



DRAFT Agenda

Tuesday, 19 November, 2019

09:00 – 16:00 DoP Convening Committee Meeting

ODIHR Premises (only DoP Convening Committee Members)

Wednesday, 20 November, 2019

08:30 – 09:30 Delegate Registration, Welcome Coffee and Refreshments

09:30 – 10:15 Opening Remarks

- Ingibjörg Sólrún Gísladóttir, Director of ODIHR
- Paweł Mariusz Rabiej, First Deputy Mayor of Warsaw
- Alexander Shlyk, Head of ODIHR Election Department

10:15 – 10:30 Coffee Break

10:30 – 12:30 High Level Panel: New Trends in Elections and How to Observe Them

Moderator: Ingibjörg Sólrún Gísladóttir, Director of ODIHR

Panellists: Dame Audrey Glover, Former Director of ODIHR and Head of ODIHR EOMs
Anne Brasseur, Former President of the Parliamentary Assembly of the Council of Europe and former Member of Chamber of Deputies of Luxembourg
Ilze Brands-Kehris, Member of the United Nations Human Rights Committee
David Kaye, UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (video message)

12:30-13:45 Lunch and Group Photograph

13:45 – 15:45 Session 1: Follow up to recommendations and pre-electoral assistance

Providing assistance to electoral processes upon request from states is a key area in which many DoP endorsers have been involved. Just as with observation of elections, usually prior to providing any technical support to the requesting states, an assessment is conducted to determine the areas of assistance as well as the most effective and efficient ways to provide such technical support. The session will provide an opportunity to share experiences and good practices on issues related to pre-electoral assistance as well as the assessment mechanisms and on how technical assistance and follow-up to electoral recommendations can complement or reinforce each other.

In a context of scarcity of resources, international election observation missions have to ensure the cumulative positive effect of their recommendations. Effective follow-up implies the

development of specific and tailor-made tools from observers' side, co-ordination among assistance providers, as well as donors, and greater attention to the political environment and dynamics surrounding the implementation of recommendations. Firstly, assistance in implementing the recommendations should use targeted tools depending on the content of the recommendations and on the main actor in charge (national parliament, election management bodies, executive etc.), especially as not all actors in a given country may have equivalent interest, expertise and responsibility for the implementation of each and every recommendation. Secondly, closer consideration could be given to the political dimension of implementation of the recommendations as part of the regular dialogue the international community is having with the country, and accompanying measures and mechanisms can be put in place to overcome obstacles of political nature. Parliamentary dialogues may be an efficient way to support peer-to-peer exchanges on some key recommendations where national parliaments have a decisive role.

Questions:

- What are the key trends and challenges in the area of electoral assistance?
- What are the lessons learned and good practices in terms of technical assistance assessment missions?
- How to build effective synergy between follow-up and pre-electoral assistance?
- What is the rationale, for international observers to send missions to countries where the authorities have not delivered on their commitment to implement the recommendations?
- How can the international community help create and maintain the political will to implement recommendations? What are the opportunities and possible risk presented by parliamentary dialogues focused on electoral recommendations?

Moderator: Hannah Roberts, Independent Expert

Speakers: Hassan Sesay, Team Leader of Strategic Partnerships, UN EAD
Tres-Ann Kremer, Adviser and Head of good Offices for Peace, Commonwealth
Dennis Kadima, Executive Director, EISA

Case Studies: Khabele Matlosa, Director Political Affairs, AU Commission
Alexey Gromov, Senior Election Adviser, ODIHR
Gerardo de Icaza, Director of the Department of Electoral Cooperation and Observation, OAS
Isabel Martinho, Deputy Head of the Democracy and Electoral Observation Division, EEAS

Format:

- The session is 2 hours long. The moderator will provide some brief opening remarks, including briefly introduce the participants, and briefly outline the session topic, including the key sub-topics for discussion (5 minutes).
- Panelists will then be invited to give a short presentation of 8-10 minutes maximum.
- After this, three case studies focused on successes, challenges and lessons learned of specific follow-up activities will be presented by three organizations (5 minutes each).
- This will be followed by a plenary discussion among the delegates, facilitated by the moderator. Delegates are invited to speak on particular issues raised during the presentations they have just heard, as well as any other issues associated with the session topic.

15:45 – 16:00 Coffee Break

16:00 – 18:00 Session 2: Electoral Participation of Persons with Disabilities

It is the right of all persons, including persons with disabilities, to participate fully and effectively in the political and public life of their countries. This includes the right to vote, the right to be elected, and the right to participate in all other aspects of the political or electoral processes, including election management and observation. There is ample evidence that efforts have and continue to be made by national authorities, the international community and civil society to ensure that these rights are secured, available to and exercised effectively by persons with disabilities and to address the regulatory and structural challenges that persist. However, as work continues to ensure access to these rights by all persons with disabilities, there are still some contentions on the exercise of these rights by persons with mental and/or intellectual impairment. In certain jurisdictions, the electoral law excludes the participation of persons with mental incapacities; however, the definition and determination of the incapacity can vary widely, potentially resulting in the unfair disenfranchisement of eligible persons.

This session will review the overarching guidelines and standards on the topic, but also share some good practices on the inclusion of persons with disabilities in electoral processes. Participants will also exchange the experiences of their Electoral Observation Missions (EOMs) in observing and promoting inclusivity at all levels of the electoral process: for candidates, voters, electoral officials and poll workers, including any best practices that they have observed in how countries are addressing the question of including persons with mental or intellectual impairments. Participants will also be invited to share the experience of their institutions in including persons with disabilities in their election observation activities, the institutional policies or guidelines that may exist in this regard, and an analysis of what has worked and what has not at the level of their EOMs. From this perspective, participants may also wish to consider whether they wish to pursue the development of a common approach and shared principles for the inclusivity of observation and assessment activities.

Questions:

- What guidelines and standards exist and what best practices have been observed regarding the inclusion of persons with disabilities in the electoral process? What are the critical elements of elections that the EOMs should focus on to assess participation of persons with disabilities?
- Do EOMs and their observers have the capacity to analyse electoral participation of mentally or intellectually impaired persons?
- What are the procedures and considerations EOMs should aim to put in place to help inclusivity of their operations?

Moderator: Beata Martin-Rozumilowicz, Director for Europe and Eurasia, IFES

Speakers: Catalina Devandas Aquilar, UN Special Rapporteur on the Rights of Persons with Disabilities
Alexander Shlyk, Head of Election Department, ODIHR

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- Panelists will then be invited to give a short presentation of 8-10 minutes maximum.
- This will be followed by a plenary discussion among the delegates, facilitated by the moderator. Delegates are invited to speak on particular issues raised during the

presentations they have just heard, as well as any other issues associated with the session topic.

18:00-20:00 Reception

Thursday, 21 November, 2019

09:00 – 10:30 Session 3: Technology in Elections

The credibility of an election has always depended on the trust stakeholders have in the election management bodies (EMBs) and its management and administration of the process. The introduction of information and communication technologies (ICT) in areas such as voter registration, vote casting and results transmission, and the need to ensure these systems are cyber-secure, has added an additional set of challenges that can at times put these technologies at odds with the principles key to building trust in an electoral process: transparency, inclusiveness and accountability. As the introduction of the ICT may potentially affect these key principles, the confidentiality and accuracy of data in the election process should be preserved and protected. Therefore, consensual and cautious introduction of ICT should be considered in order to allow the building of public trust in ICT and at the same time to avoid any potential conflict with the key principles for holding credible elections.

Decisions on whether or not, and if so, how to adopt technologies in elections are not strictly technical. They are matters for inclusive and transparent public debate with participation of many stakeholders, including EMBs, other government agencies and institutions, political parties, civil society, international and citizen observers, donors, and vendors, each of whom has different roles and responsibilities.

A lot of work has been done by DoP endorsers over the years in identifying the challenges and the good practices in this area. The aim of this session is to identify the role that election observers can play in identifying the basic principles and guidelines that each key electoral stakeholder should adhere to so as to ensure that electoral-ICT and associated cybersecurity measures are considered and, if implemented, designed in a manner that promotes trust in the electoral process. Such an exercise can help EOMs focus their observation of electoral ICT, draft related recommendations, and potentially update methodologies or better apply existing ones.

Questions:

- Are there possible trade-offs in the design and introduction of electoral ICT, such as between maximising cybersecurity and transparency and ensuring inclusiveness and accountability?
- How can commercial providers be encouraged to ensure that core principles underpinning democratic elections, such as transparency, inclusiveness and accountability, are respected in the design of their products?
- What is the role of international donors in these efforts?
- How can EMBs be supported in addressing this challenge?
- How can observers draft recommendations on electoral ICT that assess its contribution to enhancing transparency, inclusiveness and accountability?
- How can existing observer methodologies be updated to account for the proliferation of electoral ICT?

Moderator: Pat Merloe, Senior Associate and Director of Electoral Programs, NDI
Speakers: Professor Chris Marsden, Director, Sussex Centre for Information Governance Research
Peter Wolf, Technical Services Manager for the Electoral Processes and Constitution-Building Programmes, International IDEA
Riccardo Chelleri, Policy Officer, EEAS
Beata Martin-Rozumilowicz, Director for Europe and Eurasia, IFES

Format:

- The session is 1.5 hours long. The moderator will provide some brief opening remarks, including briefly introduce the participants, and briefly outline the session topic, including the key sub-topics for discussion (5 minutes).
- Panelists will then be invited to give a short presentation of 8-10 minutes maximum.
- This will be followed by a plenary discussion among the delegates, facilitated by the moderator. Delegates are invited to speak on particular issues raised during the presentations they have just heard, as well as any other issues associated with the session topic.

10:30 – 10:45 Coffee Break

10:45 – 12:45 Session 4: Social Media

The use of online platforms for electoral engagement has grown exponentially, with both positive and negative effects on political discourse. The debate on internet governance has historically focused on the respect for the rights of freedom of expression and of opinions on the web, and social platforms have certainly contributed to expand the possibility to receive and impart information. However, they have also provided opportunities for the development of a number of actual or potential threats to the integrity of electoral processes and to voters' ability to make a choice free from manipulative interference. These threats have revived the debate concerning the limits to freedom of expression and opinion when it comes to hate speech, online impersonation and disinformation as well as the need to carefully balance conflicting rights. Alongside these concerns, social platform governance and accountability have progressively become other key issues of the global discussion related to Internet governance.

This session will provide an opportunity for the exchange of practical experiences of DoP endorsers in tackling the challenges of observing and analysing the online campaign over the last years, to share examples of what has worked and what has not. The session will also focus on the existing and emerging threats to electoral processes – including disinformation, privacy invasive practices, intolerant rhetoric, foreign interference – and the ability of observers to identify them. Through this session, as a community of practice, delegates will discuss where the value of online campaign analysis and social media monitoring lies for EOMs with a view to reaching some tentative internal conclusions on the basis of which work could be developed by those organizations interested in defining, jointly or individually, an approach for their observation and assessment.

Questions:

- What are the key international principles that EOMs can refer to in assessment of online campaigning? Is it possible to elaborate a definition of manipulative interference?
- Which are the basic operational and practical arrangements an EOMs should put in place to produce a systematic and credible assessment of the online campaigning?

- On which areas and aspects of the online campaigning EOMs should focus on?
- Which are the sources of information, data gathering and analysis EOMs should resort to? In particular what are the possibilities for and the limits to quantitative social media monitoring?
- What are the ethical and legal issues related to the monitoring of social platforms accounts? Are there good practices to protect users' data and to avoid over-intrusive practices?
- What is the scope of the recommendations EOMs could advance in relation to the online campaign? Who are the targeted actors for these recommendations?

Moderator: Patrick Costello, Head of Division, Democracy and Electoral Observation, EEAS

Speakers: Rafael Schmuziger Goldzweig, Research Coordinator, DRI
David Carroll, Director of Democracy Program, The Carter Center
Khabele Matlosa, Director Political Affairs, AU Commission

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12:45-14:00 Lunch

14:00 – 15:00 Presentation of New Tools

Commonwealth:

Professor Chris Marsden, Director, Sussex Centre for Information Governance Research:
Electoral Cybersecurity Guide

OAS:

Guide to Guarantee Freedom of Expression regarding Deliberate Disinformation in Electoral Contexts”

“Media Literacy and Digital Security: Twitter Best Practices”

Westminster Foundation for Democracy:

Findings of the research project on Implementation of Election Observation Recommendations in Sub-Saharan Africa

EEAS:

Database of Electoral Recommendations

ODIHR:

Paragraph25.odihr.pl - Database of Follow-up of Electoral Recommendations

Handbook on Observation of Resolution of Electoral Disputes

15:00 – 16:30 Session 5: Electoral Justice and Dispute Resolution

Trust in an electoral process is essential for election results to be accepted and the political outcome to have legitimacy. Inclusive and transparent electoral justice processes, together with institutions that are effective and deliver fair decisions help ensure public confidence in the integrity of an election. Mistrust and a negative public perception of the outcomes of elections are increasing globally and may, at times, be linked to the lack of trust in electoral justice institutions. The independence of judicial institutions remains fragile as increasing tendencies towards the politicization of courts are being observed. This, together with a deficit of judicial capacity and inadequate or obsolete legislation are only a few out of many factors that may contribute to the decreasing trust in electoral processes. Additional challenges for electoral dispute resolution may be posed by an increasing reliance on online campaigning and the use of technology in elections. Building and maintenance of public trust in electoral management and electoral justice institutions should be their primary aim. The discussion in this session will focus on evaluating new trends in the sphere of electoral justice and dispute resolution, with a particular focus on independence and impartiality of institutions, due process guarantees and the challenges posed by the adjudication of disputes related to elections where new technologies are used.

Questions:

- Several new trends, such as a decrease in the independence of the judiciary/courts, appear to undermine public trust in the electoral justice and dispute resolution process. What are the real dangers and how can such trends be accurately and meaningfully observed?
- Are international standards and national legal frameworks adequate to deal with new trends in the conduct of elections, specifically the role of online campaigning, political micro-targeting and the use of technologies for voter registration, voting, counting and tabulation? What impact does this have on the ability of the adjudicating bodies to resolve electoral disputes?
- How can DoP endorsers look beyond the official electoral and campaign period to take into account electoral justice and dispute resolution processes throughout the electoral cycle?

Moderator: Ana Rusu, Senior Election Adviser, ODIHR

Speakers: Gerardo de Icaza, Director of the Department of Electoral Cooperation and Observation, OAS

Pierre Garrone, Head of Elections and Political Parties Division, Council of Europe's Venice Commission

Oliver Joseph, Associate Programme Officer, International IDEA

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16:30-16:45 Coffee Break

16:45 – 18:15 Session 6: Citizen Observers

This session will examine current and future collaborative opportunities between international election observers and citizen observer groups to strengthen electoral integrity and confront ongoing challenges.

In an increasing number of countries, citizen observer groups – and in some cases, international observers – face legal and/or practical restrictions that hamper or prevent their efforts to promote electoral integrity. In addition, governments and/or political parties may utilize non-credible observation groups to promote specific agendas, deceive the public or obfuscate consensus around electoral findings. International election observers and nonpartisan citizen observers should consider how to jointly confront attempts to normalize undue constraints on observation and the presence of untrustworthy observation actors and better promote solidarity among the larger observation community.

At the same time, as electoral manipulation continues to move beyond election day and into the pre-election stages, both international and citizen observers are advancing methodologies accordingly. However, as election observers increase their capacity and expertise in monitoring of such thematic issues as campaign finance, social media, or voter registration, there is a need to ensure harmony among efforts, avoid duplications, and reconcile potentially conflicting findings.

Finally, follow-up on electoral recommendations remains a crucial national process after international election missions depart. Civil society is well-placed to advocate for electoral reforms and provide long-term accountability regarding implementation of election observation missions' recommendations. Citizen election observers in particular can play a unique role in consolidating recommendations and leading electoral reform initiatives. There is therefore a need to effectively coordinate follow-up initiatives between international and citizen observers and identify mutual areas of support.

Questions:

- How can international and citizen election observers prioritize the protection of observer rights? How should international election observers react when credible civic groups are denied accreditation, and what can citizen election observers do when international observers are faced with similar challenges?
- How should credible international and citizen observers respond to the increase in disingenuous or overtly partisan observation?
- How can international and citizen election observers ensure that their observation methodologies and efforts are complementary and mutually reinforcing? How can international and citizen observers better share information to support broad findings and avoid conflicting conclusions?
- How can international and citizen observers complement each other's efforts to advance follow-up of recommendations and promote electoral reforms? What can citizen election observers do to amplify the findings from credible international and civic election observers in the post-election environment?

Moderator: Ilona Tip, Operations Director, EISA

Speakers: David Carroll, Director of Democracy Program, The Carter Center or Anubhav Ajeet, Executive Director, Democracy Resource Center, Nepal
Alexander Pommer, Senior Program Officer, Election and Political Processes, NDI

Olga Aivazovska, Chairwoman of the Board, Civic Network OPORA, Ukraine
Joe Keyrouz, Advocacy and Campaigns Manager, Lebanese Association for
Democratic Elections

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18:15 – 19:00 Closing Remarks

- Alexander Shlyk, Head of ODIHR Election Department
- Patrick Costello, EEAS – Co-host (with the EP) of the 15th DoP Annual Implementation Meeting