

OSCE/ODIHR Election Observation Missions: Context, Modus Operandi And Prospects For Eastern Europe, the Caucasus and Central Asia

Matteo Garavoglia

Policy Paper on Eastern Europe and Central Asia

No 03/15

Abstract

Election Observation Missions (EOMs) are a key tool through which OSCE/ODIHR contributes to democracy support in the regions that fall under its mandate. However, while inherently non-partisan in their nature, these missions do not take place in a political vacuum. This paper aims therefore to explore how the technical nature of EOMs fits within the broader strategy for democracy support promoted by OSCE/ODIHR within the political landscape of the countries under its jurisdiction.

About the author



Dr. rer. pol. Matteo Garavoglia, PhD is a Research Associate at the IEP. He is also Research Associate at the University of Oxford's Centre for International Studies and Senior Common Room Member at St. Antony's College, Oxford. He was educated at the School of Oriental and African Studies (University of London) and Sciences Po (Paris) and received his PhD from the Freie Universität Berlin. His research focuses on European Union humanitarian assistance, development aid and electoral assistance. More specifically, he is interested in issues pertaining to the integration of European humanitarian aid systems, EU development aid to ACP countries and European Union election observation missions. Dr. Garavoglia's current research deals with the institutional dynamics underpinning EU policy-making in the field of election observation missions.

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ISSN 2511-8129

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OSCE/ODIHR Election Observation Missions: Context, Modus Operandi And Prospects For Eastern Europe, the Caucasus and Central Asia

Matteo Garavoglia

1. Introduction

Election Observation Missions (EOMs) run by the Organization for Security and Co-operation in Europe's (OSCE) are a prime example of European policy-making in the field of democracy support. Led by the Warsaw-based Office for Democratic Institutions and Human Rights (ODIHR) and unlike European Union Election Observation Missions (EU EOMs), OSCE/ODIHR missions are usually deployed to Eastern Europe, the Caucasus and Central Asia. Conducted on a firm intergovernmental basis both in terms of funding and logistics while also being regularly supported by a variety of non-EU countries, OSCE/ODIHR EOMs are a prime example of a decades long Eurocentric policy of democracy support for Europe's eastern neighbourhood and beyond. Within a broader framework aimed at fostering dialogue between its constituting members, the OSCE views therefore its EOMs as a specific yet fundamental tool to strengthen democratic practices in countries situated in regions covered by its mandate. A state of affairs that is bound to interest a number of countries in Eastern Europe, the Caucasus and Central Asia, scheduled to hold legislative or presidential elections throughout 2015 and 2016. More specifically, over the next two years, elections of various kinds are scheduled to take place in Tajikistan, Azerbaijan, Belarus, Kyrgyzstan, Russia, Uzbekistan, Mongolia, Montenegro, Kazakhstan and Georgia. For this reason, governments across these regions will have to deal with the prospect of having to decide whether or not to welcome in their country an OSCE/ODIHR EOM. The aim of this paper is therefore to explore how the technical nature of OSCE/ODIHR

Election Observation Missions (EOMs) fits within the broader policies promoted by OSCE/ODIHR in support of democratic processes and the political situation in its member states in Eastern Europe, the Caucasus and Central Asia. This is done through a threefold approach. To begin with and to present the broader framework within which EOMs take place, this paper briefly describes the key aspects of OSCE/ODIHR policy-making in the field of democracy support for the regions in question. Having done that and to stress the technical and non-partisan nature of EOMS, the paper investigates the modus operandi through which election observation missions are run by the OSCE/ODIHR. Last but not least and to highlight the challenges that EOMs might face within the political landscape of the regions in question, an overview of the upcoming elections as well as of the status of some basic freedoms in the above-mentioned countries is provided. Through these three steps, this paper provides therefore a "still picture" of the broader policy background and of the political situation in the countries in the regions where OSCE/ODIHR EOMs will likely be deployed in the coming years.

2. The broader context of OSCE/ODIHR democracy support in Eastern Europe, the Southern Caucasus and Central Asia

The deployment of Election Observation Missions (EOMs) in the field is only one of many tools through which the Organization for Security and Co-operation in Europe (OSCE) and the Office for Democratic Institutions and Human Rights (ODIHR)

aim to strengthen democratic practices in the regions covered by their mandates. Indeed, EOMs would often be of limited efficacy were they not to be placed within a broader framework aiming at supporting democratic processes on the medium and long term. Because of this, OSCE/ODIHR's activities focus on three main lines of action aimed at supporting democratic governance in the region: migration and freedom of movement, rule of law and legal reform and, finally, democratic governance and gender.¹

For what concerns migration and freedom of movement, the Baseline Study On Cross-Border Mobility In The OSCE Region is the key document informing ODIHR's policies in the field.² Through this study, ODIHR's work aims to focus on four thematic lines: population registration, voters' registration, gender-mainstreaming migration policies and migrant integration. Population registration is concerned with ensuring that individuals are not deterred from registering their residency wherever they prefer within the member state in question. Through its Guidelines On Population Registration,³ ODIHR aims to develop procedures that might facilitate both citizens and foreigners alike in freely choosing and taking up residency so as to take advantage of all the benefits that doing so might imply in terms of public services, democratic rights and social engagement. As in many countries population registries with residency details are used to compile election registers, ODIHR also liaise with state and local authorities to help in setting up mechanisms that might better coordinate the process of linking population registration with voter registration. Aside from that and as in a majority of OSCE member states more than half of the total migrant population is made up by female migrants of working age⁴, ODIHR regularly organises workshops and roundtables in the participating countries to explore how to encourage the mainstreaming of

gender-sensitive aspects in the framing of internal and regional migration policies. Last but certainly not least, ODIHR bases its work on migrant integration on the methodology developed for the Migrant Integration Policy Index (MIPEX).⁵ In light of the evidence collected through this tool, ODIHR organises workshops and training sessions for selected country officials to raise awareness on those aspects that could most hinder or facilitate the integration of migrants within a country.

In terms of rule of law and legal reform, ODIHR's activities are developed along nine key thematic areas. These are: the independence of the judiciary, trial monitoring, criminal justice reform, administrative justice, supporting the adjudication of war crimes, election dispute resolution, strengthening capacity for legislative reform, improving legislative efficiency and transparency and, finally, providing guidelines for legislators. Work that aims to strengthen the independence of the judiciary is carried out by ODIHR based on the Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia developed in close partnership with the Max Planck Minerva Research Group on Judicial Independence.⁶ Using the Kyiv Recommendations as a starting point and engaging with the authorities of each participating state, ODIHR offers technical advice to interested countries on how to enhance the independence of the judiciary from undue political interference. In terms of trial monitoring, ODIHR follows on-going trials in a variety of participating states to assess the methodology according to which these are carried out. As a result of its work, the organisation publishes specific guides intended as tools that could make it easier for civil society groups to assess the quality of trials taking place in their countries.⁷ Within this context, criminal justice reform and administrative justice are the focus of on-going work on behalf of ODIHR. Indeed, the Handbook of Monitoring and Administrative Justice (developed

1 OSCE/ODIHR, 2014.

2 Ibid.

3 OSCE/ODIHR, 2009.

4 United Nations, 2013.

5 British Council and Migration Policy Group, 2011.

6 ODIHR/MPI, 2010.

7 See, for instance: OSCE/ODIHR, 2012a.

in close cooperation with the Folke Bernadotte Academy) aims to set common standards and benchmarks against which to assess the performance of participating states across the region.⁸ On a more ad hoc basis and thanks to dedicated funding provided by the European Union, ODIHR also works to strengthen the quality of the processes through which war crimes are adjudicated. As a specific programme to this end, the War Crimes Justice Project aims to support skills development for practitioners throughout South-Eastern-Europe and it has now entered its second phase.⁹ Importantly, in the same region and together with the National Democratic Institute (NDI), ODIHR is also particularly committed to setting up various roundtables and workshops to enhance the quality of legal remedies for election-related legal disputes. In terms of legislative reform, improving legislative transparency and providing guidelines for legislators, ODIHR takes both an ad hoc approach to specific issues and a more comprehensive one addressing the entire functioning of a country's legislative system. On the one hand ODIHR can, upon the explicit request of one of its participating members, provide reviews of draft or existing legislation. The aim of this effort is to explore whether draft or existing legislation is in line with a country's international commitments and, eventually, to support the country in question in modifying this. On the other hand and on a more comprehensive basis but always following the explicit request of one of its members, ODIHR can go as far as analysing the actual *modus operandi* or legislative mechanism of a country in question. Again, when benchmarking this against international standards, the organisation might assist a member country in its reform processes. Within this context, it is important to notice that this dimension of ODIHR's work is generally carried out in close partnership with the Council of Europe's Venice Commission¹⁰. As result of these

efforts, ODIHR has published a variety of analyses, guidelines and methodological studies such as the Guidelines for the Review of Legislation Pertaining to Religion or Belief¹¹, the Guidelines on the Peaceful Freedom of Assembly¹² and the Guidelines on Political Party Regulation¹³.

The third work stream upon which ODIHR works in the field of democracy support focuses on the relationship between democratic governance and gender issues. More specifically, the organisation's activities concentrate on increasing women's participation in politics, strengthening mechanisms designed for their advancement in public life and on strengthening parliaments through the promotion of pluralistic political party systems. For what concerns women's participation in public life, ODIHR takes a double approach. On the one hand, dedicated efforts are directed at increasing the number of women in leadership positions within national party structures. The aim of these efforts is to specifically make sure that women who join political parties are increasingly able to reach its leadership rather than remaining in subordinate positions. Efforts in this sense have been often coordinated with the Central European University and the Friedrich-Ebert-Stiftung and have been brought together in a specific study coordinated at Harvard by Pippa Norris¹⁴ now serving as the benchmark for all future actions. On the other hand, ODIHR also carries out broader work on mainstreaming gender issues with all relevant National Human Rights Institutions (NHRIs). Indeed, it is within this framework that the Handbook for National Human Rights Institutions on Women's Rights and Gender Equality is the tool providing the basic analytical framework upon which workshops, roundtables and ad hoc meetings with middle-ranking and top officials are carried out throughout the region.¹⁵ Last but certainly not

8 Folke Bernadotte Academy/ODIHR, 2013.

9 Delegation of the European Union to the Republic of Serbia, 2014.

10 Formally, The European Commission for Democracy Through Law. Established in 1990 as an advisory body to the Council of Europe, this is made up by distinguished independent experts in the field of Constitutional Law.

11 Venice Commission, 2004.

12 Venice Commission, 2004a.

13 Venice Commission, 2004b.

14 Norris, Pippa and Krook, Mona Lena, 2011.

15 OSCE/ODIHR, 2012b.

least, ODIHR also aims to strengthen parliamentary systems as a means through which enhancing the legitimacy of legislative processes as well as the accountability of the executives. With this objective in mind, the Background Study: Professional and Ethical Standards for Parliamentarians¹⁶ and A Comparative Study of Structures for Women MPs in the OSCE Region¹⁷ provide the key frameworks of reference for ODIHR's policies on the subject. More specifically, the former concentrates on good practices that could be put in place to decrease the likelihood of ethically questionable practices from emerging in national legislative bodies. On the other hand, the latter focuses on those parliamentary practices that can be put into action to make it easier for female MPs to actively and meaningfully participate in the legislative process. Having described the key elements of OSCE/ODIHR policies aimed at supporting democratic processes in the regions covered by its mandate, it is possible to better appreciate the value of the technical and non-partisan nature of the election observation missions themselves.

3. The modus operandi of OSCE/ODIHR EOMs

Established by the Copenhagen Document¹⁸ in Warsaw in 1990 as the Organization for Security and Cooperation in Europe's Office for Free Elections and re-named Office for Democratic Institutions and Human Rights in 1992, ODIHR can count on a staff of approximately 150 people from over 50 OSCE member states and a budget of Euro 15.8 million.¹⁹ ODIHR's fulfils its mandate through a remarkably horizontal structure. While issues pertaining to high delegation meetings, public affairs and projects coordination fall under the direct leadership of its Director; two Deputy-

Directors support the Director in his work. One of them is solely responsible for administrative issues, while the other is in charge of five thematic programmes: Roma and Sinti, tolerance and non-discrimination, human rights, democratization, and elections. Within this context, the Elections Department can count on a staff of eleven full time professionals, five full time staff, a database of over 1200 international experts and financial resources for a total of Euro 6.5 million per year.²⁰

All OSCE participating member states have voluntarily committed themselves to upholding basic democratic standards pertaining to the secrecy of the vote, equality, transparency, universality, accountability, fairness and freedom. Because of this, ODIHR stands upon a solid legal basis from which it is entitled to observe electoral processes in the regions in question. Indeed, ODIHR carries out its mandate on the foundations laid by the 1990 Copenhagen Document, the 1993 Rome Ministerial Council which enhanced the organisation's role in the field of comprehensive election monitoring, the 1994 Budapest Summit dedicated to enhancing ODIHR's long-term observation mandate, the 1996 Lisbon Summit focused on the dangers of electoral fraud and the 1999 Istanbul Summit which placed particular emphasis on the need to follow up on the organisation's recommendations after the deployment of specific missions. More broadly, ODIHR's activities are perfectly in line with the letter and the spirit of international as well as regional treaties, Article 25 of the International Covenant on Civil and Political Rights (ICCPR)²¹, Article 21 of the Universal Declaration of Human Rights²², the European Convention for the Protection of Human Rights and Fundamental Freedoms²³ as well as the Community of Independent States' (CIS) Convention on Standards of Democratic Elections, Electoral Rights and Freedoms²⁴

16 OSCE/ODIHR, 2012c.

17 OSCE/ODIHR, 2013.

18 Organization for Security and Cooperation in Europe, 1990.

19 Office for Democratic Institutions and Human Rights, 2014.

20 Ibid.

21 United Nations, 1966.

22 United Nations, 1949.

23 Council of Europe, 1950.

24 Community of Independent States, 2002.

all being relevant in this respect. It is therefore within this international legal environment that the 2005 Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers have over the years become the de facto international framework of reference for all of ODIHR's activities.²⁵

Within the context presented above, ODIHR constantly strives to cooperate with a variety of international partners such as the OSCE's Parliamentary Assembly (OSCE PA), the European Parliament (EP), the North Atlantic Treaty Organization Parliamentary Assembly (NATO PA) and the Parliamentary Assembly of the Council of Europe (PACE).²⁶ Indeed, ODIHR's cooperation with international partners is critical in ensuring that the organisation can recruit observers from the most varied nationalities and, thus, enhance the credibility and non-partisan nature of its own election observation missions. As part of this on-going effort to internationalise its body of observers, the Fund for the Diversification of Election Observation Missions has been established through voluntary additional *ad hoc* extra-budgetary contributions. Within this framework, Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Georgia, Kazakhstan, Kyrgyzstan, the former Yugoslav Republic of Macedonia, Moldova, Mongolia, Montenegro, Serbia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan are all eligible for funding. As the result of these efforts and in 2013 alone, ODIHR has observed or assessed elections in 56 of its 57 member states with the deployment of over 2,000 observers from 48 participating states and two Partner for Cooperation Countries.²⁷

Due to the broad geographic spectrum covered by its mandate, there exist a variety of different observation missions that ODIHR might decide to carry out. To begin with, Needs Assessment Missions (NAMs) might be the first step leading to full scale Election Observation Missions (EOMs): NAMs comprise only a team of experts and are usually deployed several months ahead of a possible EOM in order to assess whether the deployment of an EOM is both warranted and feasible. Aside from NAMs, EOMs themselves might take place in a variety of formats. On the one hand, Election Assessment Missions (EAMs) tend to involve very few experts that are tasked with assessing specific issues previously identified through a NAM. On the other hand, Election Expert Teams (EETs) tend to be broader in scope and to investigate a greater number of issues: these would comprise anything between two and ten individuals and are usually deployed to support existing OSCE's missions in the field. Aside from these instances, should a fully-fledged EOM be both necessary and viable, ODIHR might decide to deploy either a Limited Election Observation Mission (LEOM) or a larger International Election Observation Mission (IEOM), the difference between these resting primarily with the fact that the former is usually made up only by a core team of experts plus a limited number of Long-Term Observers (LTOs) while the latter usually also involving a great number of Short-Term Observers (STOs).

A fully-fledged Election Observation Mission (EOM) involves a variety of actors, namely the core team, Long-Term Observers (LTOs) and Short-Term Observers (STOs). To begin with, the Head Of Mission (HOM) is responsible for the whole EOM, its *modus operandi*, the interim reports, the preliminary statement and the final report. Importantly, the HOM is the "political face" of the EOM. Accordingly, she or he is chosen in light of her or his political stature, commitment to democracy support and political profile. Because of that, the actual knowledge of electoral processes and the technical expertise of issues pertaining to election observation

25 United Nations, 2005.

26 Of these, the cooperation between ODIHR and OSCE's Parliamentary Assembly has been institutionalised through a specific 1997 co-operation agreement.

27 Office for Democratic Institutions and Human Rights, 2014.

missions might vary tremendously between different HOMs.²⁸ Supporting the HOM in discharging her or his mandate, the Deputy Head Of Mission (Deputy HOM) is tasked with running the day-to-day operations involved with the EOM. Unlike the HOM, the Deputy HOM is always recruited solely according to very strict professional criteria. He or she therefore does not play a “political role” but, rather, is concerned with the technical aspects of the EOM. These individuals are invariably professionals with many years of experience and with very solid and specific technical knowledge in the running of EOMs.²⁹ Working under the direct supervision of the Deputy HOM, one can find either all or a combination of the following: a legal analyst, a political analyst, a media analyst, an election analyst, a statistical analyst, a national minorities analyst, a gender analyst, an electronic voting expert, a security expert, a logistician and a financial officer. Within this context, the LTOs Coordinator responsible for managing, coordinating and supervising all the LTOs to be deployed into the field will also play a crucial role. All LTOs are in turn responsible for the wellbeing, conduct and coordination of possibly dozens of STOs deployed within their assigned region.

In terms of its own cycle, a number of key phases can be identified within an EOM. These include the Needs Assessment Mission (NAM), the interim reports, the preliminary statement, the final report and the follow up phase. To begin with, the NAM takes place at least two months ahead of a potential EOM, it is carried out by a very small group of selected experts and it is tasked with determining whether the basic conditions for a credible and effective mission are in place. Should this appear to be the case, the NAM is also tasked with identifying which specific challenges would have to be addressed in the eventuality of an EOM being deployed to the country in question. As an EOM is eventually deployed two to seven weeks before the scheduled date for the elections in question, interim

reports start being issued on a regular basis already well in advance of an election day itself. On the one hand, the purpose of the interim reports is to increase transparency and accountability on the activities being carried out by the EOM and to highlight which specific issues are followed by the EOM itself. On the other hand, the preliminary statement is issued only once, usually the day after the election took place. The aim of the preliminary statement is to share the initial findings of the EOM. It is therefore distributed through an official press conference chaired by the Head Of Mission and it is translated in the recipient country’s official language. Five to ten weeks after E-Day, it is time for the EOMs final report to be distributed. This is a strictly technical assessment of how the electoral process has taken place. It always contains a variety of recommendations on how to improve local electoral practices and it will eventually serve as the basis for any follow up work. Within such an understanding, the follow up process is a continuous and “living” one. Indeed, it is in the months and years following the final report that ODIHR and OSCE most engage with the recipient country to reform and strengthen the quality of the electoral process. Having said that, the extent to which the country in question seems to strive to improve upon its previous performance would have a bearing on the extent to which a new EOM will likely be deployed for the new elections.³⁰

In terms of general findings highlighted by ODIHR for the regions covered by its mandate, a number of overarching trends can be identified. A first identified challenge often rests with the insufficient independence of the electoral administrative bodies. This is particularly the case when the governmental apparatus of a certain country is not adequately separated from the electoral administration bodies of the country in question. A second problem frequently comes about with the excessive limitation of suffrage rights. This is something that affects both active and passive voting rights and that tends to take place on

²⁸ Author’s own semi-structured interviews with practitioners in the field.

²⁹ Ibid.

³⁰ Ibid.

grounds of residency, citizenship, language, criminal convictions and belonging to specific minority groups. A third issue highlighted by ODIHR pertains to the limits placed upon the freedom of the media. This stems often from a mixture of inadequate legislation, the absence of media-oversight-bodies and unequal and biased access to the media on behalf of different political actors due to government interference. A fourth cause for concern highlighted by ODIHR has to do with the lack of effective mechanisms and bodies dedicated to legal redress. Because of this, electoral disputes are relatively unlikely to be timely and properly addressed, should the need for arbitration arise. Additionally, a fifth challenge was identified for what pertains funding for electoral campaigns. Very limited monitoring, reporting and disclosure of assets of all parties involved seem to pose persistent difficulties in a variety of countries. Last but certainly not least, ODIHR highlighted a variety of problems arising in many member states both immediately before and after an election day itself. On the one hand, these included voter intimidation, targeted violent assaults and vote buying. On the other hand, relatively common practices identified involved ballot box stuffing, tempering with result protocols and the disappearance of casted votes.

While ODIHR is rightly renowned around the world for the EOMs carried out in partnership with the OSCE, the organisation also carries out a variety of other collateral activities aimed at strengthening the technical quality and supervision of electoral processes in the regions under its mandate. These include, among others, the continuous updating of its election observation methodology, the training of election observers and the reform of electoral legislation. These activities are increasingly carried out in close consultation with other international partners committed to election observation work. These include supranational institutions such as the European Union, NGOs such as the Carter Centre and the National Democratic Institute, specialised think-tanks and research

institutes such as Democracy Reporting International, the International Foundation for Electoral Systems (IFES), the Institute for Democracy and Electoral Assistance (IDEA) and national agencies or dedicated centres such as the Folke Bernadotte Academy, Electoral Reform International Services (ERIS) and the Centre for International Peace Operations (ZIF). Through the technical and non-partisan nature of its EOMs and their ancillary activities described above, OSCE/ODIHR aims to “steer clear of politics” while still engaging with the upcoming electoral processes of countries falling under its mandate that are consistently characterised by challenging political contexts in terms of basic freedoms and democratic standards.

4. Coming up next: Ten countries under the OSCE/ODIHR’s spotlight

Within the policy-framework presented above, either parliamentary or presidential elections are due in a number of OSCE member states throughout 2015 and 2016. This section of the paper therefore quickly explores in which countries OSCE/ODIHR EOMs are likely to be deployed over the next two years and, crucially, for what type of consultation. Furthermore, it also briefly highlights the key institutional mechanisms involved with the election in question. Finally, this section provides a glimpse of each country’s performance in key international rankings pertaining to freedom of the press, democratic standards and economic freedoms.

The next elections for the Assembly of Representatives (Majlisi Namoyandagon or Lower House) in the Republic of Tajikistan (with a population of 7,349,145 as of July 1st, 2013) are scheduled for the 28th of February 2015.³¹ These will represent a new test for

³¹ International Foundation for Electoral Systems, 2014.

President Emomalii Rahmon after he was re-elected in 2013 for a new seven-year term with an 86.64% turnout. 3,640,056 voters went to the ballot box (out of 4,201,156 entitled to do so).³² While the elections of February 2015 will renew the 63 seats of the Assembly of Representatives, the 34 seats of the National Assembly or Majlisi Milli (which, together with the former, constitutes the Bicameral Assembly or Majlisi Oli) are not to be contested. Within the above-mentioned context, the country is ranked 115th out of 180 countries in Reporters Without Borders' World Press Freedom Index 2014³³, and 151st out of 167 countries in the Economist Intelligence Unit's Democracy Index 2012³⁴. Concomitantly, Tajikistan is ranked 128th out of 152 countries in the Fraser Institute's Economic Freedom of the World 2013 Annual Report³⁵.

In the Republic of Azerbaijan (population of 9,590,159 as of the 1st of July 2013), the next elections are tentatively scheduled for the 8th of November 2015. Traditionally characterised by much lower voter turnouts than the presidential elections (75.20% in 2013, 77.74% in 2008, 61.79% in 2003 and 78.92 in 1998), the elections for the National Assembly hope to see greater numbers of citizens going to the polls compared to the 48.70% of the 4,917,805 registered voters (as of the 1st of March 2009) that decided to do so on the 7th of November 2010. As Azeri citizens will head to the polls, their country is ranked 160th out of 180 countries in Reporters Without Borders' World Press Freedom Index 2014.³⁶ It is ranked 139th out of 167 countries in the Economist Intelligence Unit's Democracy Index 2012.³⁷ Last but not least, Azerbaijan

is ranked 117th out of 152 countries in the Fraser Institute's Economic Freedom of the World 2013 Annual Report³⁸.

Presidential elections are scheduled in the Republic of Belarus (population of 9,625,888 as of July 1st, 2013) for the 20th of November 2015. On this occasion, President Aleksandr Lukashenko will aim to win another five-year mandate through a two-rounds absolute-majority vote. Having ruled in his first term from 1994 to 2001, in a second term from 2001 to 2006, in a third term from 2006 to 2011 and in a fourth term from 2011 to 2015, in November 2015 President Lukashenko will hope to see a rerun of the 90.70% voter turnout recorded in December 2010. Within this context, Belarus is ranked 157th out of 180 countries in Reporters Without Borders' World Press Freedom Index 2014.³⁹ The country is ranked 141st out of 167 countries in the Economist Intelligence Unit's Democracy Index 2012.⁴⁰ However, due to insufficient data availability, Minsk is not ranked into the Fraser Institute's Economic Freedom of the World 2013 Annual Report that covers 152 countries worldwide.⁴¹

On the 31st of December 2015, elections are also scheduled in the Republic of Kyrgyzstan. By the end of this year, 3,034,084 registered voters (as of the 1st of October 2011) out of a total population of 5,548,042 (as of the 1st of July 2013) will be called to elect the Kyrgyz Supreme Council (Jorgorku Kenesh), the legislative branch of a 120-strong unicameral system. Compared to his counterparts in the region and having assumed office on the 1st of December 2011, incumbent President Almazbek Atambayev is new to formal politics. As the elections approach, his Social Democratic Party of Kyrgyzstan (SDPK) will aim to score a result similar to that achieved by President Atambayev on the 30th of October 2011 and to overtake the Ata-Zhurt party as the main political force

32 The Tajiki Constitution allows for the President to serve a maximum of two seven-year terms. Emomalii Rahmon has continuously served as President of Tajikistan since he was elected in 1994 to the newly created post that he contributed to establish while Tajiki Head of State (a position which he held from 1992 to 1994).

33 Reporters Without Borders, 2014.

34 The Economist Intelligence Unit, 2012.

35 Fraser Institute, 2013.

36 Reporters Without Borders, 2014.

37 The Economist Intelligence Unit, 2012.

38 Fraser Institute, 2013.

39 Reporters Without Borders, 2014.

40 The Economist Intelligence Unit, 2012.

41 Fraser Institute, 2013.

within the Supreme Council. In a context characterized by drastic changes since the April 2010 revolution⁴², Reporters Without Borders' World Press Freedom Index 2014 ranks Kyrgyzstan 97th out of 180 countries in terms of media freedom.⁴³ At the same time, the Economist Intelligence Unit's Democracy Index 2012 ranks Kyrgyzstan 106th out of 167 countries⁴⁴ while the Fraser Institute's Economic Freedom of the World 2013 Annual Report ranks it 102nd out of 152 countries⁴⁵.

On the 31st of December 2015, elections are also scheduled to take place in the Russian Federation. On this occasion, 109,860,331 registered voters (as of the 1st of March 2012) out of a population of 142,500,482 (as of the 1st of July 2013) will be asked to vote for the Lower House of Parliament (State Duma or Gosudarstvennaya Duma). In Russia's bicameral system, the 450 members of the State Duma are elected for a four-year mandate through a proportional system. Of these, 225 members are elected through closed lists with seats being allocated through the Hare quota⁴⁶ in a nationwide district with a 5% minimum threshold. The remaining 225 members are elected by plurality vote in single-member constituencies.⁴⁷ When going to the polls, Russian citizens will vote within a context whereby their country is ranked 148th out of 180 countries in Reporters Without Borders' World Press Freedom Index 2014⁴⁸, 122nd out of 167 countries in the Economist Intelligence Unit's Democracy Index

2012⁴⁹ and 101st out of 152 countries in the Fraser Institute's Economic Freedom of the World 2013 Annual Report⁵⁰.

Finally, for 2015, elections are scheduled to take place on the 31st of December in the Republic of Uzbekistan. On this occasion, out of a population of 28,661,637 (as of July 1st, 2013), 17,215,700 registered voters (as of the 27th of December 2009) will be asked to choose a new President. The President of Uzbekistan is elected through a two-round absolute majority vote for a five-year term. Incumbent President Islam Karimov has been in office since the 24th of March 1990 and has been Uzbekistan's only President since the country became an independent republic on the 31st of August 1991. He has been re-elected on the 23rd of December 2007 with 90.77% of the valid votes.⁵¹ Within this context, Uzbekistan is ranked 166th out of 180 countries in Reporters Without Borders' World Press Freedom Index 2014⁵² and 161st out of 167 countries in the Economist Intelligence Unit's Democracy Index 2012⁵³ while not being ranked amongst the 152 countries analysed in the Fraser Institute's Economic Freedom of the World 2013 Annual Report⁵⁴.

Moving on to 2016, elections in the OSCE area are first scheduled on the 30th of June in Mongolia. On this occasion, 1,833,478 registered voters (as of the 1st of June 2012) out of a total population of 3,226,516 (as of the 1st of July 2013) are to elect the 76 members-strong assembly of its unicameral system: the State Great Hural (or Ulsyn Ikh Khural). Out of the total number of seats of the State Great Hural to be filled for the next four years, 48 are to be allocated by plurality vote in multi-member constituencies while 28 members are to be chosen through a closed-list proportional system. As the OSCE's most recent

42 The revolution began on the 6th of April 2010 and ended with President Kurmanbek Bakiyev's resignation on the 10th of April 2010. He was succeeded by interim President Roza Isakovna Otunbayeva from the 10th of April 2010 to the 1st of December 2011, and from the 1st of December 2011 onwards, by Almazbek Atambayev. In the last parliamentary elections in October 2010 for the Supreme Council, the Ata-Zhurt party (which supports the ousted President Kurmanbek Bakiyev) won a majority of the vote, slightly ahead of the SDPK (16.10% against 14.55% of the valid votes casted).

43 Reporters Without Borders, 2014.

44 The Economist Intelligence Unit, 2012.

45 Fraser Institute, 2013.

46 A system first devised by Thomas Hare in 1859 in his "Machinery of Representation" that, essentially, divides the total number of valid votes cast in an election by the total number of seats to be allocated through the poll in question.

47 International Foundation for Electoral Systems, 2014.

48 Reporters Without Borders, 2014.

49 The Economist Intelligence Unit, 2012.

50 Fraser Institute, 2013.

51 International Foundation for Electoral Systems, 2014.

52 Reporters Without Borders, 2014.

53 The Economist Intelligence Unit, 2012.

54 Fraser Institute, 2013.

member⁵⁵, Mongolia tends to score significantly better than many of its partners in the region in a number of international comparisons. Indeed, in its World Press Freedom Index 2014, Reporters Without Borders ranks Mongolia 88th out of 180 countries.⁵⁶ At the same time, the Economist's Intelligence Unit ranks the country 65th out of 167 countries in its Democracy Index 2012.⁵⁷ Finally, Mongolia is ranked 68th out of 152 countries in the Economic Freedom of the World 2013 Annual Report of the Fraser Institute.⁵⁸

In the Republic of Montenegro, elections are tentatively scheduled for the 31st of October 2016. On this occasion, 514,055 registered voters (as of April 1st, 2012) out of a total population of 653,474 (as of July 1st, 2013) will be called to elect the 81 members of the national Assembly (Skupstina).⁵⁹ Members of the Assembly are elected for a four-year mandate through a closed-list proportional system. The system also entails a single, nationwide constituency and a 3% minimum threshold for parties to gain representation in the Skupstina. Montenegro received official candidate status to the European Union on the 17th of December 2010 and began accession negotiations on the 29th of June 2012.⁶⁰ The country finds itself therefore in a radically different geopolitical context from the fellow OSCE member states presented in this review and, also because of this, it is in a league of its own for what concerns a variety of parameters. The country is ranked 114th out of 180 countries in Reporters Without Borders' World Press Freedom Index 2014⁶¹, 76th out of 167 countries in the Economist Intelligence Unit's Democracy Index 2012⁶² and 49th out of 152 countries in the Fraser Institute's Economic Freedom of the World 2013 Annual Report.⁶³

Elections in the Republic of Kazakhstan are scheduled to take place by the 31st of December 2016. On this occasion, the country's President will be elected through a plurality vote for a five-year mandate.⁶⁴ Clearly popular among the 9,303,693 registered voters (as of the 1st of January 2012) out of a total population of 17,736,896 (as of July 1st, 2013) and having been Kazakhstan's only President since the country first gained independence in 1990, Nursultan Abishevich Nazarbayev might wish to seek a new term in office. He would stand a good chance to succeed as in the last Presidential election (held on the 3rd of April 2011) he won 95.55% of all valid votes.⁶⁵ Almost a quarter of a century under President Nazarbayev's leadership, Kazakhstan ranks nevertheless below average in a number of international rankings. Reporters Without Borders' World Press Freedom Index 2014 ranks it 161st out of 180 countries⁶⁶, the Economist Intelligence Unit's Democracy Index 2012 ranks it 143rd out of 167 countries⁶⁷ and the Fraser Institute's Economic Freedom of the World 2013 Annual Report ranks it 84th out of 152 countries⁶⁸.

Last but not least within the OSCE region, elections are also scheduled to take place on the 31st of December 2016 in Georgia. By the end of the year, the country's 3,537,719 registered voters (as of the 22nd of October 2013) in this country of 4,555,911 million (as of the 1st of July 2013) will be asked to elect a new National Assembly (Sakartvelos Parlamenti). More specifically, 73 members of the Assembly are to be elected by majority vote in single member constituencies while 77 members are to be appointed through a closed-list proportional system. All members of the unicameral Sakartvelos Parlamenti are voted into office for a four-year mandate and can gain a seat by overcoming a minimum 5% threshold.⁶⁹ Just over a

55 Mongolia was admitted to the OSCE on the 21st of November 2012.

56 Reporters Without Borders, 2014.

57 The Economist Intelligence Unit, 2012.

58 Fraser Institute, 2013.

59 International Foundation for Electoral Systems, 2014.

60 Delegation of the European Union to Montenegro, 2014.

61 Reporters Without Borders, 2014.

62 The Economist Intelligence Unit, 2012.

63 Fraser Institute, 2013.

64 Shortened from seven to five years through a constitutional amendment in 2007.

65 International Foundation for Electoral Systems, 2014.

66 Reporters Without Borders, 2014.

67 The Economist Intelligence Unit, 2012.

68 Fraser Institute, 2013.

69 International Foundation for Electoral Systems, 2014.

decade after the “Rose Revolution”⁷⁰, Georgia scores above the average of most of the countries taken into consideration here. Indeed, Georgia ranks 84th out of 180 countries in Reporters Without Borders’ World Press Freedom Index 2014⁷¹, 93rd out of 167 countries in the Economist Intelligence Unit’s Democracy Index 2012⁷² and it is ranked 25th out of 152 countries in Fraser Institute’s Economic Freedom of the World 2013 Annual Report⁷³.

5. Conclusion

The aim of this paper was to explore the broader policy approach taken by OSCE/ODIHR in terms of democracy support and the political context of selected countries falling under its mandate within which the organization has to run its technical and non-partisan EOMs. This was done through a three-step approach. To begin with, this paper analysed the broader approach employed by OSCE/ODIHR in framing policy-making in the field of democracy support in the regions covered by its mandate. Having done that, the paper moved on to explore the actual modus operandi of OSCE/ODIHR EOMs in the field. Finally, the focus shifted to ten specific countries within the regions in question that, having scheduled elections for either 2015 or 2016, will soon have to decide whether or not to invite an OSCE/ODIHR EOM to observe the electoral process. Throughout its pages, this paper highlighted how both the broader policies implemented in support of democratic processes as well as the fundamentally technical and non-partisan nature of EOMs are absolutely crucial in allowing OSCE/ODIHR to operate in a region where countries often score well below the global average in a number of indicators pertaining to the quality of democratic processes and the respect of fundamental freedoms.

⁷⁰ The Rose Revolution took place in November 2003 and resulted in President Eduard Shevardnadze’s resignation and the subsequent election of Mikheil Saakashvili to the presidency.

⁷¹ Reporters Without Borders, 2014.

⁷² The Economist Intelligence Unit, 2012.

⁷³ Fraser Institute, 2013.

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Editorial Team

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Layout: Dagmar Kolatschny, Sebastian von Stosch

Institut für Europäische Politik e.V.
Bundesallee 23
10717 Berlin

info@iep-berlin.de
www.iep-berlin.de

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