Upholding democracy through electoral observation, networking and technical assistance

Although the cases are comparatively few, flawed political transitions are destabilising. They trigger political violence, undermine peace, intensify individual and group insecurity, and can cause humanitarian crisis. Apart from the adverse effects on the countries concerned, flawed political transitions affect neighbouring countries through, for example, the flight of refugees.

Commonwealth Eminent Persons Group (2011)

As long ago as 1992, the Commonwealth brokered an agreement whereby the then military government in Lesotho allowed the exiled king of Lesotho back into the country, triggering a chain of events that eventually led to Lesotho becoming a multi-party democracy. Between 2002 and 2006, the Commonwealth promoted dialogue and reduced tensions between political parties in Zanzibar (Tanzania) and Guyana. In the latter case, a Media Monitoring Unit was set up for the 2006 election, and major media outlets pledged not to report any statements that incited racial hatred. This contributed to the most peaceful election in 40 years.

These are examples of the Secretariat’s functions of upholding democracy and helping to prevent and resolve situations that could endanger national stability or deteriorate into violence. When playing a mediator or facilitator role, the Commonwealth’s key principle is that it must enjoy the trust of all protagonists as an impartial and objective arbiter that has no ‘agenda’ of its own.
Current political affairs engagements

In 2012, the Commonwealth is engaged with other multilateral players ahead of Kenya’s upcoming elections, and in deploying a political and human rights fact-finding mission in Maldives immediately following tensions in the country. The Commonwealth also has ongoing political affairs engagements in Cameroon, The Gambia (on judiciary and penal reforms), Lesotho, Swaziland, Guyana, Fiji (currently suspended from the Commonwealth – to support domestic initiatives aimed at returning Fiji to full democracy), Tonga and elsewhere. The Secretariat works closely with the African Union, the Caribbean Community, European Union, Pacific Islands Forum and the United Nations (UN) as well as sub-regional organisations and, where warranted, other member and non-member governments. National non-governmental partners are mainly the civil society groups, including human rights institutions (for example, the Human Rights Commission for Cameroon) and national non-governmental organisations.

Arguably, the most notable achievement of the Perth Commonwealth Heads of Government Meeting (CHOGM) was an enhanced role for the Commonwealth Ministerial Action Group, the nine-member ministerial body that was established in 1995 to address serious or persistent violations of Commonwealth values. The Secretary-General and the Commonwealth Ministerial Action Group were tasked to further evaluate relevant options in regard to the Eminent Persons Group recommendation for a Commonwealth Commissioner for Democracy, the Rule of Law and Human Rights – and to report to the Commonwealth Foreign Affairs Ministers Meeting in New York in September 2012.

Election observation

In 2009, Heads of Government reaffirmed their belief in the inalienable right of the individual to participate by means of free and democratic political processes in shaping the society in which they live. The observation of elections remains one of the Commonwealth’s most visible activities in terms of its programmes to support the strengthening of democratic institutions and processes in member countries. Since 1990, the Commonwealth has observed some 100 elections, and demand for the presence of a Commonwealth team to observe an election continues unabated. As of mid-2012, the Commonwealth had deployed teams to elections in The Gambia, Lesotho, Papua New Guinea, Sierra Leone and Ghana.

Elections can sometimes be tense and fraught affairs, and while the presence of international observers can, in worst-case scenarios, help to shine a light on shortcomings and identify lapses in the procedures, in other instances such a presence can help to increase confidence in the outcome and also to reassure those present to trust in the process.
Lesotho

Commonwealth teams of observers bring together a wide variety of expertise, under the leadership of a senior political figure – often a former head of state. This enables the team to examine a broad range of issues affecting the process, including the political dynamic, media coverage, human rights context, legal framework, gender considerations and, of course, technical aspects of the administration of the election. The Commonwealth Observer Group for the 26 May 2012 parliamentary elections in Lesotho brought together such a team under the leadership of Dr Bakili Muluzi, former President of Malawi.

After Lesotho gained independence from Britain in 1966, a number of post-election crises arose due to the inadequacy of the first-past-the-post system in reflecting the number of popular votes secured by political parties in the allocation of parliamentary seats. Following the unrest and political crisis after the 1998 parliamentary elections, (when opposition parties rejected the victory by the Lesotho Congress for Democracy), the Commonwealth, the South African Development Community and other partners agreed to provide support to Lesotho in exploring the possibility of creating a new system that would ensure the representation of all political groups in the political process.

Following extensive consultations, dialogue and direct technical assistance, in March 2000 the Senate approved the formula for representation in parliament was adopted: the Mixed Member Proportion System. This new hybrid system provided for a 120-member parliament, 80 of which were to be elected on the first-past-the-post basis and the remaining 40 on the basis of proportional representation.

The 26 May 2012 parliamentary elections were the third held under the Mixed Member Proportion system. Commonwealth observers led by Dr Bakili Muluzi found that the election was conducted in a credible and transparent manner and in accordance with the Constitution as well as the National Assembly Electoral Act (2011) of the Kingdom of Lesotho. As Lesotho continues to consolidate its democracy, those elections represented an important step in the evolving electoral system of the kingdom.

Commonwealth Electoral Network

The initiative to create the Commonwealth Electoral Network (CEN) as a tool to provide increased support and assistance to election management bodies (EMBs) across the Commonwealth was endorsed by Heads of Government at the 2009 CHOGM. The network was officially launched at a pan-Commonwealth conference of election officials in Accra, Ghana, in May 2010. At the outset, it was agreed that such a network could be a force for good; harnessing existing electoral skills across the Commonwealth to offer peer-to-peer support to election management bodies and promoting good practices in all aspects of the electoral process.

Through support of the CEN, the Commonwealth continues to offer programmes of assistance to strengthen electoral management bodies across the Commonwealth. In 2012, more Working Group meetings were held examining issues such as the Independence of Election Management Bodies and the Power of Incumbency.

The Biennial Conference of the CEN was held in June 2012 in Toronto, Canada. The theme of the conference was ‘21st-Century Elections: Technology and Integrity’ with session topics including the role of technology in elections, accountability of campaign funding, and addressing the misuse of state resources. The conference brought together 69 election officials representing 43 EMBs.

The online workspace for the CEN was also launched as part of the Commonwealth Connects portal. This is a key tool for strengthening the impact and outreach of the CEN and its members, allowing members to collaborate, share information and engage with colleagues on various issues.

Partnerships and the Commonwealth

In June 2012, the Commonwealth Secretariat signed a Memorandum of Understanding (MoU) with the International Institute for Democracy and Electoral Assistance (International IDEA). The objective of the MoU is to enhance co-operation between the two organisations in supporting and consolidating democracy in Commonwealth member countries.

With support from the Australian Agency for International Development, the Commonwealth and International IDEA are partnering on a programme to increase the capacity of domestic civil society organisations across the Commonwealth to undertake credible and effective election observation efforts.

Additionally, through its Junior Elections Professionals programme, which aims to create a pool of junior election professionals across the Commonwealth with up-to-date skills in the field of electoral administration, the Commonwealth, in collaboration with the Indian Institute for Democracy and Election Management – among others – seeks to provide developmental opportunities for junior election professionals.

Acknowledgement

With thanks to Mark Stevens (Head) and Clara Cole (Programme Officer), Commonwealth Secretariat Democracy Section.