



THE 7th EISA ANNUAL SYMPOSIUM

“Two Decades of Election Observation in Africa: Lessons Learned, Role, Performance and Impact on Democracy Building”

*Holiday Inn, Rivonia Road, Sandton
Johannesburg, South Africa
Date 13 & 14 March 2013*

**WEDNESDAY
13 MARCH 2013**

8:15-9:00 Registration

SESSION 1 Official Opening

Chairperson: Advocate Pansy Tlakula - Chairperson of the Independent Electoral Commission (IEC), South Africa and President of the Electoral Commissions Forum of SADC Countries (SADC-ECF)

9:00-9:10 Welcome Remarks:

*Mr Leshele Thoahlane - Chairperson of the Board of Directors,
Electoral Institute for Sustainable Democracy in Africa (EISA)*

9:10- 10: 00 Keynote Addresses and Official Opening:

*His Excellency, Chief Olusegun Obasanjo - Former President of the
Federal Republic of Nigeria*

10:00:10:20 Group photo

10:20-10:40 Tea break

SESSION 2 Election observation in Africa from the early 1990s to date: a historical and institutional perspective

*Chairperson: Professor Tom Lodge - Professor of Politics and Public Administration,
University of Limerick, Ireland*

10:40-11:00 Overview of two decades of international election observation in Africa

Presenter: Mr Francis Oke, Head of the Electoral Assistance Division, Economic Community of West African States (ECOWAS)

Brief: This paper should contextualise and review the different and divergent modalities through which election observation and monitoring take place in Africa from the early 1990s to date. It should explore the relevance and influence of election observation in the process of enhancing democracy in Africa. The paper should provide insights based on historical evidence that inform the continuing evolution and practice of election observation as a tool for strengthening democracy in Africa. The paper should consider the technical support, democracy building and political dimensions that attend to the process of conducting elections, and EOMs.

11:00-11:20 Overview of African election observation organisations: roles, constraints and consequences

Presenter: Mr Miguel de Brito, Country Director, Mozambique and Dr Lucien Toulou, Country Director, Madagascar, Electoral Institute for Sustainable Democracy in Africa (EISA)

Brief: This paper should review the different actors involved in African election observation. It should focus on the different experiences and the rationale/purpose of Election Observation Mission's (EOMs), considering the interests of both states/EMBs who invite observer missions, as well as actors who wish to conduct EOMs, bearing in mind that there are often multiple purposes served through EOMs. It should explore to what extent these interests align or are antagonistic to one another, and the consequences thereof. The paper should consider the technical support, democracy building and political dimensions (such as sovereignty, government legitimacy, voice and accountability) that attend to the process of conducting elections, and EOMs.

11:20-12:15 Discussion

12:15-13:30 Lunch

SESSION 3 The importance of election observation in democracy building in Africa

Chairperson: Professor Attahiru Jega – Chairperson, Independent National Electoral Commission(INEC), Nigeria

13:30-13:50 Election observation: mitigating or aggravating election-related violence?

Presenter: Mr Vincent Tohbi – Director of Programmes, Electoral Institute for Sustainable Democracy in Africa (EISA)

Brief: Bearing in mind, the assumption that EOMs mitigate the intensity of conflicts and violence in societies, this paper should focus attention on whether election observation missions have contributed substantially (either positively or negatively) to peace and stability in countries where election related violence is a potential risk. The paper should also consider the alternative view of whether election observers/monitors have either deliberately or inadvertently contributed to conflicts based on influence or interference in the conduct of elections.

13:50-14:10 Election Observation: legitimising or de-legitimising electoral processes?

Presenter: Judge Johann Kriegler - Former Constitutional Court and Appeal Court Judge, South Africa

Brief: This paper should interrogate whether the process of election observation can serve to legitimise or de-legitimise an electoral process, under which conditions and how this may happen? The paper should also consider whether invitations to observe an election ARE extended only to 'sympathetic' countries and missions, and the paper should also consider what the possible consequences of these are. Given that it is a country's sovereign right to extend an invitation to observe an election or decline the request of others to observe the election – what implication does this have on perceptions of credibility of the electoral process and the legitimacy of both the observation process as well as the election results. This paper should examine the politics of accreditation as well; asking why some do EOMs get invited and others are not? The paper should also consider what political conditions host countries impose on invited groups, and how this in turn affects their assessment of elections, including their published observer mission reports. In highly contested, conflictual or politicised environments, the paper should consider whether or not accredited EOMs can in fact maintain objectivity in their assessment of the elections, and whether invitation and accreditation is extended only to observers whose states know will reflect a favourable assessment of the elections. Alternately, does the threat of future accreditation being withheld moderate critical assessments during election observation missions? This paper should include perspectives from both state/ inter-state observation missions as well as domestic/citizen observation and should include a focus on whether election observation can serve to strengthen or undermine state sovereignty.

14:10-15:00 Discussion

15:00-15:15 Tea Break

SESSION 4 The impact and consequences of election observation by inter-state bodies

Chairperson: Dr Christiana Thorpe – Chairperson of the National Electoral Commission, Sierra Leone and President of ECOWAS Network of Electoral Commissions (ECONEC)

15:15-15:35 Election observation: strengthening or undermining sovereignty?

Presenter: Mr Guy Cyrille Tapoko - Political Officer/Election, Department of Political Affairs, African Union Commission (AUC)

Brief: This paper should underscore the sometimes contradictory relationship between sovereign states whose governments confer or withhold legitimacy from one another. Elections are a key political moment on which a government's legitimate authority is based, and election observation pronouncements may wield a disproportionate influence, relative to their scope and mandate, on perceptions of a government's legitimacy. This begs the question "do election observation missions have the potential to strengthen or undermine state sovereignty through their assessments of elections as either credible or not". The paper should also answer the question, whether relationships of 'solidarity' based on a protection of 'national or African sovereignty' serve to legitimate flawed elections? This paper should examine the issue of sovereignty from the perspective of state/ inter-state bodies

15:35-15:55 African inter-state bodies: is the professional assessment of elections sacrificed in the interest of peace and stability?

Presenter: Lieutenant-Colonel (retired) Tanki Mothae – Director of Organ on Politics, Defence and Security Affairs, Southern African Development community (SADC)

Brief: This paper should interrogate whether or not the practice of conferring legitimacy on flawed elections, in order to promote or preserve peace and stability by African inter-state bodies, undermines the both the electoral process as well as professional observation and assessment. It should explore both the short-term and longer-term consequences of legitimating flawed elections by considering the erosion of an inter-state body's reputation and professionalism when they privilege legitimating flawed elections in the interests of peace and stability over professional assessments. It should also consider whether or not the specific outcome of promoting peace and stability is one which can be achieved by managing the findings of election assessments.

15:55-16:40 Discussion

16:40-17:00 Wrap-up Session: Grant Masterson - Programme Manager: African Peer Review Mechanism (APRM), (EISA)

18:00-20:00 RECEPTION

Welcome remarks:

END OF DAY ONE

**THURSDAY
14 MARCH 2013**

SESSION 5 Assessing the various election observation instruments developed in Africa

Chairperson: Professor John Stremmlau - Vice President, Peace Programs, The Carter Centre (TCC)

8:30-8:50 Regional, continental and international election observation instruments: assessing strengths and weaknesses in enhancing electoral processes.

Presenter: Mr Calixte Mbari - Political Officer, Department of Political Affairs, African Union Commission (AUC)

Brief: This paper should enumerate what the different election observation instruments are, and assess the strengths and weaknesses of each, and provide common themes around which these instruments can be rationalised and harmonised. It should also examine the notion of which instruments receive priority over others and why? Should international instruments be prioritised over national or regional instruments or vice versa?

8:50-9:10 Possible need for harmonisation between instruments, national laws and regulations and charters and regional protocols

Presenter: Dr Kondwani Chirambo TBC

Brief: This paper should reflect on the potential impact that the ratification of the African Charter on Democracy, Elections and Governance may have on the existing electoral environment in African states (due to the requirement for African states to domesticate the charter), and the impact this will have on existing regional, continental and international election observation methodologies and instruments, and where existing instruments do not align with the provisions of the Charter, what steps can be taken to harmonise the various instruments.

9:10-9:55 Discussion

9:55-10:10 Tea Break

Session 6: Electoral observation missions, invitation and accreditation

Chairperson: *Honourable Justice John Billy Tendwa, South African Development Community Electoral Advisory Council (SEAC)*

10:10-11:45 A critical assessment of election observation missions: accreditation processes and procedures

10:10-10:25 Mr Macoumba Coume – Director of Elections, Ministry of Interior Affairs, Senegal.

10:25-10:40 Mr Rafael Riva-Palacio - Director on International Liaison and Cooperation, The Federal Electoral Institute of Mexico (IFE Mexico)

10:40-10:55 Ms Mercy Njoroge – National Coordinator, Election Observation Group (ELOG)

Brief: This paper should describe accreditation processes and procedures and provide a critical review of the process dimensions and should provide both EMB and EOM perspectives on how the accreditation process impacts election observation methodologies, in terms of sequencing, timing of deployment, logistical preparations and planning.

10:55-11:45 Discussion

SESSION 7 Citizen election observation in Africa: roles, constraints and consequences

Chairperson: *Dr Abdelfatau Musa - Director of Political Affairs, Economic Community of West African States (ECOWAS)*

11:45-13:15 Experiences of citizen election observer networks and organisations: lessons learned

11:45-12:00 Case study I: Ghana

Presenter: Mr Franklin Oduro – Director, Coalition of Domestic Election Observers (CODEO)

Brief: This case study should explain the value added by citizen observation groups and examine the challenges, constraints & successes of citizen election observation in Ghana's electoral context, and share lesson learning and recommendations for improved citizen observation in future. The paper should also identify underlying preconditions and factors critical to the success of such observation missions, such as: accreditation processes, security environment, resources and citizen mobilisation.

12:00-12:15 Case study II: Zimbabwe

Presenter: Ms Rindai Chipfunde-Vava, Exexecutive Director, Zimbabwe Electoral Support Network (ZESN)

Brief: This case study should explain the value added by citizen observation groups and examine the challenges, constraints & successes of citizen election observation in Zimbabwe's electoral context, and share lesson learning and recommendations for improved citizen observation in future. The paper should also identify underlying preconditions and factors critical to the success of such observation missions, such as: accreditation processes, security environment, resources and citizen mobilisation.

12:15-12:30 Case Study III: Tunisia

Presenter: Mrs Anissa Bouasker - Director of Communication and Training, Association Tunisienne pour l'Intégrité et la Démocratie des Elections (ATIDE).

Brief: case study should explain the value added by citizen observation groups and examine the challenges, constraints & successes of citizen election observation in Tunisia's electoral context, and share lesson learning and recommendations for improved citizen observation in future. The paper should also identify underlying preconditions and factors critical to the success of such observation missions, such as: accreditation processes, security environment, resources and citizen mobilisation.

12:30 – 13:15 Discussion

13:15 -14:15 Lunch

Presentation: Case study on use of technology in election observation

14:15 - 14:25 Presenter: Mr Dilan Jivanji - IT Consultant, Electoral Institute for Sustainable Democracy in Africa (EISA)

14:25 – 14:35 Ms Olufunto Akinduro - Senior Programme Officer, Electoral Institute for Sustainable Democracy in Africa (EISA)

Brief: This paper should focus on the use of technology in election observation, and how the use of technology may improve the efficiency, effectiveness, cost and credibility of election observation. The paper should also focus on the disadvantages and constraints that pertain to the use of technology in the observation of elections.

14:35 – 15:00 Discussion

SESSION 8: Cooperation among election observation missions and the role of observers in strengthening electoral processes

Chairperson: Mr Denis Kadima - Executive Director, Electoral Institute for Sustainable Democracy in Africa (EISA)

15:00-15:40 Cooperation between non-African and African election observers

15:00-15:20 Presenters: Sarah Johnson - Assistant Director, The Carter Centre (TCC)

15:20-15:40 Mr Gilles Saphy, Project Director, Election Observation and Democracy Support, European Union (EU)

Brief: This paper should explore the dynamics between observer missions constituted outside Africa and African observer missions, the differences in the methodologies of these groups and the sometimes conflictual observation findings that emerge. Given the importance of EOM findings, and their potential political utility to legitimate or dispute election results, there should a greater emphasis on the seeming mundane aspects of cooperation, collaboration and communication between these groups to harmonise both method and findings. This paper should also dwell on the normative question of whether such harmonisation is desirable and identify the areas in which this is the case.

15:40-16:20 Election observation recommendation: strengthening electoral processes through electoral review

15:40-16:00 Presenters: TBC

16:00-16:20 Mr Felix Odhiambo Owuor – Country Director, Kenya (EISA)

Brief: This paper should evaluate the manner in which electoral reviews of the legislative, administrative, management and planning processes throughout the electoral cycle. It should include an appraisal of the extent to which recommendations made by electoral observer missions contribute to and stimulate reforms which strengthen electoral processes to be more inclusive, efficient and encourage greater political participation by citizens.

16:20-17:00 Discussion

17:00 -17:15 Wrap up: Dr Victor Shale - Country Representative, Zimbabwe, a (EISA)

Official closing

Vote of thanks and closure: Ms Ilona Tip, Director of Operations (EISA)

EISA's ANNUAL SYMPOSIUM

For the past six years, EISA has held an annual symposium, each of which focused upon a selected democracy and governance issue. The first Annual Symposium, in November 2006, examined the challenges of conflict, democracy and development in Africa. The second, in October 2007, focused policy discussion around the prospects for sustainable democratic governance in Africa in an environment of dire socio economic conditions and entrenched poverty. The third, in October 2008, dealt with the challenges facing civil society engagement with the African Peer Review Mechanism (APRM). The fourth Symposium focused upon the problem of persistent, violent election-related conflicts in Africa with a view to understanding their causes, magnitude and consequences for democratic governance. The fifth in November 2010 provided a platform for political parties from across Africa to develop benchmarks to support political parties in institutional development and to enhance democratic systems of governance through political parties. The sixth Symposium explored the role of ICT in promoting political change in Africa. It provided a platform for stakeholders from across the continent to share experiences and learn best practices on the use of ICT, democracy and elections.

The 7th EISA Annual Symposium will review the two decades of election observation in Africa since the dawn of multi-party elections. It will seek to draw lessons by assessing the role, performance and impact of election observation on democracy building in Africa.

Participants to the 7th Symposium are drawn from African Union, Pan-African Parliament, Regional Economic Communities such as ECOWAS, EAC, ECCAS, SADC; Election Management Bodies; political parties; national civil society organisations; academia; and international donor agencies.

ABOUT EISA

The Electoral Institute for Sustainable Democracy in Africa,(EISA), formerly known as the Electoral Institute of Southern Africa, has since its inception in July 1996 established itself as a leading institution and influential player dealing with elections and democracy related issues in the African continent. EISA has evolved from an election NGO servicing Southern Africa into a more diversified organisation working throughout the continent with national, regional, Pan-African and global partners. The Institute's work now covers not only elections but also other Democracy & Governance fields like political party development, conflict management, legislative strengthening, the African Peer Review Mechanism and local governance and decentralisation. Outside the southern African region, EISA has current and past field offices in several countries including Burundi, Chad, Côte d'Ivoire, Kenya, Egypt and Sudan, a reflection of its broader geographical mandate.

The vision of EISA is “An African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment”. This vision is executed through the organizational mission of “striving for excellence in the promotion of credible elections, citizen participation, and the strengthening of political institutions for sustainable democracy in Africa”.

Having supported and observed over 40 electoral processes in Africa, EISA has extensive experience in formulating, structuring and implementing democratic and electoral initiatives. It has built an internationally recognised centre for policy, research and information and provides this service to electoral management bodies, political parties and civil society in a variety of areas, such as voter and civic education and electoral assistance and observation.

Besides its expanded geographical scope, the Institute has, for the past several years, been increasingly been working in new in-between election areas along the electoral and parliamentary cycle, including constitution and law making processes, legislative strengthening, conflict management and transformation, political party development, the African Peer Review Mechanism (APRM) and local governance and decentralisation.