A Focus on Safeguarding EMB Independence and Promoting Electoral Reform Processes
Based on Democratic Principles

7 March 2024

What is GNSEI or "The Network"?

Publicly launched in March 2023, GNSEI convenes election stakeholders around a shared vision: to inspire and inform action to advance electoral integrity in the face of critical threats to democracy and that all institutions, norms, principles, and processes underpinning them – reflect the will of all people.

GNSEI Participants

- Arab Electoral Management Bodies
- International Institute for Democracy and Electoral Assistance
- Australia's Department of Foreign Affairs and Trade
- International Republican Institute
- Asian Network for Free Elections
- Kofi Annan Foundation
- Democracy International
- National Democratic Institute
- Democracy Reporting International
- New Zealand Ministry of Foreign Affairs and Trade Electoral Institute for
- Sustainable Democracy in Africa
- Pacific Islands, Australia and New Zealand Electoral Administrators Network

- European Network of Election Monitoring Organizations
- Red de Observación e Integridad Electoral - Acuerdo de Lima
- East and Horn of Africa Election Observation Network
- Switzerland/FDFA, Peace and Human Rights Division
- Global Network for Domestic Election Monitors
- United States Agency for International Development
- International Foundation for Electoral Systems
- Westminster Foundation for Democracy

GNSEI Observers

- The Carter Center
- Commonwealth Secretariat
- The Electoral Commissions Forum of SADC Countries (ECF-SADC)
- Japan International Cooperation Agency (JICA)
- Swedish International Development Cooperation Agency (SIDA)
- United Nations Development Programme (UNDP)
- U.S. Department of State, Bureau of Democracy, Human Rights, and Labor (DRL)

GNSEI Steering Committee

- Asian Network for Free Elections (ANFREL)
- International Foundation for Electoral Systems (IFES)
- International Institute for Democracy and Electoral Assistance (IDEA)
- Red de Observación e Integridad Electoral-Acuerdo de Lima (RedOIE)
- United States Agency for International Development (USAID)

What Will GNSEI do?

The Network has two primary objectives:

1. To strengthen the electoral integrity norms framework by leveraging GNSEI's collective expertise to identify critical threats to elections, promote awareness of and adherence to existing norms and good practices. Where there are gaps, we will also strive to shape consensus around guiding principles and effective methods to address emerging concerns.
2. To provide a standing platform for an expanded network of actors to defend and promote electoral integrity by sharing innovative and effective practices.

Goal for Today's Session

- Share key takeaways from the Networks' series of consultations for the development of two normative documents:
    - *Safeguarding the independence of Election Management Bodies*
    - *Promoting Electoral Reform Processes Based on Democratic Principles*

- Validate the findings from these consultations and integrate your input from our draft principles and guidelines documents.

AGENDA

- Safeguarding the independence of Election Management Bodies:
    - Plenary, Small Group Activity, and Activity Report-out

- Break - Coffee, Tea, Sandwiches

- Promoting Electoral Reform Processes Based on Democratic Principles
    - Plenary, Small Group Activity, Activity Report-out

- Lunch - In Office Kitchen

- Public Panel: ***"2024 - the Super Election Year: What Is at Stake?"*** followed by a Cocktail Reception

GNSEI Working Group Sessions

7 March 2024

SESSION 1: Safeguarding EMB Independence

The Journey: How did we get here?

Priority Issues Criteria

- Issue should warrant attention because of the threat to electoral integrity

- Issue should allow forward movement/realistic impact

- Comparative advantage for the Network

Priority Issues

- Safeguarding the independence of EMBs (focused on interactions with key domestic agencies)

- Promoting electoral reform processes based on democratic principles

The Journey: The Broad Strokes

- Working groups formed - July 2023
  - EMB Independence WG included: ANFREL, IFES, IDEA, NDI, RedOIE, The Carter Center and USAID
    - Sub-writers group - literature review, identify existing gaps, developed and refined concept note
    - Lots of new questions arose!
    - Developed process for consultations and timeline

- Shared concepts with broader GNSEI family - December 2023

- Developed consultation questions, stakeholder lists, identified facilitators - November and December 2023

- Consultations - January and February 2024

The Journey: Consultation Process

Consultations Leads and Stakeholder Groups

- **The Carter Center**: international NGOs
- **IFES and International IDEA**: election management bodies and election practitioners
- **RedOIE and NDI**: citizen election observer groups and networks
- **USAID**: international donors, intergovernmental organizations

Methods Used to Gather Input

- Virtual group consultations
- One-on-one meetings/direct consultations
- Online questionnaires
- Literature review

The Journey: Consultation Process

44 groups/entities have been part of consultations so far

EMBS	12
International NGOs	6
IGOs/Donors	9
Observer groups and Networks	17

Africa	Asia	Americas	Europe/Eurasia	Middle East and North Africa	Pacific	Global
9	6	9	7	2	3	8

The Journey: The Broad Strokes (cont…)

- Synthesis of key takeaways and first high-level iteration of principles/guidelines - February 2024

- Stockholm workshop to ground-truth principles/guidelines - March 2023

- Post workshop
  - Incorporate feedback into documents
  - Additional consultations

Consultation highlights: key threats

→ **Risk**: Insufficient transparency
- ◆ **Effect**: accusations of partisanship

→ **Risk**: ambiguity of mandates; insufficient staffing
- ◆ **Effects**: usurpation of power by other agencies; accusations of partisanship and overreach

→ **Risk**: crisis conditions that create operational inefficiencies and opportunities for interference
- ◆ **Effects**: delays in meeting deadlines or abuses of power that undermine the credibility of the election process

Consultation highlights: key benefits

➔ Trust-building and a positive narrative around the robustness and integrity of electoral systems

➔ Operational efficiencies, allowing an EMB to leverage expertise, skills or resources it might not have internally

➔ Enabling of a whole-of-government approach to safeguarding electoral integrity

Consultation highlights: key strategies to preserve independence (EMBs)

➔ Diversify funding sources
➔ Ensure sufficient, professional staff at all levels
➔ Establish written agreements or terms of reference with other agencies
➔ Conduct regular evaluations and threat assessments
➔ Build an environment of transparency and accessibility
➔ Reinforce the importance of preparing for elections well in advance
➔ Engage in knowledge sharing and networking activities
➔ Build capacity and resilience to withstand political pressures
➔ Proactively identify opportunities to engage expertise across the government

Consultation highlights: key strategies to preserve independence (legislatures and state agencies)

Legislatures

➔ Ensure unambiguous legal mandates and delineation of responsibilities
➔ Provide a sufficient budget allocation and timely disbursements

State agencies

➔ Work in good faith with the EMB to develop written agreements
➔ Engage proactively in crisis contexts to ensure that legal election deadlines can be met
➔ Proactively share information with the EMB
➔ Participate in working groups or task forces organized by the EMB

Consultation highlights: key strategies to preserve independence (civil society and parties)

➔ Advocate for clearer legal mandates for EMBs
➔ Advocate for access to meetings or information about roles in the electoral process
➔ Scrutinize electoral processes and participate in meetings and working groups
➔ Observe and report fairly on the role played by the various actors engaging electoral processes
➔ Publicly reinforce and support EMBs acting independently and in good faith
➔ (For civil society) Conduct research on topics relevant to emerging challenges in electoral integrity

Consultation highlights: key strategies to preserve independence (international community)

➔ Publicly and privately reinforce EMBs acting independently and in good faith
➔ Provide support for local partners as they advocate for reforms
➔ Facilitate knowledge exchange and learning among EMBs
➔ Conduct rigorous needs assessments to inform technical assistance objectives, investments, and program design
➔ Provide direct technical assistance to EMBs
➔ Highlight threats to EMB independence in election observation mission methodologies, reports, and public statements

Questions and tensions to examine

→ EMB collaboration with other state agencies may be categorized as "networked governance" or "crisis collaboration." **Is this a useful distinction for the guidelines?**

→ **Should the guidelines do more to recognize the distinction between political independence and political interdependence?**

→ **How can the guidelines acknowledge or account for context,** particularly around authoritarian environments and impermanent EMB structures?

→ **How can the guidelines acknowledge the balance needed between guarding an EMB's independence and laws/regulations that may limit transparency?**

→ **What else is needed in the guidelines?** Are we missing any important actors?

Break-out Group Instructions

- **Six break-out groups**: each group gets a scenario with specific questions to answer.
- Count off from 1 to 6, and go to your group number.
- Assign a rapporteur. Use the flip chart.
- 45 minutes for group activity. Be ready to present back.

Group 1 & 4	Cyber attack
Group 2 & 5	OCV
Group 3 & 6	Earthquake

Plenary: Scenario Questions

- What are the likely key interactions/touchpoints with government stakeholders?

- What are the likely major concerns for independence of the CEC from those touchpoints? What should the EMB consider putting in place as a risk mitigation plan?

- What would be different if the EMB is highly trusted or not trusted as an institution?

- Review the draft guidelines. Are they useful in helping to answer the above questions? What is missing?

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SESSION 2
Promoting Electoral Reform Processes
Based on Democratic Principles

The Journey - Why Focus on Electoral Reform

- **Electoral reform is wider than just the voting system**.

- The **uptake of electoral recommendations is very low** even in mostly democratic countries.

- It is often very limited and on short notice without **consultation and consideration of the implications**.

- The **way electoral reform processes are conducted is as important as the content**

- There are **currently no global principles around electoral reform process**

The Journey - Key Challenges

- Electoral reform processes are often **conducted by a small set of elite actors.**

- There is often a **lack of political interest**

- Actors **manipulate electoral reform processes to tilt the playing field** in their favour.

- Electoral reform is often addressed **too late in the electoral cycle.**

- **Unintended consequences** due to short-term or reactive thinking

The Journey - What We Set Out to Achieve

- Develop a set of principles and approaches for electoral reform **that help to improve electoral integrity.**

- Develop a document with a **focus on the process, not the content, of electoral reforms**

- Develop a document that is based on a consensus **among a wide range of stakeholders.**

The Journey - Consultation Process

Consultations Leads and Stakeholder Groups

- The Carter Center: youth participation
- DRI: media and media monitors
- IFES and International IDEA: election management bodies
- RedOIE with NDI: citizen election observers
- USAID: international donors, intergovernmentals, and international NGOs
- WFD: political parties and legislatures

Methods Used to Gather Input

- Virtual group consultations
- One-on-one meetings/direct consultations
- Online questionnaires
- Literature review

The Journey - Consultation Process

54 groups/entities have provided input so far

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International NGOs	8
Intergovernmentals/Donors	9
Citizen observer groups and networks	19
Parliamentary bodies and political parties	6

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Consensus Points: Principles

- Consensus building and trust are foundational

- Transparency

- Inclusion

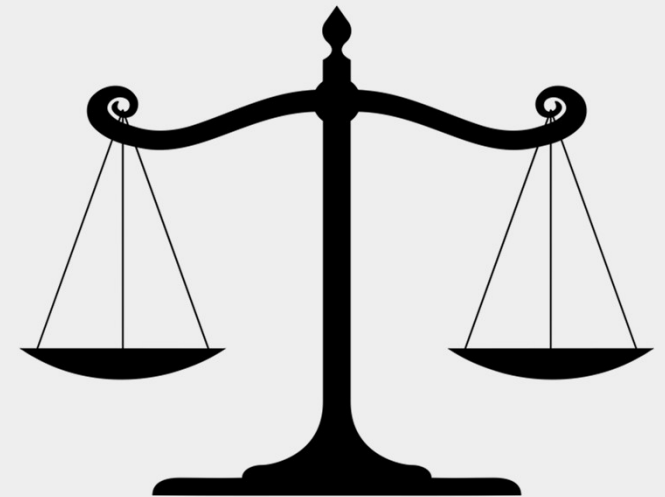- Accountability

- Fairness

Credit: Shutterstock.com

Consensus Points: Approaches

- Well-informed process with clear communication

- Clear goal(s) based on needs and consensus

- Realistic and feasible process

- Phased approach that begins very broadly

- Timing: begin and end well in advance of elections

- Do no harm approach

Decision Points / Points of Tension 1

- Country context and type of reform can affect principles and approaches

- How to incentivize those in power to initiate and/or participate in reform process based on democratic principles

- Balancing inclusion with efficiency and feasibility

- Balancing inclusion with need for well-informed, expert input

Decision Points / Points of Tension 2

- Balancing highly political nature of electoral reform with the broader social good

- Balancing the need for consensus-based process with politically charged legislative processes

- Source of initiative: state-initiated or demand side-initiated

- Different incentives of international stakeholders and local stakeholders

- How to engage the voting public in a substantive way
  - May be skeptical or not interested

Break-out Group Instructions

- Four break-out groups: each group gets a scenario with specific questions to answer.
- Count off from 1 to 4, and go to your group number.
- Assign a rapporteur. Use the flip chart.
- 65 minutes for group activity. Be ready to present back.

Group 1	Authoritarian context	Democracy Room
Group 2	Semi-democratic context	Democracy Room
Group 3	Mostly democratic context	Participation Room
Group 4	Post-conflict context	Representation Room

Plenary: Scenario Questions

- What are the main challenges for the reform process in your scenario?

- Which of the consensus points are most salient to promote?

- Which of the decision and tension points are most salient?

- How could you strike the right balance among the decision points to promote the most widely-accepted/trusted outcome of electoral reforms?

Plenary: Decision/Tension Point Questions

- How did country context affect principles and decision points?

- How to incentivize those in power?

- How to balance inclusion with efficiency, expert input, and feasibility?

- How to balance the need for consensus-based process with highly political nature of the process?

- How to engage the voting public in a substantive way?

Discussion: How to Use the Documents

- Dissemination and awareness raising

- Maximizing legitimacy/endorsements

- Putting the documents into practice on the ground and sharing best practices

- Evaluating usage and impact