abide by the laws and respect the sovereignty of the host country
- Refrain from interfering in the affairs of the country
- Refrain from interfering in the electoral process, issuing instructions to election officers, or disturbing the process
- Be neutral, impartial, objective, and unbiased; not wear a uniform, signs, colors, etc. that would suggest or indicate their support for a given party or candidate
- Do not place themselves in situations of conflict of interest
- At all times during the observation of the process wear the accreditation card issued by the host country
- Report any presumed major irregularity or fraud observed as soon as possible to electoral authorities, and ask that a report be prepared
- Respect the secrecy of voting
- Not be in the possession of or carry any firearm for the duration of their assignment to the observation mission.

Appendix VI – Sample of a general report on an electoral observation mission

- I. Summary
- II. Terms of reference
- III. Context and stakes of the elections
- IV. Legal, political, and administrative framework of the organization of elections
- V. Observation methods used
- VI. Description of the activities of the mission
- VII. Obstacles observed
- VIII. Analysis of the various aspects of the period preceding the holding of the vote, including the following:
 - Selection and behavior of the members of the electoral commission
 - Electoral structure
 - Legal framework
 - Election calendar
 - General sociopolitical climate
 - Stakeholders
 - Registration of voters and candidates
 - Election campaign
 - Preparation and distribution of election materials
 - Information for the electorate
 - Training of members of polling stations
- IX. Main points observed, including the following:
 - Environment inside and outside polling stations
 - Election materials: lists of electors, ballot boxes, ballot papers, polling booths, etc.
 - Conduct of election officers
 - Conduct of voters
 - Conduct of candidates and political parties

- Counting of the votes
 - Return of the materials
 - Tallying of the results
- X. Conclusions of the mission
- Possible limits of the report
- XI. Recommendations intended to consolidate democratic institutions
- XII. Acknowledgments

Possible appendices:

- Press releases issued by mission
- Pre-election reports
- Composition and breakdown of teams
- Work plan and work schedule
- Itinerary of observers
- Statistical assessment of the facts observed
- Documents collected on site (electoral code, manual for members of polling stations, regulations, procedures, forms, minutes, specimens of ballot papers and other documentation)
- Key figures, organizations and political parties met with
- Collaboration with other organizations
- Complaints and challenges received
- Other forms of assistance from the international community in the holding of the elections

Appendix VII – Code of conduct for the observation of elections adopted by other international organizations

Code of conduct for the observation of elections (International IDEA)

For its part, the International Institute for Democracy and Electoral Assistance, located in Stockholm and commonly known as International IDEA, lists the observer's duties as follows:

- Recognize and respect the sovereignty of the host country
- Be non-partisan and neutral
- Be comprehensive in their review of the election, considering all relevant circumstances
- Be transparent
- Ensure accurate observation of the election⁷

Code of conduct of the OSCE

The Organization for Security and Cooperation in Europe (OSCE) has also drafted rules of ethics, which members of election-monitoring missions should observe. The OSCE recommends that observers adopt the following conduct:

“ ...

- Observers will maintain strict impartiality in the conduct of their duties, and shall at no time express any bias or preference in relation to national authorities, parties, candidates, or with reference to any contentious issues in the election process;
- Observers will undertake their duties in an unobtrusive manner, and will not interfere with the election process, polling day procedures, or the vote count;
- Observers will carry the prescribed identification issued by the host government or election commission, and will identify themselves to any interested authority upon request;
- Observers will not display or wear any partisan symbols, colors, or banners;
- Observers may wish to bring irregularities to the attention of the local election officials, but they must never give instructions or countermand decisions of the election officials;
- Observers will base all conclusions on all documented, factual, and verifiable evidence and should fill out a statistical survey form of polling stations visited;
- Observers will refrain from making any personal or premature comments about their observations to the media or any other interested persons, and will limit any remarks to general information about the nature of their activity as observers;

⁷ International Institute for Democracy and Electoral Assistance, *Code of conduct. Ethical and Professional Observation of Elections*, p. 10.

- Observers will participate in post-election debriefings, by fax or telephone if necessary;
- Observers must comply with all national laws and regulations.”⁸

Code of conduct of the Inter-Parliamentary Union

The principles of conduct recommended by the Inter-Parliamentary Union are similar to those advocated by the other international agencies active in the democratic rights promotion field. Generally, the Code of conduct for elections recommends that:

“The conduct of international observers, in addition to respecting the national legislation, is governed by the general principles of responsibility: observers must limit themselves to their mandate, show professionalism, be honest and impartial.”⁹

More specifically, the following rules are stated:

“ ...

- Act with strict neutrality and without bias towards national authorities, parties and candidates, electors, the press and the media, and the organization of election observers
- Refrain from engaging in any act that could be prejudicial to the electoral system or to the administration of the election
- Make known any fact that could give rise to a conflict of interests or to the appearance of a conflict of interests during the observation and the evaluation
- Refuse gifts from parties or persons taking part in the election
- Comply with national laws and regulations, as well as the electoral code
- Show caution before publishing information gathered during the observation, and avoid hasty conclusions
- Base all their conclusions on verifiable facts and use recognized reference standards”¹⁰

⁸ Organization for Security and Cooperation in Europe, op. cit., p. 5-6.

⁹ Guy S. Goodwin-Gill, *Codes of Conduct for Elections*, Geneva, 1998, Inter-Parliamentary Union, p. 45.

¹⁰ Guy S. Goodwin-Gill, op.cit., p.45-46.

Guidelines for election observation (Francophonie)

La Francophonie has adopted guidelines for election-monitoring missions. These principles were adopted by the Permanent Council of La Francophonie (PCF) in Marrakech on December 17 and 18, 1996. The guidelines stipulate that observers must have a reputation for independence of mind, impartiality, and objectivity¹¹.

One of the basic principles determining whether an observation mission will be sent in La Francophonie is that the requesting state first submit an application to the President of the Permanent Council of La Francophonie and to the Secretary-General of Organisation internationale de la Francophonie (OIF) three months before the electoral event. The PCF or its President may decide to first send an exploratory mission, the purpose of which is to collect documentation, analyze the measures taken or envisaged as well as the context, and to report to the President of the PCF.

The observation mission, which is part of a broader democratization support process instituted by a number of French-speaking countries, must respect the sovereignty of the requesting state and the legislation in force. Equipped with the appropriate terms of reference and mission orders, the members of the mission must have a reputation for independence of mind, impartiality, and objectivity. They must also have a good knowledge of election rules and techniques. In addition, they are expected to have some knowledge of the requesting country or at the very least of the region where the mission will take place.

The number of members of the mission is set by the President of the PCF, with a concern for the multilaterality of French-speaking countries. Special attention will be paid to the representation of the various regions that make up La Francophonie. The members of the mission equipped with the relevant documentation that they will have received from OIF, will take part in a preparatory session before leaving.

It is expected that members of the observation mission will have made, as soon as possible, all the appropriate contacts with the country's political and administrative authorities, in particular the authorities in charge of organizing and overseeing the elections. Special attention must be paid to actual access to the media.

During their stay, observers will take note of the location of polling stations, the opening and closing times; the actual conditions of voting; the presence of representatives of parties or candidates; the quality of the officials in charge of overseeing the conduct of operations, the conditions of the vote count. As for the duration of their stay, it is preferable that observers arrive in the host country sufficiently ahead of time to be able to carry out their mission under satisfactory conditions, that they be present for the counting of votes, and that they remain until the announcement of the provisional results. A press release will have to be issued on site immediately after the counting of

¹¹ Permanent Council of La Francophonie. *Guidelines for sending an election-monitoring mission*. Adopted by the PCF at its 23rd session, on November 12 and 13, 1996, (CPF-23/96/D 299), p. 5.

votes, by the person in charge or the spokesperson of the mission. Wherever possible, the mission must take place in cooperation with other international monitoring missions.

Lastly, the mission shall report to the President of the PCF within fifteen days of its return. This report is made public. The PCF will examine the report and decide on the follow-up that it should be given, after receiving the opinion of the Political Committee.

* * *

Beyond the specific characteristics of these codes of conduct, it is important to understand that the conduct of members of election monitoring missions is a decisive factor in ensuring the credibility of the mission and, consequently, its success. Knowledge of the codes of conduct and the observance of internationally recognized rules of ethics in this field are imperative.