

**Working Retreat II on Assessment Criteria for Democratic Elections**  
**Summary of Proceedings**  
**The Carter Center**  
**December 8-10 – Ouirgane, Morocco**

From December 8-10, 2009 the Carter Center hosted a two-day experts meeting on Assessment Criteria for Democratic Elections in Ouirgane Morocco. This was the second such working retreat hosted by the Center, and focused on reviewing a complete draft of a compendium of international obligations for democratic elections that staff and consultants have developed . The principal goal of the meeting was to seek advice from peer organizations on how to practically use the obligations to assess elections, with an eye towards more consistent use of the compendium and the implementation of related election assessment tools. Participants included representatives of Democracy International, EISA, ERIS, the European Commission, IFES, International IDEA, the National Democratic Institute (NDI), and the Organization for Security and Cooperation in Europe (OSCE), as well as several leading experts on elections and election standards. .

**Executive Summary**

The main points and conclusions from the two day meeting are summarized below. Greater detail regarding all issues presented here follows in the body of this document.

**Value of the compendium / database of obligations**

- The Center's plans to develop an electronic database of public international law obligations, searchable by specific country, part of the election, obligation, or key word was supported and seen as very important by participants. However, it was noted that such a database will take significant time to keep updated given changes to the ratification status of countries.
- Participants conducted a review and discussion of the utility of the Carter Center's matrix of public international law obligations for elections. Participants noted the strength of this tool, while urging consideration of potential misapplication by users, including through incorrect citation of sources. As such, they noted the need for strong, clear, and comprehensive training programs.

**Inclusion of lower-level sources in the compendium?**

- Some participants questioned the inclusion of 'lower-level sources' (such as handbooks) in the compendium matrix. However, most participants felt that these sources, while not legally binding, could serve as evidence of emerging norms regarding recognized electoral practices that are not yet codified in public international law.

**Adequacy of coverage of domestic observation issues?**

- Several participants expressed concern that the framework did not adequately address issues of domestic observation. Within the matrix framework, the rights of such observers are rooted in the broader right to participate in public affairs. As such, quotes included in the matrix do not always directly reference domestic observation even though they may be used to justify or expand upon the rights of these observers. In order to

make these links more explicit, greater emphasis may need to be placed on domestic observation. Participants discussed whether an additional part of the matrix focused on this issue should be added, or whether it could be developed as a ‘cross-cutting theme’ referenced throughout the matrix.

#### Best practices and “good practices”

- The role and application of best practices was a significant topic of discussion during this meeting. While there was disagreement over the proper use of best practices in the context of electoral observation, most participants argued that practitioners can use best practices as practical examples of the application of intangible legal principles to the electoral process.
- It was also noted that the term ‘best practice’ should be replaced with the term ‘good practices,’ which allows for the identification and usage of multiple practices which all might achieve a similar end, e.g., meeting international obligations. Consideration of ‘good practices’ makes it less important for the observation community to identify a single ‘best,’ thereby allowing greater objectivity.

#### **Hierarchy of international human rights obligations?**

- When participants were asked to rank human rights obligations applicable to the electoral process as first and second tier, the most notable conclusion was a marked lack of agreement. This was thought to be a byproduct of the need to understand elections in their unique political and cultural contexts, making the completion of this exercise difficult when not linked to a particular election.
- Participants were asked to break into groups and conduct an overview of recently observed elections. For all groups, this session strengthened their belief that assessments of elections are bound by context. Participants reiterated that it seems nearly impossible to develop a universal ranking system for individual human rights obligations, as their impact on and relevance to the electoral process is inextricably tied to the political and historical background of an observed state.

#### **Observer tools and training**

- Day two included an assessment of the practical tools for data collection already developed by the Carter Center. Overall, participants indicated that the tools presented by the Center seem to focus on the correct data and allow for conclusions to be based on public international law obligations. However, concerns were expressed that these tools were too lengthy, and there was some disagreement about whether long-term and short-term observers they should only focus on collecting raw data or provide initial analysis of that data as well.
- One significant theme that ran through the meeting was the need for in-depth training programs on using public international law in election observation missions. Participants felt that such training programs would be necessary for both core staff and observers. The BRIDGE model was identified as a potential example.

### **Future cooperation and collaboration?**

- Several participants suggested future inter-organizational cooperation and information sharing as a means to forward the methodological approach discussed at the retreat. Suggested initiatives included broader dissemination of the matrix of obligations, and potential partnerships to develop and maintain an electronic database version of the matrix. The Carter Center views cooperation and input from other organizations as critical to this work and is open to all such cooperation throughout the process.

### **Session 1: Project Overview and Introduction the Goals of the Meeting**

The two-day meeting opened with an overview of the Carter Center's Democratic Election Standards project. This project builds on the accomplishments of the community of election practitioners over the last decade, and is aimed at identifying obligations for democratic elections that are based in public international law. The approach aims to keep human rights at the forefront of election observation, strengthening the work of observers by framing assessments in terms of international legal commitments.

Over the course of the last year, in addition to creating a comprehensive compendium of obligations for democratic elections, The Carter Center has developed and tested checklists and templates that facilitate the assessment of the electoral process against the obligations in that compendium. These tools have been designed to be 'open-source,' available for use by any observation group that cares to adopt them. The Center has also begun work on the development of a database version of the compendium, intended to make this bibliographic reference of public international law obligations available to a wide variety of stakeholders in an electronic format. As proposed, additional advantages of the database include its ability to search by key terms and provide country specific reports on obligations for observers.

The principal goal of the meeting was a review of the aforementioned tools with an eye to developing a clear understanding of how they can be applied by the election observation community to increase professionalism and harmonize observation methods.

Discussions in Session One began with a presentation on the interactive database of obligations. While the response to this proposed database was universally positive, participants did offer some additional ideas and constructive input for the improvements of this tool. In particular, participants noted that it will be a sizable endeavor to keep ratification data up-to-date in this database. An example was given by European Union representatives of the great number of changes (over 140) to the ratification tables in the EU's *Compendium of International Standards for Elections* in under two years.

To address this obstacle, participants suggested the development of a cooperative system for updates which shares responsibility between several organizations. In addition, the idea of a 'wiki' section on the database website that would allow users to suggest updates or comment on out-of-date information was suggested.

*Re-Familiarization with the Matrix Compendium*

Following the Center's presentation on the electronic database, participants worked to re-familiarize themselves with the compendium of international standards, providing comments on its content, form, and presentation. Discussion of the matrices followed several major themes, including; issues of duplicate entries inside the compendium; improper use of the compendium and associated tools; the applicability of low-level sources; the adequacy of the coverage of domestic observation issues; and the role of best practices. These topics are summarized below.

#### *Duplication in the Compendium*

Issues of duplication in the compendium of international obligations have been discussed at length by the Center and external stakeholders. In its current iteration, the compendium is divided into ten constituent parts of the election, for example, vote counting, voter education, and election management. Within each of these ten parts, all relevant human rights obligations appear under their distinct headings. As such, obligations which are relevant throughout the electoral process may appear in the document up to ten times. While this increases the length of the document, such duplication seems to be a necessary evil allowing each distinct section of the compendium to be considered separately as well as entirety part of the whole.

Participants offered their agreement that such duplication, while cumbersome, is largely unavoidable. It was suggested that clear instructions for use of the matrix, as well as an explanation of the reason for such duplication, would adequately resolve this issue. In addition it was noted that the development of an electronic database, which will be searchable by part, obligation, or country will likely minimize this shortcoming.

#### *Improper Use*

While noting the strength of the matrices as a tool, participants indicated their awareness that such a tool will only "be as good as the user." For example, participants expressed concerns that users who did not understand the distinction between source levels may incorrectly cite some sources which are not legally binding as obligations. While expressing their concern, participants quickly recognized that the best solution would be thorough training and familiarization with the tool.

Meeting participants agreed that this tool is best used as a way to find and cite appropriate public international law justifications for an argument about the electoral process. As such, it is largely aimed at an internal (practitioner) audience and intended for use as a reference guide. Significantly, participants who had used the compendium for this purpose prior to attending the meeting remarked that their experiences using the tool were successful.

Further, participants urged consideration of how such a tool might potentially be misused. In particular, some participants felt that, as the compendium deals only with legal obligations, it would represent an opportunity for states to circumvent certain democratic principles or good faith endeavors

It was also suggested that an introduction which explained the scope (legal obligations) of the compendium be added. In this way, the ability for improper use would be mitigated by clear indications that legal principles cannot alone ensure democratic elections. For elections to be fully credible there must be observed good faith in the application of such obligations on the part of states and administrators.

#### *Applicability of Low-level Sources*

Questions were also raised in regards to the usefulness of including the source level known as ‘Handbooks and Other Sources’ in the matrix. This source level, which is the lowest of the four levels in the compendium, includes the writings of highly qualified publicists, organizations, and other bodies. All sources included here are non-binding and generally add to our understanding of the obligation in the context of the electoral process or provide examples of either how an obligation may be met.

Some participants again noted a concern that users of the compendium may not fully understand the implications of source level (binding obligation versus non-binding instrument or source), leading to misuse. In particular, participants felt that the inclusion of lower level sources would increase human error such as mistakenly citing these lower level sources as binding although they are not. In this light, some participants questioned why these sources were included at all, or if they would ever actually be used.

Public International Law is comprised of a variety of sources, including “judicial decisions and the teachings of the most highly qualified publicists” which can be used as “subsidiary means for the determination of rules of law.”<sup>1</sup> While non-binding, these lower-level documents provide evidence of emerging norms, and for this reason have been included by the Carter Center. In this way, the document may allow observers to understand and comment upon these practices while also identifying gaps in the legal obligations that are in need of continued development. However, careful consideration of participant concerns is critical to ensuring that such sources are presented in a transparent and clear manner which allows for their proper use.

#### *General versus Specific Applicability of Sources*

Discussions in Session One also considered the relative strengths and weaknesses of considering obligations only in their specific relation to ratifying states, or interpreting such obligations to be generally applicable regardless of the status of ratification. In general, election observation missions focus on and apply only treaties which have been ratified by an observed state. However, as public international law is considered to be broadly applicable to the entire community of states, it can be argued that even non-ratifying countries are bound to uphold treaty obligations. Participants appeared split on this issue. While it was recognized that electoral assessments should base findings primarily on the obligations relevant to the state, some participants argued that the full body of international law creates obligations that are applicable to all states, not only those who have undergone a process of ratification.

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<sup>1</sup> Statute of the International Court of Justice, Article 38

There was general consensus that although overarching obligations based on international law could and should be considered, the specific commitments of a country would be most pertinent in the context of observation reports and statements.

### *Role of Domestic Observers*

Several participants were concerned that the compendium appeared to lack clear obligations regarding domestic observation. While the compendium does include references to the need for domestic observers to be granted access for polling and counting, the breadth of such statements in the compendium are limited by a lack of high-level sources which state this principle directly. Nonetheless, despite this lack of high level obligations, the rights and roles of domestic observers are inextricably linked to the right to participate in public affairs. Legal obligations also exist regarding the right of non-governmental organizations to form and function freely. The application of these legal standards can form the basis for a compelling argument in support of the activities and work of domestic observers.

It was also noted by participants that The Carter Center had failed to include an important OSCE/ODIHR source, a quote from, the Copenhagen Document relating to observation, in the matrix compendium<sup>2</sup>. This oversight has been rectified by The Carter Center, providing some additional strength to the legal basis requiring observer access.

Some advised the Center to consider developing an additional ‘constituent part’ focused just on domestic observation. Others suggested the development of some form of a companion document or use of ‘cross-cutting themes’ within the matrix (such as domestic observation) which could be considered in conjunction with the compendium. These suggestions are under consideration and will be reflected as appropriate in future iterations of the Center’s work.

### *Best Practices*

The matrix compendium of obligations includes international legal obligations, including interpretation of those obligations, and evidence of ‘state practice.’ The term “Obligation”, as used in the compendium, refers to a binding treaty source (i.e. ICCPR) which must be upheld by ratifying states. “State Practice” is defined as the process or actions states in recognition of an obligation. State practices may be good or bad depending on how successful they are in upholding such an obligation (though in the matrix we include good state practices). On the other hand “Best Practice” refers only to those practices undertaken by states which have been accepted by the international community as representing the right, or best, way of providing for a good election.

The role and application of best practices was a significant topic of discussion in this session. The Carter Center’s matrix of obligations does not include a catalogue of best practices, instead focusing only on obligations codified in international law, the interpretation of those obligations,

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<sup>2</sup> Paragraph 8 of the Copenhagen document states that, “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 endeavour to facilitate similar access for election proceedings held below the national level. Such observers will undertake not to interfere in the electoral proceedings.”

and state practices. While it was noted that looking only at legal obligations could potentially leave gaps in observers understanding, there was disagreement over the proper use of best practices in the context of electoral observation.

Some participants argued that practitioners should view best practices as a way to fill in gaps left by legal obligations, applying such practices where relevant to offer support for intangible principles such as accountability or transparency. The ability of observers to comment on the necessity of such principles, which are part of the larger commitment by States to implement elections in good faith, is undoubtedly paramount. However, other participants noted that best practices are not obligatory, and can only be recommended to states, not required of them.

Despite this disagreement, a broad segment of participants agreed that best practices could be used as a way to strengthen observer's recommendations based on legal principles by providing examples of ways in which such obligations might be met. For example participants discussed political party representation in the election management body. While there is no legal obligation for such representation, participants noted that it is an important practice which can help to fulfill other obligations (such as the Right to Participate in Political Affairs, and the development of a level playing field for the Right to be Elected). In this light, the best practice that political parties should be represented in the EMB can be seen as evidence of one potential way a state might achieve these obligations.

Noting the oftentimes vague nature of the text found in public international law obligations, participants expressed a belief in the strength of best practices when used to provide more specific details about an obligation. For example, since recommendations based in legal principles are often general in nature, (such as "ballot security should be better ensured"), best practices can serve to strengthen the practicality of such recommendations, (such as "the state might consider achieving such security through adopting transparent ballot boxes as a means of promoting ballot security. This practice has been shown to be successful in other countries").

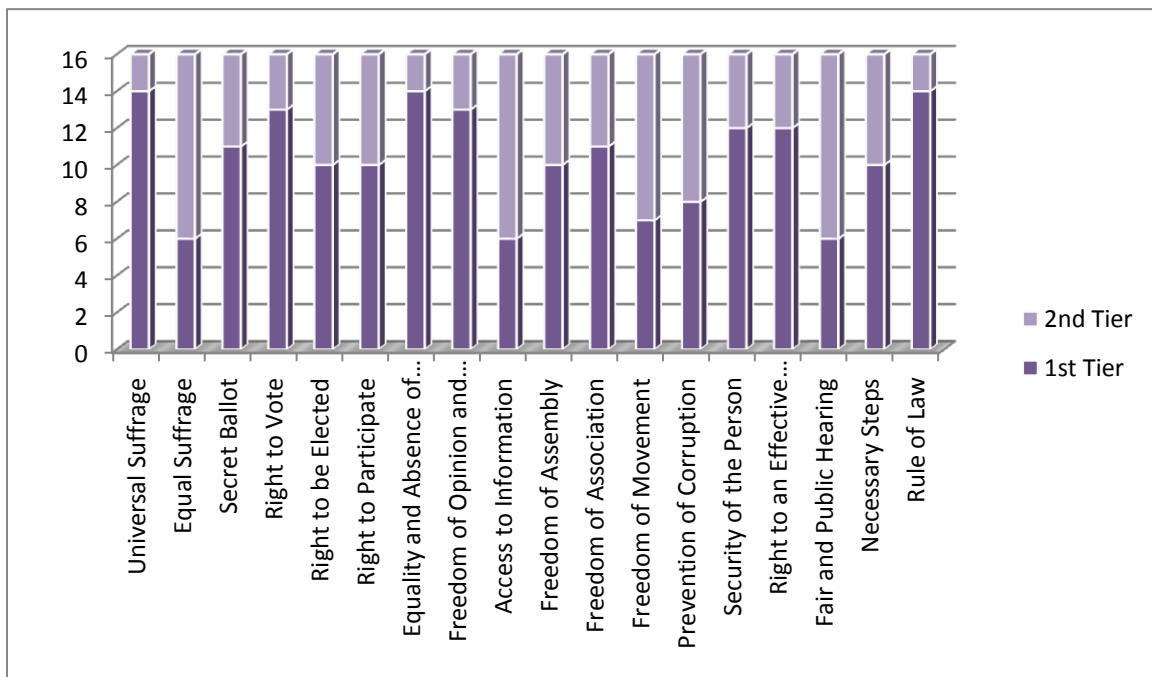
While some participants expressed interest in a separate compendium of best practices, which could serve as a companion document to the matrix of obligations, others argued that issues of best practice fall outside of the natural focus of observers. It was also noted that given the importance of the political and country context to the overall assessment of elections that was discussed throughout the meeting, such a catalog of practices would be of limited value.

A final important note was made regarding terminology. Participants were in general agreement that "good practice" was a more fitting term than best practice and should be applied during future discussions because it encapsulated multiple practices that meet international obligations. It was agreed that best practices represent the thoughts and opinions of the observer community themselves. This implies a subjectivity which makes it difficult for best practices to be applied in an objective manner. For this reason, there was discussion as to whether one would better consider the term "good practices" which would leave room for multiple practices seen as able to achieve the same ends satisfactorily.

## Session 2: Using the Framework to Assess Elections

### Exercise One – Ranking Obligations

At the beginning of Session Two participants were given a work sheet listing the 18 human rights obligations found in the Carter Center’s assessment framework and asked to rank them as first or second tier obligations. (Because the Center’s approach considers Genuine, Periodic Elections and the Expression of the Will of the People as meta-obligations, these were not included on the worksheet). Tier one obligations were defined as those obligations for which “there is no way that an election can be credible without th[ese] obligations being fulfilled,” while tier two obligations were those for which “an election may still be credible even when these obligations are undermined.” After completing their forms individually, participants were asked to pair together to discuss their findings and report back to the plenary group. A summary of the sixteen responses collected by the Carter Center is found below:



Most notable, to all participants, was the lack of agreement between practitioners in the completion of this exercise. While some obligations, such as Universal Suffrage and Equality Before the Law and Absence of Discrimination were heavily favored as first tier, even these obligations lacked full agreement. The extent of deviation in the completion of this exercise illuminated the difficulty of applying this framework in the conduct of electoral assessments, which are necessarily bound by political and cultural factors.

Participants overwhelmingly expressed their belief that this exercise could not be completed without reference to a particular electoral process, as the answers would be unique to each observed state and election and would require careful consideration in that context.



Interestingly, some participants put all obligations as first tier while others placed all in the second tier. Those who placed all obligations in the first tier explained their belief that, to be truly credible an electoral process clearly required the enjoyment of every applicable human right. However, plenary discussions soon provided a caveat that credible elections required the enjoyment of all rights “to a certain extent,” allowing for some deviation or minor infringements. Reflective of this idea was the group of participants that had placed all obligations in the second tier. It was explained that this assessment was based on the fact that any one obligations might, in a particular context, be reasonably deviated from without impeding the overall process. However, while no fully non-derogable obligation was found to exist, there was recognition that all or most of the obligations must be respected, to a certain extent, for an election to be credible.

### *Exercise Two – Application of Assessment Criteria to Recent Elections*

Following the first exercise of Session Two, participants were asked to divide into groups of six for a discussion of recent elections. This discussion focused on:

- How these elections had been assessed;
- If the framework for assessment proposed by the Carter Center would have been applicable;
- If applied, how this methodology may have changed the assessment;

Participants were also asked to reflect upon the previous exercise, with the aim of trying to understand the interplay of obligations and their respective weight in the context of particular elections. Elections discussed were Nigeria, Ethiopia, Bangladesh, Lebanon, Ghana, and Pakistan. Facilitators in each group were asked to complete a worksheet asking the following questions:

- Which obligations were especially critical in this election and why?
- How would you link each of the obligations thought critical to this election to key facts of the case?
- What mitigating factors would you consider when assessing the election to reach a final conclusion?
- Based on the framework and your assessment of the facts of the case based on obligations, what is your overall conclusion about the electoral process?

As each group was assigned two countries for discussion, findings and conclusions have been grouped accordingly.

### *Group One: Bangladesh and Ethiopia*

In the context of Bangladesh, Group One felt it was necessary to remember that these elections were conducted following a state of emergency which placed the country under military rule. This group argued that such a context must be taken into consideration by observers and was clearly a mitigating factor which affected assessments. For instance, although the elections in Bangladesh were flawed, observers generally recognized they were a step in the right direction following the return from martial law. An additional mitigating factor was identified to be the high public confidence in these elections, which would have made observer statements denouncing them seem incongruous and incompatible with the reality on the ground.

In the case of Bangladesh, security of the person, and the rule of law were seen to be the central obligations at play in the election, due to the need for civilian rule to be reinstated prior to the elections. In addition, given military rule and general unrest, security issues were paramount. Overall, the conclusion offered by this discussion is that election assessments must be contextual. However, this does not preclude an objective assessment of whether the state has fulfilled its obligations. Rather, it requires that such an assessment be followed by an explanation of why a deviation has occurred and how, in the context of this particular election, it is acceptable.

Ethiopia also presented a challenge to the group, especially regarding the obligations on security of the person, freedom of assembly and expression, the right to participate in public affairs, and the right to remedy. Given the facts on the ground in Ethiopia, which saw a relatively strong process up until election day followed by a sharp downturn and the curbing of political freedoms for opposition candidates and domestic observers in the post-election period, the importance of these obligations and their impact on the elections quickly becomes clear. When considering potential mitigating factors, the group noted the impact of international pressure and how the interests of observers and leaders of missions can at times affect assessments. They also felt it was necessary to consider the impact of Ethiopia's weak infrastructure, high illiteracy rates, small election-related budget, and inexperienced election management body. Overall, the case study of Ethiopia was thought to reveal the importance of long-term assessments and well as post-election work.

#### *Group Two: Ghana and Pakistan*

Group two noted that they were asked to consider a relatively successful election as well as a very difficult, highly flawed process. The most important obligations in the case of Ghana were found to have been universal suffrage (in the context of issues concerning voter registration), access to information (regarding transparency in vote counting), the right to participate in public affairs (for domestic observers), and the prevention of corruption (seen through guarantees of an impartial election management body). No mitigating or aggravating factors could be identified in this context and the process was judged to be credible, transparent, competitive and peaceful.

In contrast, Pakistan presented a slew of challenges for observers. In the lead up to this election it was thought unlikely that the opposition would have a legitimate chance of winning or the ability to compete on an equal basis. Therefore, despite significant flaws in the process, when the results were counted and led to an opposition victory, observers found the results to be an indicator that in an overall sense the election respected the will of the people. This led to a discussion about the political context and the larger issues surrounding electoral assessments, which might conclude that the process was largely credible, despite serious flaws and aggravating factors.

Some participants argued that organizations should not have sent missions to Pakistan. Others, however, noted that deeply flawed elections can and perhaps should still be critiqued and observed with careful attention to which stakeholders are disadvantaged by the flaws, and how such a disadvantage impacts their role in the election.

Due to the importance of the vote count in this process it was agreed that the right to vote and universal suffrage were the central obligations of concern to observers. The opposition's victory was also seen as a mitigating factor. The fact that it appeared that the will of the people was respected *despite* a variety of problems clearly influenced the conclusions of observers, allowing them to be much more positive than might have otherwise been warranted. In conclusion, this case study found the Pakistan election to have been fundamentally flawed, but nonetheless it represented an important step forward. The fact that observers could confidentially make such an assessment, recognizing severe shortcomings but still applauding the conclusion of the process, re-emphasized for participants the contextual and specific nature of election observation. Participants also noted the importance of distinguishing between a non-objective interest in the results of an election, and the role that election results can play as an indicator of other issues in the electoral process. In this light the need for observation methodologies to retain a degree of flexibility was re-iterated.

#### *Group Three: Nigeria and Lebanon*

Group Three came out with a negative assessment of the Nigerian case, noting that observer reports found that all obligations had been breached to at least some extent. In particular, there was seen to be a systematic failure in regards to the rule of law and the obligation that State bodies take necessary steps to ensure human rights are given full effect. Participants also noted that there seemed to be a complete lack of 'good faith' on the part of the Nigerian electoral commission, which created a significant gap between the political and the legal/technical levels of election administration. In consequence, Nigeria brought up the question of whether an election process that is so fundamentally flawed should even be observed at all? This question has no easy answer – some participants felt that observation risks legitimizing a bad process while others felt that bearing witness to flawed processes is important. Overall, 'good faith' and the trajectory of reform in the country were seen as key mitigating factors that might influence the conclusions of observer groups.

Lebanon presented another interesting case. While recognizing fundamental shortcomings in the fulfillment of some obligations, observers still found the process to be credible overall. Main obligations in this context of the Lebanon elections included the Right to be Elected, Secret Ballot, and Universal and Equal Suffrage. These obligations were seen as paramount due to the impact of Lebanon's confessional electoral system, a voting age above the international norm of 18, and the absence of a uniform ballot. Mitigating factors identified included a consensual process that involved all major parties and resulted in the approval of a new election law only nine months before the election (which though late was met with widespread support). Despite concerns over the derogation of some of the aforementioned central obligations, Group Three felt that the elections represented a step forward and noted that observers were more accepting of deviations from obligations because there appeared to be good faith on the part of Lebanese actors.

Some outside the group (during the plenary discussion) went further to say that the deviations from the obligations were more acceptable because the Lebanese public was generally accepting of these same deviations. This led to questions from other participants, who felt that public acceptance does not warrant observers not noting significant issues.

### *Plenary Conclusions*

In plenary, several overall conclusions were offered following the groups' presentations of their findings. First, it was noted that most observer groups offered similar conclusions even in the absence of a common framework. This commonality suggested that individual observer organizations generally come to the same or similar conclusions even in the absence of a common methodological framework. While existing methods of coordination seem to be one reason for this commonality in assessments, participants agreed that further coordination would be useful. In addition, the six case studies discussed underscored for participants the importance of understanding elections in their unique and individual contextual frameworks. As such, it was noted that the prioritization of obligations that was attempted in exercise one was quite difficult given the unique factors relevant to each state and each election within that state. However, participants were also hesitant to allow context to play too large a role in assessments. Emphasizing key obligations to the neglect of others was considered potentially problematic in the context of long-term reform for the country observed.

### **Session 3: Using the Framework to Assess Elections**

After a short recap of lessons learned from day one, day two of the meeting commenced with a session focused on the application of existing methodological tools to assessments of elections, as well as a discussion on what additional tools may be necessary. Participants were divided into three breakout groups, all tasked with considering various sets of data previously collected by the Carter Center (during election missions to Indonesia and Lebanon) and determining how well such data fulfills the methodological requirements of the Center's assessment methodology. Each group was then tasked with providing a short summary of their conclusions in a plenary discussion, summarized below.

Overall, all groups indicated that the tools presented by the Center did allow for the practical application of obligations to the electoral process. These tools were thought to ensure that the correct type of data was collected by observers and that assessments of such data made direct links to standards. However, participants noted several issues with the existing tools and suggested ideas for their improvement.

Specific suggestions for the improvement of tools included concerns that the current assessment tools relied heavily on STO and LTOs to not only collect data, but also to interpret this data in the larger political context. The group felt that such interpretation might be best left to the core team which would have a sense of national trends, as opposed to observers who should focus more on only the collection of raw data.

Positively, the group appreciated the direct linkages made on election day checklists between questions and particular obligations. However, most participants urged that such direct linkages remain the responsibility of the core team and not appear on the actually checklists completed by STOs. This concern about STO checklists reiterated that the role of short and long term observers should be generally that of data collectors, and they should not be expected to translate or provide political analysis of their findings, particularly as such assessments are best made at the national, not regional, level. While most participants agreed that this was the best use of STO/LTO's time and talents, others urged not to underestimate the skills and contributions of these team members.

In addition to concerns about the role of STO and LTOs as data collectors, some participants felt that the LTO reporting templates and the election day checklists were both too long. While the templates and checklists were designed to be comprehensive, the concerns about length are significant and worthy of careful consideration.

In order to decrease the length of templates some observers suggested a system in which specific issues, as identified by the core team, became the focus of observers on any particular week, taking precedence over the completion of a full report on issues which may be less pertinent. In addition, some felt that the Center should be careful to understand the limited utility of election day checklist data, particularly given that the small size of some missions precludes the gathering of statistically significant information.

In regards to additional tools which might supplement the Centers' work, participants felt that LTO checklists, the development of a database of pre-existing questions applicable to variety of states, and a reference guide for core teams might all be helpful. Training was another significant topic of discussion, with participants universally agreeing that strong training programs for both core staff and observers would be necessary for the proper application of the Center's methodology. BRIDGE training was suggested as a strong model for such training programs, which should ideally make observers and staff comfortable with this methodological approach and its application in the context of elections.

#### **Session 4: Next Steps and Closing Remarks**

Day two concluded with a discussion about the next steps in the project, and whether and how election observation organizations can promote greater harmonization of methodologies amongst organizations. All participants were asked to give a brief overview of the current work of their organizations. In addition, participants discussed whether a universal assessment methodology based in public international law could be developed given the variety of mandates of observer organizations.

Participants were in general agreement that public international law was a strong and objective source upon which to base assessments. Several organizations expressed interest in partnering with the Carter Center to work on further development of these obligations and to forward the dissemination of the methodology through trainings and information sharing. The lessons learned from this meeting will be reflected in the Center's future work, aimed at finalizing a methodological approach to election observation, publishing a set of tools and reference documents based on such a methodology, and continuing efforts for harmonization and cooperation between observer organizations.