

International Monitoring on Elections in West Africa

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International monitoring on elections has become one of the most important tools used by the international community to promote democracy, since it is the most obvious and effective tool as well as the most funding. The importance of international monitoring increases during the elections -especially the transition elections- that attract the attention of most of the international parties, such as the media, which transmits regularly what is released by election observers and foreign policy makers in major countries and international as well as regional organizations. The due attention of international community to elections and their resulting regimes is embodied in the confirmation of each of the IMF and the World Bank that good regime is extremely important in achieving the goals of economic growth, poverty reduction, and social justice. In this context a number of initiatives emerged aiming to create the necessary social, political and economic conditions needed to achieve the Millennium Development Goals. And despite the success of some of these initiatives and the failure of others, however programs that promote democracy remained the cornerstone in various fields of development, salient of which is "monitoring on elections."

The Concept of International Monitoring on Elections:

There are many concepts that fall under the heading of electoral assistance, such as supervision of elections, technical assistance, and mediation in resolving disputes related to the electoral process and election monitoring.

Election monitoring can be defined as "the purposeful collection of information related to the electoral process, and the judgment on this process in the light of the information collected by persons who are unauthorized to interfere in this process, and whose mediation or technical assistance activities shall not jeopardise the main responsibilities of monitoring"

The previous definition of international monitoring on elections highlights a number of elements that should be discussed, such as the objectives and functions of election monitoring; besides what observers have to do during the electoral process, and what they should abide by while they are in the country concerned.

Objectives of International Monitoring on Elections:

It aims to promote democracy, peace and human rights by ensuring free and fair elections that guarantee the rights of all candidates as well as the rights of citizens in a free and fair voting.

Functions of International Monitoring on Elections:

1. **Control:** the main function of the international election monitoring

missions is to observe all aspects of the electoral process, where the mission should assess the periods of pre-election, election day and post-election.

2. **Deterrence:** The detection of electoral fraud and its deterrence, if possible, is one of the most important functions of election monitoring missions.
3. **Confidence-building:** international election monitoring plays an important role in increasing confidence in the electoral process, and thus encouraging various political parties as well as citizens to participate in the electoral process.
4. **Settlement of disputes:** it is not a core function of the international election monitoring missions, but in some cases these missions could contribute to the settlement of disputes related to the electoral process and mediate between the parties, but in an informal way.
5. **Issuing reports:** monitoring election missions are committed to issue accurate and objective reports on the electoral process at the proper time.
6. **Ratification of elections:** this makes both the electoral par-

ties and the public opinion accept the results of the elections, and thus lessens the possibility of the occurrence of coups, conflicts or violence.

Concepts related to electoral assistance.

There are a number of concepts that fall under the name of "electoral assistance."

1. **Supervising elections:** this is the "participation of governmental or non-governmental organizations in the election process in any of its phases., Its noteworthy that it has the ability to influence the conduct of elections, and this is exactly what happens in countries in the wake of an independence allowing the former colonial state or major countries or an international organization to either participate or supervise the elections.
2. **Technical assistance:** this means to provide advice and technical assistance to national authorities responsible for the administration of elections in the State concerned.
3. **Mediation:** the concerned groups are interested in mediation trying to find solutions for

any dispute related to the electoral process.

Legal References for International Monitoring on Elections

The international standards for elections, which stem from the principles of political rights and human rights as well as the protection of the rule of law and fundamental freedoms set forth in international and regional instruments, overcame those concerned with national sovereignty of states and non-interference in their internal affairs. These principles represent the frame of reference on which monitoring organizations rely in their work. Actually, there are public references on which international and regional organizations rely and other private references that belong to the regional ones only, and are also governed by the non-violation of international standards, taking into account the specificity of each area.

First, Public References

Of the most important public references, "the Universal Declaration of Human Rights" and the "International Covenant on Civil and Political Rights."

Second: Private References

On the regional level, each organization has its own standards that cope with the conditions of the Member States of this Organization, where organizations take these standards as their special references in the monitoring on elections.

Guidelines for International Monitoring on Elections

With the growth of international election monitoring activities, and the increase in the number of participating organizations, many of challenges showed up, salient of which is the need to establish professional standards that govern the work of election monitoring organizations. In addition to the ratification of most international and regional organizations on the "The Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers", most of these organizations issued their own guidelines to represent these principles besides the Declaration; in addition to a Code of Conduct governing their work in the election states concerned. And thus, we can say that this UN declaration besides a number

of other guidelines - such as the European Commission's State aid Manual, the European Union election observation, the ECO-WAS Election Observation Booklet, the Declaration of the African Union Guidelines for Election Observation and Monitoring, and the Guidelines for Commonwealth Observers - represent the general legal framework that governs the work of the various observation missions.

In general, all these documents agree on a way to configure and control the work of missions taking the Declaration of Principles and the Code of Conduct as an essential reference. This is presented below through a review of what is stipulated in all these documents concerning methodologies and the work of international observation missions.

First: the Preconditions for the Participation of Observation Missions

"The state must invite or express its willingness to receive an international mission to observe the elections, in line with the requirements of each organization, within a sufficient time before the elections, to make way for the analysis of all necessary procedu-

res to organize a truly democratic elections.

Second: The Role of Observation Mission During Elections

There is an agreement in the field of election monitoring on the necessity of the role of observation missions to be inclusive in all stages of the electoral process, and this in order to avoid the criticism that always face the international monitoring claiming that it only depends on short-term missions that reach the state concerned shortly before the election day, and focuses mainly on observing what is happening on this day. Therefore most of the monitoring organizations tried to avoid such criticism by relying on long-term missions to observe all stages of the electoral process.

Presented below the methodology of election observation organizations that must govern their work, and cover a wide range by three separate ways. These are:

1. Thread

Issues that should be included within the election monitoring can be divided into three categories. First: administration and conduct of elections, second: legal and institutional framework for

the elections, and third: political context and the atmosphere in which the elections are conducted.

2. Time

As mentioned above, the effective monitoring takes into account all stages of the electoral process starting from the announcement of the date of election till a new government is formed based on election results. Stages of the electoral process are:

1. Pre-election, including the period of the election campaign.
2. Polling and counting on the election day.
3. Post-election, which includes collecting and scheduling votes, reviewing complaints, and composing the new government or the actions required based on the results of the election.

The legitimacy of elections is largely determined in the pre-election period. However, such legitimacy is liable to risk in the period subsequent to the elections. Therefore, observation groups should give due attention to both pre-election and post-election periods as same as the election day .

3. Geographic Coverage

Observation organizations should realize that what happens in the capital of the Election state concerned, or in one of its major cities does not necessarily reflect what is happening in all parts of the state. Therefore, these organizations have to provide enough monitors to observe different parts of the State in various stages of the electoral process.

Third: Standards of Conduct for Observers

The Declaration of Principles for International Election Observation is attached by another document which aims to set the rules that govern the conduct of international observers, as an essential part on which the integrity of the process depends. Many observation organizations have similar rules of conduct for its observers, such as the European Union, the Commonwealth, the International IDEA, and ECO-WAS. This lead to a general agreement on the basic standards for international observers, summed up as follows:

1. Respect the national sovereignty of States.
2. Have no authority to correct errors or resolve local conflicts, and have no right to interfere in the electoral process.
3. Establish rules of conduct for observers of the Organization, whose conclusions should necessarily be realistic, documented, and based on easily verified evidences.
4. Distinguish between important and unimportant factors , as well as the events that have an enormous impact on the integrity of the electoral process.
5. Maintain neutrality concerning election results, and not to express any preference for any candidate or political party, and should be loyal only for the integrity of the electoral process. According to the European Union - observers should "maintain strict neutrality in the performance of their duties, and the lack of expression at any time for any bias or preference to any national authority or political parties, candidates or any issue related to the electoral process."