

The United Nations approach to electoral management support

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1. Integrity – electoral management – electoral assistance

The concept of electoral integrity has gained recognition as a lens through which to consider the quality of elections, both from a scholarly and a policymaking perspective. In 2012, the blue-ribbon Global Commission on Elections, Democracy and Security, chaired by former UN Secretary-General Kofi Annan, defined an election with integrity as one that is “based on the democratic principles of universal suffrage and political equality [...] and is professional, impartial, and transparent in its preparation and administration throughout the electoral cycle” (Global Commission 2012). For Norris (2014) as well as others (e.g., Clark 2014), the term similarly encapsulates broad features – cast in the language of shared democratic values and international norms – as well as more narrowly the practical aspects of electoral management and implementation; that is, the nuts and bolts of an electoral process in all its phases.

While the study of electoral management (notably Lopez-Pintor 2000) predates interest in the concept of electoral integrity, the latter has helped focus research attention on the performance of electoral management bodies (EMBs). In the emerging literature on the subject, scholarship often posits a direct relationship between EMB performance and the quality of an election, and in some cases even the quality of democratic governance (for example, Norris, Frank and Martinez i Coma, 2015; Norris 2014; Clark 2014; James 2014).

If such a relationship can be affirmed, it would have significant implications for election administrators, as well as for members of the international community who support them, typically in countries in a post-conflict or emerging democracy environment. For example, one might expect international support to be designed primarily around strengthening the capacity of an EMB, and for the success of an election to be positively related to the level of election spending.

It is of interest then to consider how the United Nations (UN)² – a key international provider of electoral assistance to member states and in particular to their electoral management bodies – approaches electoral management and its relationship to electoral integrity. Drawing on reports in the public domain and specific examples of UN engagement, this paper discusses how the UN conceives and implements its support to EMBs, and what role EMB performance and electoral quality play in UN thinking.

¹ While the paper discusses UN perspectives, and the author is a UN staff member affiliated with the Electoral Assistance Division of the Department of Political Affairs, it has been written in a personal capacity. This means that, unless explicitly attributed to a UN source, the views expressed herein do not necessarily reflect those of the United Nations.

² Unless specified otherwise, the terms “United Nations” and “UN” are used as a broad reference to the UN *system* of organizations. It therefore includes, inter alia, relevant departments of the UN Secretariat (such as the Department of Political Affairs, and the Office of the High Commissioner for Human Rights), as well as funds and programmes (such as UNDP), and specialized agencies (such as UNESCO). This broad definition is not just convenient shorthand: as discussed below, UN electoral assistance is a coordinated, integrated field of activity, with a single, system-wide institutional and normative framework.

2. Principles and types of UN electoral assistance

The UN has been providing electoral assistance to Member States since its early years, with roots as far back as the League of Nations and its involvement in plebiscites in Europe in the 1920s and 1930s (e.g., Wambaugh 1940).

The first electoral mandate of the UN dates to 1947, when the General Assembly established the United Nations Temporary Commission on Korea to “observe that the Korean representatives are in fact duly elected by the Korean people and not mere appointees by military authorities in Korea” (United Nations 1947. The Commission was able to implement its mandate in the southern part of Korea, only). Starting in the 1950s, the UN was tasked with facilitating or supervising a number of referenda or elections as part of decolonization processes of non-self-governing territories (for a list: United Nations 1991a, annex). Thus, for example, a UN Advisory Council for the Territory of Somaliland under Italian Administration, created in 1950 to supervise and assist Somalia’s transition to independence, advised on numerous aspects of electoral preparations, including the registration of parties and voters and the drafting of electoral legislation (United Nations 1959). The limited scale of this council – three members and a small secretariat – was typical of assistance activities at the time. By 1989, the UN peacekeeping mission in Angola – officially the UN Transitional Assistance Group (UNTAG) – included a civilian component of close to 1,400 electoral monitors, deployed to supervise polling across the country (United Nations 1989).

Up until 1991, such electoral activities took place in a largely decentralized manner, without standardized policies. In that year, the General Assembly established an institutional and normative framework to structure an increasingly active field of work (United Nations 1991b). The foundations of this framework – considerably expanded over the years since 1991 – are still in effect today. Those foundations include the following (UN DPA 2012; United Nations 2017):

- UN electoral assistance is provided with due regard for the sovereignty of each state. As a consequence, it is provided only at the specific request of a member state, or based on a mandate from the Security Council of General Assembly.
- Before assistance is agreed and provided, the UN assesses the needs of the state to ensure that the assistance is tailored to the situation.
- Assistance is to be carried out in an objective, impartial, neutral and independent manner, recognizing that the responsibility for elections lies with the state concerned.
- Assistance is provided with the understanding that there is no single model of democracy.
- A system-wide focal point – the Under-Secretary-General for Political Affairs of the UN Secretariat – has a leadership role in ensuring coherence and consistency across the various UN entities that may become engaged in electoral activities. To do so, the focal point assesses states’ electoral needs, decides on the assistance to be provided to a state, if any, and by which UN entity, and issues policies on electoral assistance methodology.

Further internal guidance has been articulated by the UN focal point, and is similarly applicable to all UN electoral assistance. Two aspects deserve particular mention here:

- Norm-based but not prescriptive. UN assistance is considered to be a normative activity, in that it is aimed at helping the requesting state implement international and regional commitments, norms and principles with respect to elections, and in meeting the need for transparency and inclusiveness. Nevertheless, UN advice is not to be prescriptive, in recognition of the understanding that there is no “one size fits all” and that assistance is to be adapted to the context of the country concerned.

- Delivery with a political perspective and a view to manage conflict. UN electoral assistance must be cognizant of the fundamentally political nature of elections. It should aim to contribute to longer-term political stability by considering broad participation of all political groupings and viewpoints, and ways to promote the acceptance of results (UN DPA 2012).

Numerous UN actors are involved in electoral matters, all operating within this framework. In addition to the Department of Political Affairs (DPA, as focal point), this includes the UN Development Programme (UNDP), the Department of Peacekeeping Operations (DPKO), the Office of the High Commissioner for Human Rights (OHCHR), UN Women (UNW), the UN Office for Project Services (UNOPS), and the UN Educational, Scientific and Cultural Organization (UNESCO), (United Nations 2017). Irrespective of the UN entities involved, electoral assistance in the context of peace operations (peacekeeping, peacebuilding, or special political missions) is to be delivered in a fully integrated manner (UN DPA 2012).

The UN identifies eight basic types of electoral assistance: a) organization and conduct of elections; b) certification; c) technical assistance; d) expert panels; e) operational support to international observers; f) support to creating a conducive environment; g) electoral observation; and h) supervision.

Supervision and electoral observation have become rare; technical assistance is by far the most frequent form of assistance. The UN focal point defines the latter as “the legal, operational and logistic assistance provided to develop or improve electoral laws, processes and institutions, [which] can cover all, or some, aspects of the electoral process, [and which] can focus on one electoral event or can be long term covering a number of electoral events.” It focuses primarily on election administration and institutions, but also may also be extended to a number of other stakeholders and institutions (UN DPA 2012).

3. UN support to electoral management

Support to an EMB – a subset of “technical assistance” as understood above – involves the deployment of UN personnel to advise and assist both the EMB’s commissioners and its executive branch on a wide variety of areas, depending on the needs. This can include areas such as voter registration, candidate registration, logistics, voting procedures, ballot design, civic and voter education, results management, and complaints and dispute resolution (UN DPA 2012).

UN support in election management may also precede the creation of an EMB or the appointment of its commissioners, for example in providing advocacy and advice for a transparent and inclusive appointment process, or the drafting of legislation governing the functioning of the EMB (UN DPA 2014). UN efforts often focus on building the institutional capacity of EMBs, particularly those that are new or recently reformed in emerging democracies or in a post-conflict context. This may involve advice, for example, in the adoption of strategic plans, the development of organizational structures and job descriptions of staff, the design of human resource and procurement policies, ways to retain institutional memory, and the creation of internal monitoring and evaluation capacities (for an example of a UN capacity building project containing many of these elements: UNDP 2012).

In addition to advisory services, UN assistance may consist of operational support – the use of UN transportation assets for example – and assistance in the purchase of electoral equipment or materials (UN DPA 2012).

According to internal policies, UN support in the design, reform or functioning of EMB should be in pursuit of a number of guiding principles, considered to be cornerstones of EMB performance in the conduct of credible and accepted elections. These include: protecting the independence of the EMB from any undue influence; impartiality in all its dealings with others (both real and perceived); transparency in decision-making and administration; and professionalism, meaning the conduct of all stages of the process in accordance with various principles and in an accurate, competent and efficient manner, by suitably skilled staff (UN DPA 2014).

This contains parallels to the definitions of electoral integrity used in literature (see above). It is worth highlighting, however, that unless a specific mandate to observe an electoral process has been given by the General Assembly or Security Council, the UN would not publicly comment on, or formally assess, an EMB's performance or the quality of the process. In principle, the UN does not observe elections where it is providing assistance, in order to avoid a conflict of interest (UN DPA 2012).

4. UN assistance in context: an example

A brief example of UN support provided around the Iraqi parliamentary election of 2010 illustrates many of these characteristics, typical of electoral assistance in post-conflict settings and new democracies.

From 2004, when the UN first launched electoral assistance in Iraq (United Nations 2004), and based on UN assessments of Iraqi needs, UN electoral staff were embedded in the Independent High Electoral Commission of Iraq, working alongside their national counterparts. In 2009 and 2010, in preparation for the election of Iraq's Council of Representatives in March 2010, the UN electoral team comprised a little over 20 positions funded through the UN regular budget as part of the UN mission in Iraq (United Nations 2009).

This figure does not include a number of additional advisers contracted by other UN agencies, notably UNDP and UNOPS, who also formed part of the integrated UN team operating under single leadership. The UNDP-UNOPS project, amounting to a little over US 6 million in value, also provided financial support towards a broad range of capacity building initiatives, including study visits for Iraqi officials, workshops, training programmes, equipment for a data entry centre, public opinion surveys, contractual services such as the hosting of a website, and the production of media campaigns (UNDP 2011). (This project was completed in 2010, and was followed by another, larger, multi-year UNDP project in support of the Iraqi EMB).

UN operations advisers advised Iraqi officials on the development of operational plans for the preparation, distribution and retrieval of electoral materials including ballots, ballot boxes and forms. UN experts in the area of procedures helped develop cascade training programmes for all polling officials. They also advised on the details of polling, reconciliation and counting procedures, and supported the development of standardized manuals. A senior UN official, the head of the UN electoral team, attended the deliberations of the board of commissioners and advised on matters of broader policy and strategy.

Due to security conditions prevalent in 2009 and 2010, UN staff were mostly limited to the premises of the EMB in Baghdad. On rare occasions, UN advisers were able to make field visits. This occurred, for example, when a small investigative team was deployed to support Iraqi official efforts to look into suspected irregularities in the governorates of Kirkuk and Nineveh, aimed at enhancing public confidence in auditing and quality control processes of the election commission.

Other UN activities to build trust included the visit of the head of the UN mission in Iraq to polling stations, and the deployment of UN “poll-watching teams” on election day (United Nations 2010b). Furthermore, when a court ordered the EMB to recount a significant portion of the ballots after the election, UN personnel advised on the recount procedures and the handling of ballots, and maintained a continual presence in the recount centre to help instil confidence (United Nations 2010c).

Other UN confidence-building initiatives around the 2010 election started much earlier, and were broader than technical assistance to the EMB alone. When, for example, sharp differences of opinion arose among national political actors with respect to amendments to the electoral law, some months before the election, the UN mission engaged in a number of mediation efforts, including the good offices of the Secretary-General’s Special Representative. These efforts helped the parties reach broad agreement on a new electoral law, and paved the way for the announcement of the election (United Nations 2010a).

5. Election management and the acceptance of results

Of note in the example above is the diversity of UN engagement, including the focus on building the confidence of voters and political actors in the process. This is not an isolated approach, but rather a demonstration of a key tenet of UN electoral assistance, regularly expressed by the UN Secretary-General in biennial reports to the General Assembly: “the true measure of an election is whether it engenders broad public confidence in the process and trust in the outcome” (United Nations 2011). Citizens must have trust that an outcome reflects their will, and “building this trust from the beginning is the key priority and focus of United Nations advice” (United Nations 2013).

Other sources, too, have highlighted the concept of public confidence and its importance for the acceptance of results, particularly by the defeated party or candidate. The Global Commission incorporated it into its understanding of electoral integrity (Global Commission 2012), and electoral practitioners, members of the international diplomatic community, and scholars alike have made it a part of their respective engagement with the subject of elections (Halff 2015: annex, for an annotated bibliography of relevant works).

But how is public confidence to be brought about, and what role does support towards the quality of election management play in this? The literature on electoral integrity and electoral management cited earlier often describes a direct relationship between the quality of an election and its credibility in the eyes of voters: the higher the quality, the more credible a process is believed to be, and the more likely a losing candidate would accept her or his loss. And conversely, flaws, errors, underperformance and in particular fraud are believed to damage the quality of an election and undermine public trust (Norris 2014, among many other publications). UN thinking asserts, in effect, two significant footnotes to this thesis.

For one, UN experience suggests that the relationship between the quality of a process and the legitimacy of the outcome is not straightforward. Most elections would appear to produce results that are accepted even in the face of imperfections. And even in an election that is professionally carried out, a defeated candidate may still reject the outcome. For example:

- In 1994, South Africa conducted its first-ever inclusive elections. The chairman of the election commission later described these elections, organized under enormous time-pressure, as “a right royal mess excoriated and derided by international observers”, listing

serious deficiencies such as the absence of a voters' roll, polling stations that were staffed very late or did not open, and reconciliation procedures being dispensed with at the last moment. And yet, "South Africans chose to overlook the manifest deficiencies and enthusiastically accepted the results", leading to Nelson Mandela's inauguration as president of a "reconstituted nation" (Kriegler 2011).

- The presidential elections of Afghanistan in 2009 were marred by irregularities, including allegations of widespread fraud, mostly directed against the incumbent, President Hamid Karzai, which led to significant political turbulence (United Nations 2009a). A public opinion survey subsequently conducted by the International Republican Institute showed that more than 80% of the respondents were of the view that there had been corruption in the presidential election (43%: "very much"; 38%: "some"), and 70% said to have witnessed some fraud themselves. At the same time, however, 66% of the same respondents believed that Karzai was the legitimate winner of the election. This share exceeded by far the 45% of respondents that said to have voted for him (IRI 2010). In other words, broadly positive views of the legitimacy of the *outcome* were held – not just by the winning candidate's supporters – despite a prevalent perception that the *process* had been flawed.
- The conduct of the 2006 presidential elections in Mexico was widely considered to be exemplary, the result of efforts of a highly competent EMB and an equally respected federal electoral court, both of which receive significant state funding. These high levels of professionalism, integrity and public trust did not prevent, however, severe post-elections protests in the wake of a very narrow margin of victory (Estrada and Poiré 2007).

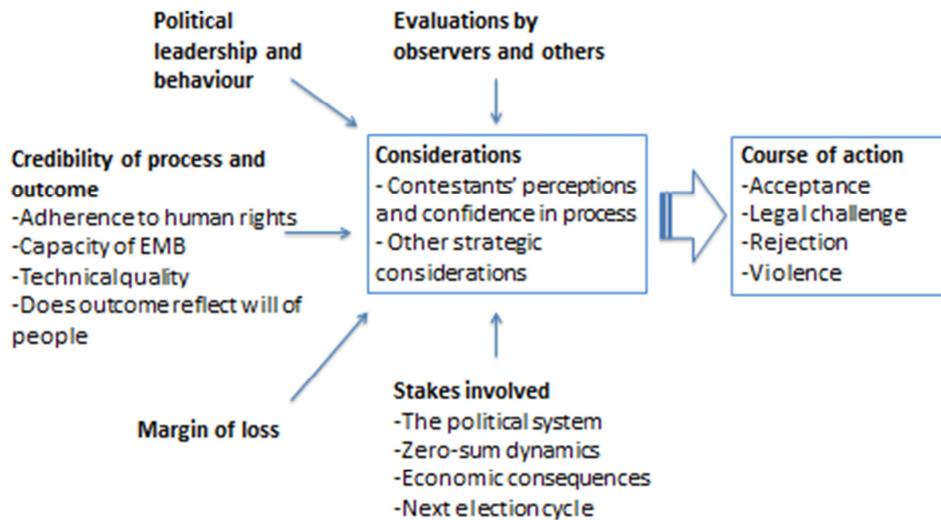
UN experience suggests that – while technical quality, professionalism in election management, and adherence to international norms are highly important – confidence in an election is also shaped by its broader political context, including the stakes involved in an election and the political cost of losing; in other words, by macro-level factors that go beyond the quality of the electoral process itself or the effective performance of the EMB. It is assumed that in a high-stakes, winner-take-all political system, the willingness of contestants to accept an electoral loss will be under considerable strain, irrespective of the technical conduct of the election. UN experience further suggests that it is political leaders, rather than election administrators, who play a key role in facilitating an acceptance of credible election results, as it is they who set the tone in the behaviour of their supporters (United Nations 2013; 2015b; 2017). UN reports go on to note that "the [electoral] process is important but not an end in itself", citing the Universal Declaration of Human Rights which speaks not only of processes but in fact emphasizes outcomes in requiring that "the will of the people shall be the basis of the authority of government" (United Nations 2017).

A second complement that can be discerned in UN reporting on the relationship between the quality of a process and the acceptance of results is the following: it is not only *actual* flaws or fraudulent acts that lead contestants to reject an outcome. Perception plays a large role. Furthermore, a pernicious challenge facing UN member states – particularly in post-conflict or transitional settings – are situations in which contestants refuse to accept processes or outcomes even if they are generally considered to be legitimate. This can take the form of candidates making sweeping but insufficiently substantiated allegations of widespread fraud, a refusal to accept established methods of dispute resolution, or even a full disengagement from the process when it appears that the results may not be favourable (United Nations 2015b; 2017).

Based on considerations reflected in reports of the UN Secretary-General, it is possible to propose a simplified theoretical model of factors that affect the strategic considerations of electoral contestants in deciding how to respond to an electoral loss. In addition to those mentioned above, the model below also highlights two external factors: the uncertainty created by a small margin of loss (Birch and Muchlinski 2016; Half 2015), and the impact of (negative) assessments by observers

and others (Daxecker 2012; Borzyskowski 2014). Of note for the discussion here is how technical quality and EMB performance are assumed to be but two of a number of elements affecting contestants' strategic behaviour.

Election management and other factors in the acceptance of electoral loss



6. Implications for UN support

How does the UN apply its conception of electoral management and acceptance of results in practical terms? The Iraq example described above already highlighted some activities – good offices; a UN presence at key moments in the process, etc. – that fall outside a narrow definition of technical assistance to an EMB. The UN Secretary-General has outlined a series of suggested steps that can help create a conducive context for credible and therefore broadly accepted elections, noting that there is no single recipe (United Nations 2017). While this is not specified, it is assumed that these apply in particular to countries with relatively young democratic institutions or those emerging from recent conflict, where political trust may be low. These steps include:

- Lowering the stakes involved in an election, and reducing zero-sum dynamics, long before the election itself, including through reforms of the political and economic system; addressing other structural issues of contention and root causes of conflict; promoting guarantees for a role for the opposition; protecting human rights for all; initiating dialogue processes. (These efforts may be thought of as targeting some of the *mediating conditions* or *structural social conditions* in the core model of electoral integrity put forward by Norris (2014: 11) and Norris, Frank and Martinez i Coma (2015: 139)).
- Adopting the electoral rules through dialogue and on the basis of broad political consensus.
- Enhancing the inclusiveness of an election and pursuing the full participation of marginalized yet politically relevant groups. These typically include women, minorities, populations in inaccessible areas, as well as those vulnerable due to poverty or other reasons.

- Emphasizing the responsibility of political leaders to engage in peaceful, constructive behaviour, and to refrain from incitements, threats, unfounded allegations, and disengagement from a process.

These are not just abstract considerations. Special envoys of the Secretary-General and Resident Coordinators – that is, typically the most senior UN officials in a given country – spend a considerable amount of time on preventive diplomacy where there is concern that elections could trigger conflict. Their engagement focuses not only on electoral management bodies, but, as noted above, also on the political leaders and their behaviour, using a broad range of tools available to UN system, including good offices, electoral assistance and promoting respect for human rights, as well as other non-electoral areas of work.

- In Burkina Faso, UN engagement in the lead-up to the legislative and presidential elections of 2015 included good offices and facilitation by the Under-Secretary-General for Political Affairs and the Special Representative of the Secretary-General for West Africa and the Sahel. By advocating for an inclusive legal framework and issuing preventive messages to political parties and candidates – including in the wake of an attempt coup by members of the former presidential guard – the UN contributed to defusing tensions at critical moments of the transition process, in close cooperation with the African Union and ECOWAS (United Nations 2015a and 2015c). The UN also deployed over 60 UN electoral personnel to assist the national election commission across the country.
- In Yemen, a transition agreement agreed in 2011 provided for the conduct, with UN assistance, of a presidential election with a single consensus candidate. UNDP provided technical assistance to the EMB, while the Secretary-General’s Special Adviser on Yemen, along with other UN officials, actively encouraged political leaders, some of whom had not endorsed the transitional arrangements, to engage in the process and participate in the elections (United Nations 2013).
- In the run-up to the elections of March 2013 in Kenya, the UN launched a series of system-wide efforts to help prevent conflict. UNDP provided technical support to the election commission, while senior UN officials, including from the Department of Political Affairs, engaged with political leaders, working in liaison with Kofi Annan as Chair of the African Union Panel of Eminent African Personalities on Kenya. UN-Women supported civil society efforts to bolster women’s political participation; UNESCO, in cooperation with others, organized trainings for journalists; and OHCHR monitored the human rights situation during the elections (United Nations 2013).

7. Electoral assistance – conflict prevention – diplomacy

The considerations underpinning UN electoral assistance described in this paper gain in clarity when electoral support is seen as part of a broader approach to promoting peace and stability. A good election, when properly managed, can be an effective form of conflict prevention and resolution (United Nations 2017). While elections are also an exercise of human rights, a key element of democratic governance, and an opportunity for social inclusion and women’s empowerment, they are at heart a political process, a mechanism to determine the will of the people, and to bestow legitimacy to govern. They produce political winners – and losers. Looking at elections through a political prism makes particular sense when dealing with flawed or highly contested processes. Their negative consequences – distrust, crisis, violence – are political phenomena that call for a multipronged response to prevent or resolve conflict.

Thus, the overall aim of UN electoral assistance is to instil confidence in electoral processes and thereby help build political legitimacy (United Nations 2013; and also much earlier, United Nations 1992). A central objective when supporting member states is to help ensure compliance with their international commitments, but also to help bring about an environment in which electoral contestants are more likely to win magnanimously or lose graciously (United Nations 2015b). This goes to the heart of UN Charter-mandated conflict management functions (United Nations 1945: preamble and article 1).

As noted, for the UN, the key to meeting this goal does not necessarily lie, or not exclusively, in the quality of the electoral process itself or the performance of the EMB. A process that is fair, that respects human rights and conforms to international norms, and that is well administered by a credible authority, provides a good basis for trust. But while excellence in electoral administration is desirable, credibility does not necessarily depend on a technical “scorecard” – and the UN does not conduct ratings to such end of the EMBs it works with. Electoral integrity is thereby understood not just as a matter of meeting international standards or improving electoral management performance: integrity is at its root, as stated also by the Global Commission, a political problem (Global Commission 2012).

This way of thinking about the nature of, and the conditions for, a successful election has important policy implications. While electoral management support and EMB capacity is central to UN engagement in elections, promoting the peaceful acceptance of election results also includes applying, where suitable, the broad range of other tools available to the UN system, blending the “technical” and the “political”, and involving engagement with both election administrators and political actors.

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