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Violence Prevention through Election Observation

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ABOUT THE REPORT

This report examines the impact of violence prevention mandates in the election observer missions organized by intergovernmental, international, or domestic organizations. Commissioned by USIP's Governance, Justice & Security program, the report draws on desk research and builds on findings presented in *Electing Peace* (USIP Press, 2017).

ABOUT THE AUTHOR

Larry Garber has more than thirty-five years of election-related experience. In 1984, he authored the Guidelines for International Election Observing and subsequently organized observer delegations in more than twenty-five countries. Most recently, he served as field director for missions in Sierra Leone and Zimbabwe, and as team leader of a review of US government election assistance in Tunisia. He has advised senior leaders in several countries and inter-governmental organizations on election matters.

Cover photo: Observers from the European Union monitor the election process inside a polling station outside Tunis during the first round of the presidential election on September 15, 2019. (Photo by Mosa'ab Elshamy/AP)

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Summary



Election-related violence affects more than 20 percent of elections worldwide, with the ferocity varying from a few incidents of intimidation and destruction of property to large-scale deaths and mass population displacements. Responding to severe occurrences of election-related violence in the mid-2000s, the international community has emphasized the development of tools aimed at preventing and mitigating such outbreaks and support for research to understand the impact of these tools.

Election observation, which has evolved dramatically during the past thirty-five years, is one of the international community's principal tools to prevent election violence, although it is by no means a silver bullet. In some instances, a heavy observer presence on election day may shift violence to other phases of the process, and critical post-election observer statements may exacerbate tensions and stimulate violence. Consequently, considerable deliberation is required in planning a mission, framing the content, and determining the timing of public statements.

Election observers' ability to help prevent election violence is enhanced when the mission commits to a long-term and geographically targeted deployment in coordination with other credible international and domestic observer groups. However, quantifying the precise impact of the observers' presence is difficult, complicating decisions to determine the appropriate investment in observation as opposed to other forms of electoral support. Consistent with their mandates, observer missions should play a proactive mediation role when violence appears imminent at the national and subnational levels, and should proactively encourage all competing parties to take affirmative steps to reduce tensions.

Even though election observers can play an important role in preventing violence, their deployment is not warranted where security conditions compromise their freedom of movement or place the observers at physical risk. This consideration is particularly relevant where an armed actor seeks to prevent the occurrence of elections through repeated acts of violence directed at those participating in the process.



Zimbabwe Electoral Commission chairperson Justice Priscilla Chigumba (center) announces the results of presidential elections in Harare, Zimbabwe, on August 3, 2018. (Photo by Jerome Delay/AP)

Responding to Election Violence

To prevent or minimize such violence, the international community often has relied upon election observation, which incorporates by design an extended on-the-ground presence and proactive mediation by international and domestic actors.

For many years, election-related violence has posed a serious threat to the integrity of electoral processes worldwide. To prevent or minimize such violence, the international community often has relied upon election observation, which incorporates by design an extended on-the-ground presence and proactive mediation by international and domestic actors. However, whether the mere presence of election observers prevents violence is debatable, even as expectations have continued to rise.

The experience of Zimbabwe's July 2018 harmonized elections, for example, illustrates the challenges associated with assessing the impact of election observation on violence prevention. The 2018 elections were to take place against the backdrop of the country's eighteen-year-long crisis, in a severely limited political space and where widespread violence had marred a series of fundamentally flawed elections. Consequently, the international community mobilized the full panoply of tools to enhance the prospects that the 2018 elections would be different. The Zimbabwe Election Commission (ZEC) received technical assistance, including for the development of a voter education campaign and dispute resolution mechanisms, and robust election observer missions were deployed by both international and domestic organizations.

The consensus among the observers was that the 2018 elections were among the most peaceful in Zimbabwe's history.¹ However, several international observer organizations and the lead domestic organization criticized the overall process for failing to demonstrate a decisive break from flawed elections in the past.² Among other concerns, they cited a bombing at a pre-election ruling party rally that killed three people and injured several others, and the deaths of seven protesters on the streets of the capital two days after the elections. These observer groups also noted a pattern of intimidation and threats directed at opposition candidates and supporters throughout the process.

As was evident in Zimbabwe, election observation is not the only tool available for responding to concerns of election violence. Indeed, many approaches have been articulated and implemented with this objective in mind, including improving election management, conducting preventive diplomacy, supporting peace messaging and civic education activities, expanding youth programming, focusing particular attention on threats directed at women, training and engaging security sector actors, and supporting the development of credible dispute resolution mechanisms. Yet election observation remains the default tool of the international community and the tool most familiar to the general public while requiring the most resources.³

Observer missions are organized by intergovernmental, international nongovernmental, and domestic nonpartisan organizations. During the past forty years, election observation has been recognized as an international norm and institutionalized through lessons drawn from decades of practice. The scope of election observation missions has grown in terms of numerical size, length of time associated with on-the-ground deployments, methodological sophistication, use of advanced technology, media and social media monitoring, extent of interactions between international and domestic operations, and influence on domestic political actors. As defined by their sponsors, the purposes

of such missions today include enhancing public confidence, assessing the fairness of the process, and deterring election violence. It was not always this way. In the 1980s and 1990s, election observers focused on deterring or detecting fraud and encouraging participation in the electoral process. Violence prevention was not specified as an objective, although the relation between a credible process and a minimum level of violence and intimidation was assumed as self-evident.

The frequency and severity of violence associated with elections in a number of countries during the first decade of the twenty-first century elevated the prevention of election violence to a leading objective of many observer missions. The vicious clashes between supporters of the major parties following the announcement of results in the 2007 Kenyan presidential election proved a watershed moment for those seeking to understand the nature of election-related violence and to prevent its occurrence.⁴ Before calm was reestablished, upward of 1,300 people were killed and more than half a million were displaced. And because the Kenya tragedy was followed in quick succession by serious electoral violence in Zimbabwe, Bangladesh, Côte d'Ivoire, Afghanistan, and elsewhere, policymakers, assistance providers, and academics have been drawn to assessing the efficacy of various mechanisms that have been deployed to mitigate the problem.

Several current data sets provide more precise information on the incidence and intensity of election-related violence.⁵ They show that the prevalence of election violence varies from region to region. For example, in sub-Saharan Africa between 1990 and 2014, violence—ranging from low-level intimidation to intense, protracted conflict—took place in approximately 55 percent of elections.⁶ A more recent study estimates that “election violence affects about a quarter of national elections worldwide, with even higher rates in the developing world.”⁷

As election observation missions have acquired more responsibilities, their role in addressing election violence has expanded as well. This development has raised a



Head of the OAS Electoral Observation Mission and former president of Costa Rica Laura Chinchilla, accompanied by an observer, visits a polling station in Brasilia, Brazil, on October 28, 2018. (Photo by Eraldo Peres/AP)

number of conceptual and operational challenges that deserve to be examined in greater detail. This report defines the problem of election violence, describes how election observation has evolved over the past four decades, assesses the direct and indirect impact of election observation on election violence, and suggests how preventive efforts can be enhanced through improved, multi-mandate observation practices.

DEFINING THE PROBLEM

Elections generally are conceived as a mechanism for peacefully resolving competition for political power and allowing for the popular choice of leaders. Yet throughout history, elections have triggered violence, particularly where the contest is seen as a winner-take-all or zero-sum venture. The passions stimulated by electoral competition and the grievances that often exist just below the surface—particularly in countries with no or

minimal democratic experience, or with severe political divides along religious or ethnic lines—create a cauldron that can boil over with disastrous consequences.

At the same time, election-related violence, while a justifiably troubling phenomenon, must be considered from an objective, real-world perspective: violence in a conflict-affected country is a year-long phenomenon, which may not necessarily increase during an election period.⁸ Moreover, violence is caused by myriad factors, and the risks associated with using force (or allowing it to be used) make it less common than other contemporary rigging tactics deployed by those seeking to manipulate elections.⁹

As described in a handbook published by the National Democratic Institute (NDI), the impacts of election violence are varied:

Most data sets count only those acts that are related to the pre-election day preparations, such as voter registration, or that occur no more than three months after election day. The implications of such a cutoff are significant.

Electoral violence subverts basic standards for democratic elections. Violence against candidates, activists, journalists, voters, election officials and observers can reduce voters' choices and suppress the vote. Violence can be used to intimidate individuals and communities to vote against their will for a candidate. Assassinations of candidates can even change electoral outcomes. Armed groups seeking to overthrow a government often resort to violence during elections. In other cases, violence can break out when large numbers of people [protest] official election results.¹⁰

Not surprisingly, the term “election-related violence” has any number of definitions. A 2014 study prepared for the European Parliament emphasizes the relationship between election-related violence and power:

Election-related violence is, most fundamentally, a form of political violence that aims to influence the conduct of an election, usually to influence its outcome. It is about power—holding it, winning it or protesting how it has been won and involves any use of force with the intent to cause harm or the threat to use force to harm persons or property involved in the electoral process.¹¹

A 2017 paper by Sarah Birch and David Mulchinski reviews a half-dozen definitions before offering their own: “coercive force, directed towards electoral actors and/or objects, that occurs in the context of electoral competition.”¹² An even more recent study on the subject considers the following features as relevant to defining election-related violence: temporally close to elections, targeted against those involved in the electoral process, motivated by desire to influence electoral outcome, and a strategic tool used to influence political processes.¹³

This report adopts a definition of election violence formulated by Jonas Claes and Inken von Borzyskowski as including “any form of intimidation or physical violence directed against electoral stakeholders, the disruption of events or damage to materials, intended

to affect an electoral process or influence the outcome.” Their definition of election violence prevention spans the measures “taken with the explicit aim of protecting electoral stakeholders, events, and materials; promoting an environment conducive to a peaceful election process; and addressing the risk of violence in a proactive and sustained manner.”¹⁴

Determining what constitutes “close to elections” is the subject of debate. Most data sets count only those acts that are related to the pre-election day preparations, such as voter registration, or that occur no more than three months after election day. The implications of such a cutoff are significant. For example, in June 1993, Burundians overwhelmingly elected as president Melchior Ndadaye, the head of the leading opposition party and member of the majority Hutu ethnic group. In October—outside the ninety-day window—Ndadaye was assassinated by Tutsi extremists, and more than fifty thousand people were killed in the ensuing violence.¹⁵ Most analysts viewed the unwillingness of the Tutsi-dominated military to accept the election outcome as the proximate cause of the violence.

A second demarcation point relates to whether the number of election-related violence incidents should be limited to deaths and physical injuries. Judith Kelley, for example, distinguishes between “violence,” which includes grenades and other weapons, murders, physical assaults, and protests that turned violent, and “intimidation,” which is categorized as election irregularities.¹⁶ A too-narrow definition contributes in particular to the gross undercounting of violence directed against women in the election context, as they often suffer from nonphysical forms of violence such as intimidation, virtual threats through social media, and other forms of psychological pressures. A narrow definition may also prevent researchers from monitoring and analyzing how nonlethal risk factors are evolving over time,

which may reduce the ability to detect and prevent a sudden shift toward violence.

The joint International Republican Institute (IRI)/NDI report on the 2018 Zimbabwe election is illustrative. The report describes the nonlethal violence that took place during the pre-election period and the impact of such “soft intimidation”:

Though the freedom to organize and speak freely during the campaign period was a welcome new development during this election cycle, unfortunately the overall environment was compromised by widespread intimidation. . . . Methods of intimidation included reminding citizens of the violence that took place during the 2008 elections and the lingering threat of similar violence in the event of a runoff or if the ruling party were to lose. Other threats involved destroying homes or the loss of land for those living in resettlement areas without title deeds. Reports of military personnel in civilian clothing using politically motivated threats to influence voters were also prevalent. . . . These subtle or so-called “soft intimidation” methods affected voter confidence in the secrecy of the ballot and subverted the electoral process more broadly.¹⁷

Common structural sources of election violence include weak or inadequate state structures, deep societal divisions, poverty and economic inequality, the high-stakes nature of elections, ongoing human rights abuses, and a history of political violence. The proximate cause of the violence, meanwhile, may involve the seemingly arbitrary exclusion of a party, candidate, or voter; hate speech directed at a particular group or candidate competing in the election; gross mismanagement of the election administration; and delayed announcement of the results or concerns about their manipulation. Specific forms of election-related

violence include interparty or intraparty violence, street protests, excessive use of force by security forces, targeted assassinations directed against political leaders, gender-based violence directed primarily against women, and the destruction or vandalism of property, including increasingly through the use of cyberattacks. Competitors in the political process, security force operations, insurgent groups, and criminal or neighborhood gangs seeking to prevent the occurrence of elections or affect the outcome may all be responsible for election-related violence.

Election-related violence often is examined in the context of the specific phase of the election cycle when it occurs. The usual distinctions are the pre-election day period, including voter registration and political campaigning; the election day, both at and away from polling sites; the immediate post-election period before and immediately following the announcement of results; and the period following the final adjudication of complaints by the constitutionally authorized body.

This report focuses on election observation as a violence prevention tool, but a broad array of complementary tools may provide support for these efforts. A 2013 US Agency for International Development (USAID) election security handbook draws the following conclusions from lessons learned about preventing electoral violence: “comprehensive program responses should be multi-sectoral and can involve elections and political transitions, conflict management and mitigation, rule of law, civil society, media, women’s empowerment, and security sector programs.”¹⁸ In other words, it suggests employing the full panoply of democracy assistance tools, with the focus on preventing election violence in any and all potential forms.

Evolution of Election Observation



Before 1980, the practice of dispatching international observers was a sign of democratic solidarity. The Organization of American States (OAS) in particular used election observers for this purpose. The observers were two or three political notables who spent a few days in the country during the election period and then issued a short congratulatory statement following the conclusion of the balloting process. These efforts came under deserved criticism as being inconsequential and a waste of resources, and potentially undermining democracy by legitimizing severely flawed elections.

In 1984, the International Human Rights Law Group (IHLRG), with USAID funding, developed standards for election observation.¹⁹ The standards articulated several rationales for dispatching election observers, but with a primary emphasis on providing an objective assessment of the electoral process. They did not explicitly mention violence prevention, though they did refer to the presence of international election observers as contributing to an improved human rights situation in the country.

In the years that followed, observers witnessed many elections in countries that were emerging from armed conflict, where security forces were perceived as violators of human rights, or where political tensions among the competing parties led to violence among their supporters. In these countries, observers understood that election-related violence was a real possibility. Among the many factors considered in their overall assessment, they had to assess whether any physical or psychological violence directed against election officials, political candidates, or ordinary citizens had affected the quality of the election. However, the tools for examining the magnitude of such violence and

identifying those responsible for violent acts were rudimentary. Observers therefore had to evaluate the impact of violence on the electoral process in terms of whether, under the prevailing circumstances, contestants could communicate their message, voters could make a free choice, and election officials could carry out their prescribed activities.

The 1986 Philippines snap presidential election and the 1990 Nicaragua elections were important inflection points in the evolution of election observation. The Philippines experience, which took place in the midst of severe political turmoil triggered by allegations of corruption and human rights abuses against President Ferdinand Marcos and his administration, highlighted the role that the combination of international and domestic observers could play in delegitimizing a flawed electoral process. However, despite the Philippines' historical experience with violent elections, the principal international observers did not explicitly include preventing violence as one of the objectives in their terms of reference.²⁰

The 1986 election introduced the international community to the National Citizens' Movement for Free Elections (NAMFREL), a domestic Filipino election watch organization that observed the polling and challenged President Marcos's claim to electoral victory. NAMFREL relied on two tools that have since played critical roles in contemporary election observation: the recruitment, training, and deployment of a large number of citizen volunteers operating under a nonpartisan umbrella to monitor all phases of the election, and the undertaking by these domestic monitors of a parallel vote tabulation (PVT) to validate or contest the results published by the official election management body (EMB).²¹ NAMFREL volunteers often placed themselves



NAMFREL volunteers link arms to protect a dump truck full of ballots being taken to City Hall in Manila for counting the day after the February 7, 1986 presidential election. (Photo by AP)

in harm's way, and three were killed and scores injured while serving as observers.²² In the ensuing three decades, millions of citizens in more than ninety countries have joined nonpartisan election observation efforts, significantly contributing to "safeguarding genuine elections, mitigating potentials for conflict, and promoting accountability and democratic development."²³

The 1990 Nicaragua elections, which ended in a surprise defeat for ruling President Daniel Ortega, provided the next milestone. For the first time, the United Nations agreed to observe an election in a sovereign state. The OAS adopted a more holistic approach, which included deploying long-term observers several months before election day, thereby contributing to a peaceful pre-election environment. Both organizations conducted their own PVTs, which convinced Ortega's Sandinista National Liberation Front to acknowledge

defeat on election night. The leaders of the UN and OAS delegations, encouraged and accompanied by former US President Jimmy Carter, also played a proactive role in negotiating the rules of the electoral process, mediating specific disputes, and obtaining commitments from the principal contestants that they would respect the results. All of these contributions helped lead to a peaceful result in a country that had been riven by political violence for more than three decades.²⁴

Building on the Nicaraguan experience, the principle of intergovernmental organizations using observation and technical assistance to engage in elections in sovereign states was extended, more generally, to post-conflict elections in Angola, Cambodia, Mozambique, and El Salvador.²⁵ In these cases, the international community assumed a more active role than mere observation, often directly supporting the electoral authorities with

supplies and expert staff, and providing military and police forces to maintain the peace. The election observers also confronted the realities of post-conflict elections, which often required compromises to ensure that elections could occur in the time frame authorized by a particular peace agreement in order to facilitate reconstruction and the withdrawal of peacekeeping troops.

Following the fall of the Berlin Wall in November 1989 and the rapid collapse of communist governments in the former Warsaw Pact countries of East and Central Europe, election watch organizations faced new challenges in securing free and fair elections in a post-Cold War world. The 1990 Copenhagen Declaration formally enshrined the role of international and domestic observers among all the member states of (what was then called) the Conference of Security and Cooperation in Europe (CSCE):

The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other CSCE participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law. They will also endeavor to facilitate similar access for election proceedings held below the national level. Such observers will undertake not to interfere in the electoral proceedings.²⁶

Other regional organizations soon adopted resolutions expressing similar sentiments and began sponsoring election observer missions as a regular course of business.

By the early 2000s, international observation had become ubiquitous around the globe. In a 2005 ceremony at UN headquarters, more than fifty international organizations, both intergovernmental and nongovernmental, formally adopted the Declaration of Principles for International Election Observation and accompanying Code of Conduct for International Election Observers. The declaration's preamble states:

International election observation has the potential to enhance the integrity of election processes, by deterring and exposing irregularities and fraud and by providing recommendations for improving electoral processes. It can promote public confidence, as warranted, promote electoral participation and mitigate the potential for election-related conflict.²⁷

Interestingly, beyond the preamble, there is little mention of violence prevention. The drafters sought to distinguish observation from mediation, and steered away from language that might confuse or conflate the two. Six years later, a network of domestic groups from all regions of the globe approved a declaration of principles governing their observation activities. By then, election violence was a major concern, and their declaration was much more explicit in addressing it:

Non-partisan election observation and monitoring by citizen organizations can contribute significantly to deterring and mitigating potentials for election related violence, and that activities by non-partisan election observation and monitoring organizations can contribute significantly to improving the democratic quality of legal frameworks for elections, [and] the conduct of election processes and broader democratic development.²⁸

In recent years, both international and domestic groups have directed more attention to the pernicious problem of gender-based violence in the context of electoral processes, which includes “the escalation of harassment, intimidation, sexual and physical violence against women in public life, gender-biased scrutiny by the public and the media, and the forced resignations and assassinations of women politicians in the most extreme cases.”²⁹ In response, the United Nations Development Programme (UNDP) and other bodies are advocating for efforts to ensure that the issue of violence against women in elections is integrated into electoral violence early warning and general monitoring tools, and that it is addressed through prevention and mediation tools in the same manner as other forms of electoral violence.³⁰



Former US President Jimmy Carter (center) visits a polling station in Katmandu, Nepal, on November 19, 2013, where the Carter Center, an international poll observation organization headed by the former president, mobilized election observers for the election. (Photo by Niranjana Shrestha/AP)

ELECTION OBSERVATION TODAY

Since the 1980s, election observation has evolved from an ad hoc exercise to a structured process undertaken by a range of organizations and often incorporating multiple mandates, including violence prevention.

The early emphasis was on objectively assessing the election process, but even during this period observers frequently assumed that the presence of “outsiders,” whether from abroad or as part of a domestic monitoring effort, would deter or mitigate the most egregious incidents of electoral violence. At the same time, however, observers did not receive guidance or training in violence prevention, and were not expected to intervene, other than to make their presence known to the relevant authorities.

In many cases, simply reporting on events proved an inadequate response to a combustible situation on the

ground. Following the example set by former President Carter, observer group leaders began attempting to exercise a “good offices” function during the pre-election period, seeking commitments from the leading actors to refrain from specific activities that could exacerbate tensions. Many of these ad hoc attempts, however well intended, did not have explicit authorization from any of the parties involved.³¹ Nevertheless, the shift to a more holistic approach to election observation reflected growing sophistication among the organizations sponsoring missions, as well as several real-world experiences where significant electoral violence caused large numbers of deaths and affected the democratic well-being of specific countries. As a consequence, and depending on the availability of resources, observers began to be deployed for extensive periods outside a national capital during the pre-election period with the explicit objective of preventing violence.

Short-term observers arrived in the country several days before the election and remained for up to four days afterward. The delegations came together for extensive coordination before and after the elections, and contributed to the calming of tensions following the violence that occurred in Harare two days after the polls closed.

The 2018 Zimbabwe elections illustrate the contemporary mindset. Well before the election, the government of Zimbabwe indicated that international observer missions would be welcome and that, unlike in previous elections, it would extend that welcome to missions from beyond the Africa region. A joint IRI/NDI team began deploying in April, a month before the election date was formally set. A June pre-election mission recommended thirteen steps that the government and EMB could take to enhance confidence in the process, including several that reflected concerns about the prospects for violence. Specifically, the team urged that the contesting parties be held accountable to the political party code of conduct and that they proactively address the issue of violence against women in politics. Most notably, the team called for the political parties to express

their commitment to conduct a violence-free campaign and to accepting the results of credible elections through a well-publicized pledge witnessed by leading domestic and international personalities. Further, senior officers of the Zimbabwe Defense Forces (ZDF) should make public and unambiguous statements that all branches of the military will loyally serve whoever wins this and future elections.³²

Six weeks before the election, both IRI/NDI and the European Union deployed long-term observers to provincial capitals around the country. For the election day period, these teams were supplemented by short-term observers from IRI/NDI, the EU, and several additional organizations, including the African Union (AU), the

Southern Africa Development Community (SADC), and the Commonwealth. Each of these latter organizations was led by a former African head of government or other prominent official. The short-term observers arrived in the country several days before the election and remained for up to four days afterward. The delegations came together for extensive coordination before and after the elections, and contributed to the calming of tensions following the violence that occurred in Harare two days after the polls closed.

In addition to the international presence, Zimbabwe has a plethora of domestic organizations that have considerable experience monitoring elections in the country. Most notable is the Zimbabwe Election Support Network (ZESN), which formed in the early 2000s. ZESN assessed each phase of the process beginning with voter registration and mobilized 7,200 volunteers to monitor the election day events. ZESN also conducted a well-designed PVT, which provided critical data regarding the validity of the results reported by the EMB.

The Zimbabwe case is not unique. Indeed, the model applied in Zimbabwe has been used worldwide, although the precise details of a specific mission vary depending on circumstances within the country and the broader interests of the international community. The next section examines questions regarding efficacy, costs, and the potential unintended consequences that may emerge from these efforts.

Contemporary Election Observation Challenges

Several rigorous studies have raised important policy questions for those funding and organizing election observation missions. However, they have not undermined the continued utilization of election observation as a violence prevention mechanism. Specific challenges confronting election observation today are disaggregated for consideration below (and summarized in table 1), although they form part of an integrated “system” and, ultimately, must be addressed in a holistic fashion to maximize the benefits of this oft-used tool.

COMPETING MANDATES

Many who support the election observation process suggest that such efforts can benefit from the inclusion of a violence prevention mandate. First, they argue, the mere presence of neutral observers serves as a deterrent to those inclined to use violence for political gain. Second, observers are capable of acting as effective mediators among potential violent actors. Third, observers can effectively map the locations where violence is most likely to occur and devise effective strategies for addressing the problem. Fourth, observers can encourage security forces to operate in a manner that reduces the likelihood of violence by interacting with them on a regular basis and by monitoring their activities. Finally, observers can use tools like parallel vote tabulations and the timely issuance of statements to influence the activities of those who might be inclined to initiate violence.³³

Nonetheless, some practitioners remain adamant that, regardless of the current preferences for more dynamic on-the-ground action by domestic and international observers, the primary objective of an election

observer mission should be to assess the integrity of the electoral process. The assessment should cover the full range of election-related issues from the legal framework through the adjudication of complaints. (This scope may be modified if the observer group has articulated an intent to focus on a specific or limited number of issues, such as voter registration, media monitoring, or youth participation.³⁴) Election-related violence, of course, impacts the quality of the process and thus must be factored into an assessment, but diverting scarce resources to violence prevention, from this perspective, may compromise the observer mission’s ability to fulfill its primary responsibility.

A middle position seeks to avoid the either-or scenario. When establishing an observer mission in a violence-prone environment, an organization must have a plan that guides the observers’ response to acts of violence. Simply recording incidents of violence can be seen as having a deterrent impact, but domestic actors inevitably will encourage observers to play more active roles. Such efforts might involve accompanying victims of violence to police stations to report an incident or attending a “peace” dialogue designed to minimize the prospects of violence or terminate violence that is already taking place. Adopting an “I am only here to observe” mantra when a more active role might contribute to a more peaceful outcome places observers, and particularly those deployed for extended periods of time, in an awkward, unsatisfying position. Thus, regardless of the explicit guidance emanating from headquarters, long-term observers in particular often play an active mediation role in their assigned regions.

Table 1. Challenges of Contemporary Election Observation

Challenges	Considerations	Examples of Operational Responses
Competing mandates	While success in mitigating or preventing violence is not the inevitable outcome of a multi-mandate observation mission, de facto the era of simply reporting on the process has passed.	Employing multi-mandate terms of reference to ensure that violence prevention is incorporated into the planning for an observation mission.
Public statements	Where preliminary statements are issued, observer groups must be prepared to issue supplemental statements to reinforce confidence that an accurate assessment is being provided to the national and international communities.	Crafting nuanced public statements to minimize the possibility that statements serve to provoke violence.
Host country conditions for deployment	Some of the more contentious aspects of the election process—including voter registration, constituency delimitation, and party selection of candidates—may take place before the on-the-ground deployment of an international observer mission is authorized.	Ensuring minimum criteria for credible elections are in place and security conditions on the ground will permit effective observation, and relying on reports of domestic monitors to cover pre-deployment aspects of the process.
Temporal and geographic presence	In determining the timing and deployment for an observer mission, consider the historic and political context in which the election is occurring; who else is operating in the observation space; and the costs, risks, and benefits associated with the agreed-upon activities.	Utilizing available technology to identify hot spots and to track incidents of violence.
Coordination among observers	In the African context, the African Union and African sub-regional organizations coordinate efforts to prevent the outbreak of violence, even when they may be wary of criticizing too bluntly the integrity of the electoral process.	Sharing information, harmonizing deployments, pre-viewing preliminary statements, and undertaking joint mediation efforts as necessary.
Security conundrums	Observers should take the following practical steps to minimize physical risks: build relationships, maintain regular internal communications, recognize the security implications of social networking, take precautions when releasing or disseminating sensitive information, and develop security plans and implement training programs to socialize them.	Employing security coordinators and utilizing advanced communications technology.
Observation costs	Prepare a coherent plan of action that is derived from an understanding of the situation on the ground and an assessment of the cost-effectiveness of previous interventions.	Recognizing that the inclusion of a violence prevention mandate inevitably requires a flexible, expansive budget.
Influencing long-term reforms	By documenting specific cases and drawing on comparative perspectives, observers can focus on sensitive issues relating to the role played by security forces during the electoral process (whether positive or negative); the importance of prosecuting instances of electoral violence whoever is responsible; the need for initiatives like peace commissions and peace messaging before, during, and after the elections; and the actions that media outlets can take to avoid fanning the existing flames.	Encouraging a long-term perspective in promoting electoral reforms and in addressing the underlying causes of election violence.

More fundamentally, observer missions today are seen as enhancing the prospects for a post-election calm through direct intervention with the political contestants. As tensions emerge, the leaders of the principal international observer missions, many of whom are former elected leaders in their own countries, will meet with the leading contestants in the days immediately following the election. They use both moral suasion and political affinities to urge the competing candidates to avoid making provocative statements, to urge their supporters to exercise restraint, and to take full advantage of the remedies provided by domestic law. In exchange, the observers commit to monitor the entire process through the announcement of the results and the adjudication of complaints, and to issue objective (and, as necessary, critical) statements as circumstances warrant.

Domestic groups also have become more conscious of their role in preventing election-related violence. In some cases, they focus on these efforts. As part of the monitoring effort, they urge their members to remain present in potential hot spots, to remain vigilant for events that could trigger violence, to remain in contact with local security forces, and to convene peace commissions or other forums in response to provocations or acts of violence. In addition, they have expanded their pre-election activities to include civic education, peace messaging, and joint planning with local security forces, all of which are premised on a violence prevention objective.

The commitment to violence prevention has created a context where election observers must act to maintain their credibility in the eyes of both the host country public and the international community. Thus, while success in mitigating or preventing violence is not the inevitable outcome of a multi-mandate observation mission, de facto the era of simply reporting on the process has passed.

PUBLIC STATEMENTS

The observer community regularly considers the questions of when to offer an assessment of the process and how the assessment should be framed. The concerns relate to potential interference in an ongoing process and to provoking violence through the content of the statement.

Most observer groups issue a *minimum* of two public statements: the first upon initial deployment of the mission to identify the sponsoring organization, to introduce the members of the team, and to present the terms of reference for the mission; and the second within twenty-four to seventy-two hours after the polls close to offer a preliminary assessment of the electoral process. In addition, some observer groups incorporate into their overall observation plan one or more pre-election missions, which assess various aspects of the pre-election environment and recommend steps that can be taken to improve the process. Similarly, groups may issue post-election statements to cover the tabulation of results and the adjudication of complaints.

Several analysts have questioned whether an emphasis on violence prevention results in observer missions toning down their public statements. For example, Judith Kelley states that “when pre-election violence has been particularly high, monitors may dampen their criticisms of incumbent fraud in the hope that even if the incumbent did not run a clean election, the incumbent will at least be able to maintain calm and therefore lessen the chances of serious post-election conflict.” While acknowledging the need for more research, she concludes that “because higher levels of violence are associated with more irregularities, monitors may therefore experience a conflict between upholding electoral norms and endorsing an election as a means to quell potential violence after a violent election campaign.”³⁵

A study by Ursula Daxecker examined the relationship between observers’ immediate post-election statements and election-related violence. She concludes



Joseph Njoroge Kimani, 3, waits while his father, James Kimani Njoroge, casts his vote in Gatundu, Kenya, on October 26, 2017. Father and son both wear the colors of the Kenyan flag. (Photo by Ben Curtis/AP)

that “when elections are not only suspected of being manipulated but such manipulation is documented by international organizations considered credible in their assessment, the risk of violence . . . may increase even more.” She explains that the “monitoring of fraudulent elections . . . draws attention to unfair electoral processes, reduces uncertainty over whether fraud was committed, and alleviates coordination problems among groups concerned about manipulation. Jointly, these factors could contribute to violent contestation after manipulated elections.”³⁶ Daxecker’s arguments have been reinforced by a more comprehensive study conducted by Inken von Borzyskowski, who maintains that “it is often internationally certified fraud, not fraud alone, that exacerbates loser challenges and violence.”³⁷

These studies raise the stakes for the observation process. Credible observers spend considerable

effort debating the nuances of their statements; not surprisingly, the statements issued by various groups often reflect different institutional emphases.³⁸ Observer groups are well aware that their pronouncements can have political impact, including exacerbating tensions among the leading contestants and their respective supporters. However, if they fail to criticize a flawed process because they are concerned about potential violence, they risk undermining the credibility and influence of the observation process, raising concerns similar to those expressed regarding the early election observer missions of the 1960s and 1970s. Thus, without underestimating the political and psychological pressures on observers not to provoke violence, observers should always maintain the integrity of their mission, relying on other interventions, as described below, to minimize the potential for post-election violence.

A related question concerns the timing of the immediate post-election statement, which often represents an observer group's first substantive, public assessment of the process. Several factors influence the current convention of issuing a statement within one to three days after the polls close. First, the general public is interested in hearing independent groups' assessment of a major national event with a countrywide mobilization. Second, a statement within this time frame allows the groups to project a holistic assessment of the process as opposed to a focus on isolated incidents made public by individual observers through their social media networks that might distort perceptions and exacerbate existing tensions.³⁹ Third, observer groups seek to maximize coverage of their assessment in the media and among influential policymakers; to many organizations, delaying the issuance of a statement minimizes its impact.

Observers recognize that their immediate post-election statements are commenting on a process that is not yet complete. Such statements invariably emphasize the importance of allowing the election to play out in the prescribed manner and that a final assessment must await the completion of the entire process—that is, after the official results are announced and post-election complaints have been adjudicated. Even with such caveats, the immediate post-election statement often is viewed as an organization's most authoritative assessment, one that either endorses or criticizes the overall electoral process.

Following the 2017 Kenyan election, several delegations issued preliminary statements that were taken as endorsement of the process, only to have the Kenyan Supreme Court conclude that the electoral process was flawed and that a rerun was required. A review of the statements indicates that they included the appropriate caveats. Moreover, following the Supreme Court decision, the observer groups celebrated this example of meaningful judicial review, regardless of their view about the wisdom of requiring a second round of

voting.⁴⁰ Nonetheless, many Kenyans felt that observer groups prematurely and mistakenly endorsed what the higher courts determined was a flawed process.

When observer groups issue preliminary statements, they must be prepared to issue supplemental statements to reinforce confidence that national and international communities will receive a full and accurate report. The IRI/NDI experience in Zimbabwe offers a contemporary example: in the six weeks following the issuance of the immediate post-election statement, the observer mission organized by the institutes issued five additional statements, including a joint statement with the other observer groups, in response to specific developments related to the electoral process.⁴¹

HOST COUNTRY CONDITIONS FOR DEPLOYMENT

Organizations sponsoring election observer missions require an invitation from the host government before they deploy teams on the ground. The host government may issue a generic invitation to all interested organizations or limit the invitation to specific organizations. In exchange for formal accreditation, which provides access to polling and counting sites and to other relevant data, the host government prescribes the legal regime under which the observers operate. However, as specified in the respective declarations of principles for international and domestic observers, the host government should guarantee the observers freedom of movement and freedom to speak publicly.

Before deciding to accept an invitation, the sponsoring organization should consider two matters. First, they should determine whether minimum criteria for credible elections are in place—otherwise, it makes little sense to expend the resources on the effort. Second, they should assess whether security conditions on the ground permit effective observation—otherwise, the observers may not have the capability to offer a credible assessment. A 2014 study for the European Parliament, for example, recommended

that “alternatives to EU election observation missions (EOMs) should be developed for conflict situations where minimum conditions for observation may be lacking and the presence of an EU EOM could potentially exacerbate conflict.”⁴²

The accreditation process impacts the observers’ ability to prevent or mitigate violence in several ways. For example, formal accreditation may not occur until after an election date is formally set. Hence, some of the more contentious aspects of the election process—including voter registration, constituency delimitation, and party selection of candidates—may take place before an international observer mission receives authorization for an on-the-ground deployment. In these circumstances, domestic groups, assuming they are well organized and adequately funded, bear the burden of projecting a deterrent presence and reporting on the incidents of violence during these early phases of the process.

Host governments also may place limits on the specific activities of observer groups, most notably by regulating the timing of the announcement of results generated by a PVT. From the government’s perspective, only the designated EMB has the authority to release official results. The government may fear, sincerely or as a pretext to obscure electoral manipulation, that releasing unofficial results will confuse the public and arouse tensions. The counterargument is that, in a highly contentious political environment, where the EMB does not have the confidence of the population or where delays in releasing official results are likely, a credible PVT calms tensions and encourages reliance on peaceful means for resolving disputes regarding election outcomes. As PVTs serve both to enhance the quality of the observers’ assessment process and to prevent tensions from escalating, observers should emphasize the importance of allowing a credible PVT and the release of PVT results in a timely manner.

In Zimbabwe, ZESN did not disclose publicly the results of its PVT until the official results were announced, although they were shared privately with senior diplomats from several countries. The PVT indicated that the official results were within the range of credible results and that the principal opposition presidential candidate’s claim that he had received a majority of the votes was not credible. The diplomats and the leaders of the observer delegations used the PVT results to reinforce the notion that seeking to reverse the announced results through street demonstrations that could turn violent, as opposed to pursuing remedies through the legal process, would not obtain the support of the international community.

TEMPORAL AND GEOGRAPHIC PRESENCE

The operating assumption for incorporating a violence prevention component into the observer mission mandate is that the presence of independent observers deters violence from erupting, or at the very least limits the scope of any violence that does emerge. This suggests that an extended and geographically widespread presence is the necessary approach. However, despite decades of experience, no cookie-cutter formula exists for determining the scope and size of an observer mission. Such decisions require consideration of the historic and political context in which the election is occurring, an appreciation of who else is operating in the observation space, and a calculation of the costs, risks, and benefits associated with the agreed-upon activities.

In planning an observer mission, the sponsoring organization must consider several factors. First, should observers be deployed at the start of the election cycle, which often commences with the voter registration process, or only once the election is formally scheduled, which usually is when the responsible EMB issues the official invitations to observe the election? Second, should observers be deployed in a random fashion across the country, which will permit a broad assessment of the situation on the ground, or in targeted hot spots where their deterrent role can be fully appreciated?



People wait to cast their votes during the October 10, 2017 presidential election in Monrovia, Liberia. (Photo by Abbas Dulleh/AP)

These questions reflect uncertainty about the impact that observers actually have on the process. For example, one recent study concluded that to “avoid negative publicity and punishment, domestic elites strategically shift violent intimidation to the pre-election period in internationally monitored elections, resulting in increased violent manipulation before elections but relatively low levels of violence on election day.”⁴³ This assumes a high degree of premeditation and coordination by domestic actors in directing and controlling the timing and nature of the violence.

There is also the question of possible geographic displacement, in which election violence shifts from regions where observers are deployed to those where they are absent. Several country studies that were part of a research project conducted by Jonas Claes revealed a strong correlation between a combination of mapping

programs and robust monitoring on the one hand and low levels of violence on the other.⁴⁴ A follow-up USIP comparative study on elections in Kenya and Liberia found that greater exposure to election monitoring was associated with increased trust in the electoral process, and a general public belief that observers could mitigate fraud and prevent election violence.⁴⁵

Today, many observer groups use technology to identify hot spots and to track incidents of violence. The Election Violence Education and Resolution methodology developed by the International Foundation for Electoral Systems provides a framework for systematic information gathering, standards for verification, and analysis of tensions and community indicators.⁴⁶ Another well-known violence tracking tool is Ushahidi, an open-source platform developed to map reports of violence in Kenya after the post-election violence in 2008, which

has since been used as a crowdsourcing tool across Africa and beyond.⁴⁷ However, even the most robust platform for mapping incidents will yield only limited benefits if a complementary “response” mechanism is lacking. As the following comment about the 2013 Kenya elections illustrates, “In the end, the [Ushahidi] platform served only as a data warehouse for incidences, rather than a coordinating mechanism for response as promised. Peace monitors and implementing partners sent text messages detailing incidents, but never received responses as to how the issue was addressed.”⁴⁸

COORDINATION AMONG OBSERVERS

A major advance in the practice of election observation during the past decade has been the conscious effort to ensure effective coordination among the leading organizations that sponsor international observer missions. The coordination occurs at multiple levels and involves sharing information, harmonizing deployments, previewing preliminary statements, and undertaking joint mediation efforts as necessary. In the African context, for example, the AU and African subregional organizations coordinate efforts to prevent the outbreak of violence, even where they may be wary of criticizing too bluntly the integrity of the electoral process.

Zimbabwe again provides an illustrative example. The leadership of the principal international observer groups met two days before the 2018 elections and on the day following the elections to compare assessments of the pre-election process, to coordinate the timing of the release of post-election statements, and to share perspectives regarding election day observations. As noted earlier, the EU, IRI/NDI, and the Commonwealth were critical in their preliminary assessment of the overall process, while the AU and the SADC assessments were more favorable. However, all the observer groups incorporated into their respective statements recommendations that the competing parties remain calm while waiting for the release of the official results and that parties should use available legal mechanisms to seek redress for election-related complaints.

When seven people were killed in Harare by security forces two days after the election, the leaders of the observer groups quickly met, agreed to issue a joint statement condemning the violence and calling for the rapid release of the election results, and arranged a series of joint meetings with the two leading presidential candidates and the head of the election commission to share their concerns about the violence getting out of hand.⁴⁹ The results were released later that evening and the streets remained calm, as the losing candidate sought to overturn the results through the prescribed constitutional mechanism for electoral challenges. Although there were no further clashes such as had occurred in Harare, there were credible reports of multiple incidents of retribution against opposition supporters taking place in various regions. Thus, the precise impact of the international observers in mitigating the post-election violence in Zimbabwe remains an open question.

Coordination between international and domestic observers is less formalized and more dependent on the orientation of the sponsoring international organization. Almost all international observers will provide rhetorical support for the efforts undertaken by domestic counterparts, but only a few will actively coordinate with the domestic groups. The implication is that the domestic groups, even though they identify as nonpartisan, are unlikely to maintain such a posture in practice, and hence their credibility as observers is one of the factors that the international observers must assess as part of their mission.

This dialectic is heightened when the domestic group is conducting a PVT. Some international groups will distance themselves from referencing the announced PVT results, relying exclusively on the official results. Other groups, most prominently NDI, IRI, and the Carter Center, consider a credible PVT essential to their ability to assess the credibility of the tabulation process. As was the case in Zimbabwe, the NDI often directly supports a domestic group in designing and implementing a PVT, while simultaneously sponsoring an international observer mission.

Security advisers, often former military or police officials, are among the first deployed when the observer mission is established. They conduct security assessments to identify risk factors and to recommend steps for mitigating the risks.

SECURITY CONUNDRUMS

The most serious concern confronting the sponsors of an observation effort is ensuring that their observers are not placed at risk of physical harm. Veteran observers often describe the most dangerous aspects of their deployments as involving road accidents and food ailments, yet observers occasionally have been directly affected by election violence. Most poignantly, during the 2014 Afghan elections, the Taliban targeted a hotel frequented by the international community in Kabul, killing several people, including an international observer who was part of the NDI observer delegation.⁵⁰

Observers, particularly those deployed to isolated communities, are subject to competing demands. They are briefed on the importance of their presence as a deterrent, suggesting that they should be mobile and visible, and on their responsibility to investigate acts of violence as part of their monitoring and mediating mandates. At the same time, they are informed that their role is one of “observer,” not adjudicator; they are warned against intervening in domestic processes; and they are told above all else that their personal security is the highest priority of the sponsoring organization.

NDI’s 1995 handbook for domestic monitoring organizations frames the issues as follows:

For the monitoring group, security issues may raise difficult policy dilemmas. For example, publicizing the presence of monitors and challenging irregularities are activities that help promote confidence in the election process. However, accomplishing the goals may require exposing volunteers to danger. . . . In order to prevent monitors from publicizing their findings, individuals or groups may attempt to intimidate or incapacitate the monitors.⁵¹

A 2014 NDI guidance document advises individual observers to take the following practical steps: build relationships, maintain regular internal communications, recognize the security implications of social networking, take particular precautions when releasing or disseminating sensitive information, and develop security plans and implement training programs to socialize them.⁵²

Presently, observer groups are responding to security challenges by retaining experienced security advisers and relying on advances in technology. The security advisers, often former military or police officials, are among the first deployed when the observer mission is established. They conduct security assessments to identify risk factors and to recommend steps for mitigating the risks. These advisers often remain on the ground throughout the mission and are the authoritative voice when mission leadership needs to balance identified mission objectives with perceived security risks. The consequence is that observers often are precluded from being present in precisely those areas where violence is most likely to occur.

As a counterpoint, advanced telecommunications contribute to an increased willingness to allow observers to travel outside the capital and other major cities. Cell phone coverage, even in the least developed countries, is rapidly expanding, and most observer groups deployed outside capitals will be equipped with satellite telephones, which theoretically allow for communication from anywhere.

A final point about security relates to the observers’ interactions with local security forces (police and military). In many instances, the security forces are apolitical and seek to fulfill their constitutional mandate to the best of their abilities, which admittedly may be more limited than the observers expect. However, in some



An Afghan police officer stands guard while voters line up to enter a polling station and cast their ballots in Kabul, Afghanistan, on April 5, 2014. (Photo by Muhammed Muheisen/AP)

instances, the security forces, operating either overtly or covertly, may be viewed as instigators of violence or as unwilling to act in the face of violence. In such circumstances, the observers' tasks include critically monitoring the actions of the security forces while at the same time seeking security force protection for themselves and for other actors in the political process.

Engaging with security forces; asking about their training, practices, and disciplinary measures; and inquiring about their plans for providing election security before, during, and after election day may all encourage security forces to play their appropriate roles. At the same time, the observers must avoid spending too much time with the security forces or accepting at face value the data provided by them, as this may create the impression among the general public that the observers have been co-opted.

OBSERVATION COSTS

The inclusion of a violence prevention objective into the observer mission mandate requires a concomitant increase in resources allocated to the effort. As described above, an observer mission's temporal scope now reaches back to the earliest parts of the process, such as voter registration, which may begin a year before election day. And as violence is a major concern following the announcement of results and adjudication of complaints, the continued presence of observers may be critical during these periods. Similarly, from a geographic perspective, observers are not just seeking to identify whether the processes are credible, but also to deter violence in vulnerable regions. Coordination among observer groups can help reduce costs, as different groups focus on particular aspects of the process

In addition to the temporal and geographic increases in observer mission scope, securitization adds other costs. Security advisers cost money, as does the expensive technology required to keep mission members physically safe and to allow them to communicate with headquarters on a regular basis. Given observer missions' limited resources, trade-offs may include:

- Deploying more long-term observers versus adding a larger number of short-term observers;
- Procuring advanced communications technology versus recruiting skilled and knowledgeable drivers;
- Supporting international observer missions with their embedded travel and per diem costs versus funding an expansive domestic observer mission; and
- Funding a full-scale observation mission versus other forms of assistance, such as technical assistance to the EMB, civic and voter education programs, election-related security training, and support for election dispute resolution mechanisms.

All such decisions require a coherent plan of action that is derived from an understanding of the situation on the ground and an assessment of the cost-effectiveness of previous interventions.

INFLUENCING LONG-TERM REFORMS

Most observer missions prepare a lengthy final report, which includes a fulsome set of recommendations to the various host-country electoral actors. The reports generally are published several months after the conclusion of the last phase of a given election cycle and provide a constructive frame for follow-on debates within the legislature or the EMB. The final report does

not receive as much public attention as the statement issued immediately after election day, but nonetheless forms part of the election cycle construct favored by election administrators and outside experts. The cycle begins soon after the completion of the previous election with an after-action review, proceeds to a discussion among election officials and others regarding the need for legislative and administrative reforms, and continues with the development of an operation plan and the procurement of necessary election paraphernalia, all of which may occur two or three years before the next election. However, maintaining momentum for electoral reform is a challenge around the globe.

The substance of the recommendations offered by election observer missions is particularly important in the context of elections marred by violence. By documenting specific cases and drawing on comparative perspectives, observers can focus attention on sensitive issues relating to the role played by security forces during the electoral process (whether positive or negative); to the importance of prosecuting those responsible for instigating electoral violence; to the need for initiatives like peace commissions and peace messaging before, during, and after the elections; and to actions that media outlets can take to avoid fanning any flames. Observer groups should reinforce their recommendations through continued on-the-ground engagement with the relevant players and through assistance programs that address the flaws identified in the observer mission's final report.

Conclusions and Recommendations



This report has traced the evolution of modern-day election observation from a focus on providing a credible and objective assessment of a contested electoral process to a multi-mandate effort with a violence prevention component. Election observers' expanded mandates must be complemented with a multifaceted, integrated set of initiatives that address the problem of electoral violence. These initiatives may include electoral reforms, codes of conduct, civic education, violence mapping and response mechanisms, efforts to counter disinformation campaigns, and initiatives to address other root causes of violence. However, election observation missions must not be viewed as the silver bullet for preventing election-related violence. In particular, organizations should weigh the serious risks of deploying observers to countries where internal security conditions may compromise the observers' freedom of movement or place them at physical risk. With the aforementioned caveats in mind, the following recommendations will enhance the ability of an election observer mission to prevent election violence.

BEFORE THE ELECTION

Election observers should ensure that their pre-election assessments incorporate a violence prevention orientation. To do so, they will have to review previous electoral experiences and the configuration of the wider conflict, analyze security force capabilities, and examine existing plans for addressing outbreaks of violence and the impact of an election observation mission in terms of potential conflict mitigation or exacerbation. As part of this work, they will need to encourage adequate support for a holistic approach to violence prevention, recognizing

that election observation is merely one component of the overall effort.

As the election day approaches, observers should establish robust mechanisms for engaging with key domestic players in the electoral process, including the EMB, political parties, and security forces, while respecting that their priority is to fulfill their assigned operational tasks. They will need to design an operational plan that includes deployment of both short- and long-term observers to targeted hot spots and emphasizes flexibility in responding to developments on the ground. To carry out this plan, they will need to train observers, particularly those deployed for long-term assignments, in violence prevention techniques and in how best to engage effectively with security forces.

DURING THE ELECTION PERIOD

Electoral violence can occur well before the polls open, so observers will benefit from using existing technology platforms to map and report incidents of violence. On-the-ground mediation or public statements issued by observer groups may help facilitate effective and timely responses. Global coordination mechanisms, similar to those applied in African countries, among international and domestic observer groups can be established at both national and local levels to provide real-time mediation when violence appears imminent.

Throughout the election period, international observers must recognize and support the important role that domestic observers play in addressing, deterring, and responding to election-related violence. Support for



Congolese political party observers check independent electoral commission officials' tally of presidential ballots from over 900 polling stations at a local results-Compilation center in Kinshasa, Congo, on January 4, 2019. (Photo by Jerome Delay/AP)

domestic observers may include efforts to promote the use of credible PVTs to provide data that can validate or call into question the official results released by the EMB, and can thus enhance mediation efforts by diplomats and observer groups. Election observers should also issue periodic statements assessing different phases of the electoral process, crafting their narrative to focus on levels of violence, sources of violence, and responses to violence.

AFTER THE ELECTION

An election observer's work does not stop after the election is over. When preparing assessments of their experiences, observers should incorporate specific recommendations into final reports that stress ways to

minimize violence in future elections and encourage ongoing dialogue among local actors. These recommendations should emphasize, where necessary, the need for key reforms well in advance of the next scheduled elections. Beyond action taken at specific elections, election observation organizations can support further research on the relationship between election observation and violence prevention, including more empirical data on the specific circumstances where election observation is likely to mitigate or enhance electoral violence. Practitioners and academic experts have much to learn from each other, but unless they have opportunities to share information and engage in dialogue, the problem of election violence will continue to interfere with individuals' rights to express their opinions at the ballot box.

Notes

1. Norimitsu Onishi and Jeffrey Moyo, “Zimbabwe Elections, Mostly Peaceful, Bring Voters Out in Drove,” *New York Times*, July 31, 2018, www.nytimes.com/2018/07/31/world/africa/zimbabwe-election.html.
2. See the following final election observer mission reports: The Commonwealth, “Zimbabwe Harmonised Elections 30 July 2018,” November 2018; European Union Election Observer Mission, “Zimbabwe Harmonised Elections 2018 Final Report,” October 2018; International Republican Institute (IRI)/National Democratic Institute (NDI), “Zimbabwe International Election Observation Mission Final Report,” October 2018; Zimbabwe Election Support Network, “Report on the July 30 Harmonized Elections,” October 2018.
3. The expenses associated with an observation mission depend on context factors such as in-country cost of living and length of deployments. For international observers, the costs include travel, lodging, and per diems for a coordinating team, long-term observers, and short-term observers, and the associated expenses for making the mission operational (e.g., car rentals, communications, meeting rooms). The per-person costs for domestic observers include per diems for participating in training sessions and for working on election day, and the numbers recruited are exponentially larger than the international missions. The expenses associated with the other available tools are more modest, with the exception of the deployment of peacekeepers.
4. Holly Ruthrauff and Andrew Bruce, “Developing Operational Tools Within the EU for a Comprehensive Approach to Prevent Electoral Violence,” European Parliament, 2015), 1, [www.europarl.europa.eu/RegData/etudes/STUD/2015/534986/EXPO_STU\(2015\)534986_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/534986/EXPO_STU(2015)534986_EN.pdf).
5. See Susan Hyde and Nikolay Marinov, National Elections Across Democracy and Autocracy (NELDA), www.nelda.co; Sarah Birch and David Muchlinski, “The Dataset of Countries at Risk of Electoral Violence,” *Terrorism and Political Violence* 32, no. 2 (2020), 217–36; Ursula Daxecker, Elio Amicarelli, and Alexander Jung, “Electoral Contention and Violence (ECAV): A New Dataset,” *Journal of Peace Research* 56, no. 5 (2019): 714–23. The newest contribution is the Global Election Violence Dataset, which is described in Inken von Borzyskowski, *The Credibility Challenge: How Democracy Aid Influences Election Violence* (Ithaca, NY: Cornell University Press, 2019), appendix 1C, 170–79.
6. Dorina A. Bekoe and Stephanie M. Burchard, “The Contradictions of Pre-election Violence: The Effects of Violence on Voter Turnout in Sub-Saharan Africa,” *Africa Studies Review* 60, no. 2 (2017), 74–75.
7. Von Borzyskowski, *The Credibility Challenge*, 3.
8. According to one recent study, election years are, on average, no more violent than non-election years. Dorina Bekoe, ed., *Voting in Fear: Electoral Violence in Sub-Saharan Africa* (Washington: United States Institute of Peace Press, 2012), 4.
9. Nic Cheesman and Brian Klaas, *How to Rig an Election* (New Haven, CT: Yale University Press, 2018), 96–97.
10. Julia Brothers and Michael McNulty, “Monitoring and Mitigating Election Violence Through Nonpartisan Citizen Election Observation,” National Democratic Institute, 6, www.ndi.org/sites/default/files/Monitoring-and-Mitigating-Electoral-Conflict.pdf.
11. Ruthrauff and Bruce, “Developing Operational Tools Within the EU,” 2.
12. Birch and Muchlinski, “The Dataset of Countries at Risk of Electoral Violence.”
13. Von Borzyskowski, *The Credibility Challenge*, 33–35.
14. Jonas Claes and Inken von Borzyskowski, “What Works in Preventing Election Violence: Evidence From Liberia and Kenya,” *Peaceworks* no. 143, United States Institute of Peace, October 2018, 5, www.usip.org/publications/2018/10/what-works-preventing-election-violence.
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16. Judith Kelley, “D-Minus Elections: The Politics and Norms of International Election Observation,” *International Organization* 63, no. 4 (2009), 775.
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18. US Agency for International Development (USAID), “Best Practices in Election Security: A Guide for Democracy, Human Rights and Governance Programming,” 2013, 3, www.usaid.gov/sites/default/files/documents/1860/Electoral_Security_Best_Practices_USAID-1.pdf.
19. Larry Garber, *Guidelines for International Election Observing* (Washington: International Human Rights Law Group, 1984).

20. NDI, "Reforming the Philippines Electoral Process," 1991, 12–15, www.ndi.org/sites/default/files/233_ph_reforming_0.pdf. The stated objectives of the international observer delegation organized by the NDI and IRI were "1) to evidence support for those committed to the democratic process in the Philippines; 2) to deter fraud on election day and during the counting phase by being present in key provinces; 3) to detect and report incidents of fraud and other violations of the election code; and 4) to disseminate broadly an independent evaluation of the electoral process."
21. For a discussion of the evolution of the term and practices associated with PVTs, see Larry Garber and Glenn Cowan, "The Virtues of Parallel Vote Tabulations," *Journal of Democracy* 4, no. 2 (1993): 95–107.
22. NDI, "Reforming the Philippines Electoral Process," 48.
23. See "Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations," initiated by the Global Network of Domestic Election Monitors (GNDEM), April 3, 2012, www.gndem.org/assets/pdfs/DoGP_en.pdf.
24. Jennifer McCoy, Larry Garber, and Robert A. Pastor, "Pollwatching and Peacemaking," *Journal of Democracy* 2, no. 4 (1991): 102–14.
25. See generally Krishna Kumar, ed., *Post-conflict Elections, Democratization and International Assistance* (Boulder, CO: Lynne Reiner, 1998). Additionally, in the cases of Bosnia and Herzegovina, Kosovo, and Timor-Leste, the international community did much more than directly support the state with supplies and expert staff. In Bosnia and Herzegovina, for example, under Annex 3 of the Dayton Peace Agreement, the Organization for Security and Co-operation in Europe was vested with the explicit responsibility to directly supervise the preparation and conduct of all elections. This responsibility included the authority to establish and lead a Provisional Election Commission responsible, inter alia, for adopting all electoral rules and regulations. See "The General Framework Agreement for Peace in Bosnia and Herzegovina," November 21, 1995, www.osce.org/files/f/documents/e/0/126173.pdf.
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30. UN Women and UNDP, *Preventing Violence against Women*, 46, 68. See also Gabrielle S. Bardall, "Violence, Politics and Gender," *Oxford Research Encyclopedia of Politics* (February 2018).
31. Eric Bjornlund, *Beyond Free and Fair: Monitoring Elections and Building Democracy* (Washington: Woodrow Wilson Center Press, 2004), 78–81.
32. IRI/NDI, "Zimbabwe International Election Observation Mission Final Report," 68–69.
33. These points are elaborated in an unpublished paper provided to the author by Pat Merloe, NDI's long-time senior associate for electoral programs.
34. See "Declaration of Global Principles," para. 5.
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37. Von Borzyskowski, *The Credibility Challenge*, 153.
38. See, for instance, The Carter Center, "March 7, 2018 Presidential and Parliamentary Elections in Sierra Leone," March 23, 2018, 58–59, www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/sierra-leone-report-032318.pdf. This report contrasts the differences in the preliminary statements issued by the African Union, ECOWAS, the Commonwealth, the European Union, and the Electoral Institute for Sustainable Democracy in Africa following the first round of the Sierra Leone elections.
39. Observer groups have struggled with the pervasive reality of social media in contemporary society. Several have sought commitments from members of an observer mission not to post anything until after the formal statement is issued by the mission leadership, while other groups have adopted less restrictive approaches.
40. See Larry Garber, "The Kenya Elections and the Future of Election Observation," *Lobe Log*, December 1, 2017, www.lobelog.com/the-kenya-elections-and-the-future-of-election-observation.
41. IRI/NDI, "Zimbabwe International Election Observation Mission Final Report," appendices C–G at 79–88.
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Responding to severe occurrences of election-related violence, the international community has increasingly focused on developing a set of tools to prevent and mitigate such outbreaks. One of those tools is a violence-prevention mandate in the election observation missions carried out by intergovernmental, international nongovernmental, and domestic nonpartisan organizations. This report defines the problem of election violence, describes how election observation missions have evolved over the past four decades to include violence prevention and mitigation components, assesses the direct and indirect impact of election observation on election violence, and provides recommendations for actions observer missions should undertake before, during, and after voting.

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