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MANUAL FOR OAS ELECTORAL OBSERVATION MISSIONS



GENERAL SECRETARIAT
OF THE ORGANIZATION OF
AMERICAN STATES (GS/OAS)

SECRETARIAT
FOR STRENGTHENING
DEMOCRACY (SSD)

DEPARTMENT OF
ELECTORAL COOPERATION
AND OBSERVATION (DECO)

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MANUAL FOR OAS ELECTORAL OBSERVATION MISSIONS - SECOND EDITION

General Secretariat of the OAS



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Introduction

Electoral Observation Missions deployed by the Organization of American States (OAS/EOMs) constitute a fundamental technical tool for the development of the institutions and electoral processes of member states. In accordance with Article 23 of the Inter-American Democratic Charter (IADC), “Member states are responsible for organizing, conducting, and ensuring free and fair electoral processes. Member states, in the exercise of their sovereignty, may request that the Organization of American States provide advisory services or assistance for strengthening and developing their electoral institutions and processes, including sending preliminary missions for that purpose.”¹

Since 1962, these Missions have significantly professionalized their methods to keep pace with the advances and new challenges faced by OAS member states.

¹ Inter-American Democratic Charter, Chapter V, Article 23. Available at: https://www.oas.org/OASpage/eng/Documents/Democratic_Charter.htm



In a clear demonstration of the importance accorded by countries to this instrument over the last two decades, electoral observation missions are explicitly included in the text of the IADC approved in 2001. Chapter V of the IADC highlights the role of these missions in free and fair elections and establishes the basic criteria for their functioning.

On November 11, 2021, the OAS General Assembly approved the resolution “Strengthening Democracy.”² The resolution emphasizes, among other matters, the fundamental contribution of the OAS to the strengthening and development of electoral processes and systems in member states through electoral observation missions. Furthermore, the resolution instructed the Department of Electoral Cooperation and Observation (DECO) to update the “Manual for OAS Electoral Observation Missions”, approved by the Secretary General on December 18, 2009.

Additionally, in 2023, the General Assembly instructed, “the Department of Electoral Cooperation and Observation (DECO) that, once concluded the mandate contained in resolution AG/RES. 2989 (LII-O/22)³ to update the Manual for OAS Electoral Observation Missions, considering the valuable experience and good practices of electoral authorities of the member states, and having taken into account the recognized international standards on the subject, as well as the recommendations and suggestions of member states, it publish the Manual and present its content afterwards in a session of the Permanent Council before the LIV regular session of the General Assembly.”⁴

Finally, the resolution on “Strengthening Democracy” also highlights the importance of having the necessary funds to ensure the financial sustainability of electoral observation missions. In addition, it establishes that the missions must be provided with the necessary funding so that they can carry out their work.

In response to the abovementioned resolutions and taking into account the mandates that govern its work, DECO started the process of updating the Manual, for which it reviewed existing documents, systematized information, researched and considered international standards included in the manuals of other international organizations, including the European Union (EU) and the Organization for Security and Cooperation in Europe (OSCE).

² AG/RES. 2975 (LI-O/21), Strengthening Democracy, second plenary session, November 11, 2021. Available at: https://scm.oas.org/doc_public/ENGLISH/HIST_22/AG08489E09.docx

³ AG/RES. 2989 (LII-O/22), Strengthening Democracy, fourth plenary session, October 7, 2022. Available at: <http://scm.oas.org/pdfs/2023/Resol2989E.pdf>

⁴ AG/RES. 3004 (LIII-O/23), Strengthening Democracy, fourth plenary session, June 23, 2023. Available at: https://scm.oas.org/doc_public/ENGLISH/HIST_23/AG08884E03.docx

Based on the work carried out, DECO prepared a draft document that was circulated to the Permanent Missions of Member States to the OAS and to the electoral authorities of the region so that they could send suggestions, most of which were incorporated. The document was also reviewed by the relevant areas of the General Secretariat of the OAS (GS/OAS).

The updating process concluded with the preparation of this edition of the “Manual for OAS Electoral Observation Missions”, which combines the contents of the 2007 Manual on Methods for Election Observation and the 2008 “Manual for OAS Electoral Observation Missions”. Likewise, this new document incorporates an improved structure for OAS/EOMs and updates observation procedures by including elements of the security protocol that was developed by DECO with the support of the Department of Public Security (DPS) of the Secretariat of Multidimensional Security (SMS) and applied to electoral observation in recent years. Finally, it should be noted that this Manual also incorporates areas of electoral observation that emerged following publication of the 2008 Manual, such as disinformation in electoral process, and expands on other aspects of observation, such as direct democracy exercises.

The first chapter lays out the theoretical framework for electoral observation and for OAS electoral observation missions, as well as their specific objectives and principles and the conditions for accepting an invitation from a member state to deploy an OAS/EOM. The second chapter explains the legal framework that supports and guides the missions’ work, including standards and instruments of the inter-American and universal human rights systems. The third chapter explains the methodology for international electoral observation, including the definition of democratic elections and its different attributes. It also briefly describes the standards and thematic methodologies and other tools used in international electoral observation.

The fourth chapter expands on the electoral cycle as the subject of observation, with an emphasis on the three stages of the electoral process (pre-electoral period, election day, and post-electoral period). The fifth chapter covers the general considerations, definitions, categories, requirements, and obligations of international electoral observers. The sixth chapter presents the structure of OAS/EOMs and the different roles of their permanent and temporary members. And finally, the seventh chapter discusses the missions’ observation process in the initial phase, the set-up of the mission, and the observation process.



Theoretical Framework

A. ELECTORAL OBSERVATION AND ELECTORAL OBSERVATION MISSIONS

Through electoral observation, an organized group of people implement a series of systematic procedures and actions to directly and accurately observe an electoral process.⁵ When the observation is carried out by citizens of the country where the election is being held, the electoral observation is national in nature. If, on the other hand, the observation is carried out by a group of foreign observers, the process is international.⁶

The Declaration of Principles for International Election Observation, signed by organizations specialized in the field, including the OAS, defines international election observation as “the systematic, comprehensive and accurate gathering of information concerning the laws, processes and institutions related to the conduct of elections and other factors concerning the overall electoral environment; the impartial and professional analysis of such information; and the drawing of conclusions about the character of electoral processes based on the highest standards for accuracy of information and impartiality of analysis.”⁷ While observation is typically focused on the election of authorities, the spectrum has been broadened to include mechanisms of direct democracy as well.

An international electoral observation mission⁸ (EOM) is the technical and legal instrument, with its own organization, by which international electoral observation is carried out. Such Missions are deployed for the purpose of supporting the host country in the strengthening and development of its institutions and electoral processes through the issuance of a series of technical and impartial recommendations based on the observation work. EOMs also help the international community deepen its knowledge of electoral systems by preparing studies and compiling best practices in this area.

In general terms, international electoral observers (hereinafter international observers) are considered to be those who are accredited as members of an OAS/EOM, pursuant to the terms and conditions established by the OAS, for the duration of the Mission. (See Chapter 5)

⁵ This observation manual applies to both national and subnational elections, with the respective differences that apply to each. This Manual will be applicable to all OAS Electoral Observation Missions, including those that are named differently due to the regulations of the host country.

⁶ This Manual is geared toward OAS/EOM international observers.

⁷ Principle 4. Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers (New York, October 27, 2005). Available at: <https://www.oas.org/en/spa/deco/docs/Declaration-of-Principles-for-International-Election-Observation.pdf>

⁸ Hereinafter, these will be called “EOMs”, “Mission” or “Missions”.

B. SPECIFIC OBJECTIVES OF OAS/EOMs

The specific objectives⁹ of Missions include the following:

- Support the strengthening and development of institutions and of national and subnational electoral processes by presenting recommendations to the observed States through preliminary reports and a final report from each OAS/EOM.
- Follow-up on recommendations issued.
- Verify compliance with election laws and regulations in place in the host country and the development of the electoral process in light of the instruments and norms adopted by OAS member states, and international standards.
- Formulate timely and impartial statements addressed to the public, presenting their conclusions and recommendations in order to improve processes related to elections. The Mission will send copies of its communications and reports to the electoral authorities and other relevant national entities.¹⁰
- Observe the role and actions of the various participants in the electoral process.
- Increase public confidence in electoral and democratic processes.
- Offer governmental and electoral authorities, as well as citizens in general, technical, evidence-based analysis regarding the impartiality, transparency, and reliability of the electoral process.
- Prepare preliminary reports and a final report on good practices and irregularities observed during the elections, including recommendations to help improve the electoral system.
- Present to the Permanent Council, through the General Secretariat, reports on their activities and what has been observed.¹¹
- Inform citizens about any matter regarding the electoral process that they consider relevant through statements and communications during the different stages of the electoral process.
- Serve as a channel to seek and build consensus and/or agreements in situations of conflict between different participants in the electoral process, if required and requested by authorities and the stakeholders involved in the process.

⁹ These specific objectives contemplate the texts of the Inter-American Democratic Charter and the Declaration of Principles for International Election Observation.

¹⁰ Declaration of Principles for International Election Observation, principle 7.

¹¹ Inter-American Democratic Charter, Article 24.

- “Actively seek cooperation with host country electoral authorities and must not obstruct the election process.”¹²
- Act objectively, impartially and transparently, with the appropriate technical capacity, in accordance with the principles and norms of the OAS, and the highest international standards.¹³
- Provide recommendations during the electoral process and for future electoral processes, “while not interfering in and thus hindering such processes.”¹⁴

¹² Declaration of Principles for International Election Observation, principle 10.

¹³ Inter-American Democratic Charter, Article 24.

¹⁴ Declaration of Principles for International Election Observation, principle 4.



C. PRINCIPLES OF INTERNATIONAL ELECTORAL OBSERVATION

OAS/EOMs are guided by the following fundamental principles of electoral observation:¹⁵

- **Objectivity and neutrality.** The work of an OAS/EOM is characterized by its impartiality, neutrality, independence and appropriate technical capacity at all stages of the electoral process. Its members undertake to carry out an impartial and professional analysis of the information collected, as well as to base their conclusions on the “highest standards for accuracy of information and impartiality of analysis.”¹⁶ Tasks must “be conducted on the basis of the highest standards for impartiality concerning national political competitors and must be free from any bilateral or multilateral considerations that could conflict with impartiality.”¹⁷ These fundamental attributes are reflected, among other things, in the actions of international observers and in the statements and declarations issued by the Mission.
- **Respect for the internal legislation of the host country.** The members of OAS/EOMs commit to respect the sovereignty of the host country, its constitution, and its laws. The privileges and immunities granted to international observers are intended to ensure that they can act independently.
- **Non-substitution of national actors in the process.** OAS/EOMs do not take the place of the actors in the electoral process. The ultimate and exclusive responsibility for carrying out an electoral process falls to the institutions and political actors in the host country.
- **Respect and promotion of Human Rights.** OAS/EOMs, and each of their members, must “act in a manner that is consistent with respecting and promoting human rights and fundamental freedoms.”¹⁸
- **Independence and transparency.** OAS/EOMs are funded almost entirely by external donors, which may be OAS member states or observer countries. The list of donors is public information and is included in the observation reports. In no case are financial contributions accepted from the host country.¹⁹

¹⁵ These principles are derived from the Inter-American Democratic Charter and the Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers.

¹⁶ Declaration of Principles for International Election Observation, principle 4.

¹⁷ Ibidem, p. 1.

¹⁸ Ibidem, principle 9.

¹⁹ Protocol support and security provided to the OAS/EOM by the host country is not considered a financial contribution.

- **Cooperation.** OAS/EOMs may engage in dialogue with other specialized international electoral observation agencies, especially those who have signed the Declaration of Principles for International Election Observation, and national organizations to maximize the contribution of their findings and recommendations. OAS Missions will base their findings and conclusions on their own observations, thus maintaining their independence.
- **Diversity of views.** OAS/EOMs seek to engage with all relevant political actors, including representatives of political parties and candidates, to hear their views on the electoral process being observed.



D. CONDITIONS FOR ACCEPTING AN INVITATION FROM A MEMBER STATE TO DEPLOY AN OAS/EOM AND DUTIES OF THE RECEIVING STATE

The acceptance of an invitation sent by a member state to deploy an OAS/EOM is appropriate when the following requirements are met and maintained throughout the deployment of the Mission:

- The electoral process to be observed is expressly provided for by law in the member state.
- The organization and adjudication of the electoral process are the exclusive purview of the national, federal, or state/provincial/regional electoral body, as the case may be.
- The formal invitation to the OAS General Secretariat from the member state originates with the national electoral body or the Ministry of Foreign Affairs²⁰ and is sent through the Ministry of Foreign Affairs, or through another channel established by law in the host country, to be presented to and formally received by the OAS General Secretariat.
- The government of the receiving member state and the Secretary General enter into an agreement that determines the scope and coverage of the electoral observation mission in question.²¹
- The work of the OAS/EOM is not subject to any legal or regulatory limitations beyond the agreements signed with the State.
- The member state does not interfere in the statements made by the OAS/EOM and respects the independence of the Mission's communications.
- Conditions of security, free communication, and broad cooperation by and with the OAS/EOM are guaranteed.
- The OAS/EOM in general, and its members in particular, are guaranteed freedom of access to information, expression, and movement.
- The integrity and work of the Mission's international observers are guaranteed.

²⁰ The Ministry of Foreign Affairs is used interchangeably to refer to the Ministry of Foreign Affairs, the Ministry of External Affairs or the Department of State.

²¹ Inter-American Democratic Charter, Article 24.

2.

Legal Framework

The legal framework of OAS/EOMs determines these Missions' formation, regulates their operations, specifies their functions, and defines their scope. It includes binding legal instruments and others that, while not binding, have been endorsed by the Organization. This section also covers other relevant international provisions.

A. BINDING INSTRUMENTS

1. Charter of the Organization of American States²²

This treaty created the Organization of American States, which from its beginnings has considered respect for democracy to be fundamental. The OAS Charter has been amended four times. It was the successive reforms that established the legal commitment to democracy in the region as a matter of utmost priority. The 1985 reform made explicit that one of the essential purposes of the Organization is “to promote and consolidate representative democracy.”²³ In addition, the Charter establishes as one of its principles that the solidarity of member states and the aims which are sought through it, require the political organization of states “on the basis of the effective exercise of representative democracy.”²⁴

Although the OAS Charter does not include a direct mandate for election observation in the region, it does establish the basic precepts for promotion and consolidation of representative democracy as one of the fundamental principles of the OAS.²⁵ In this regard, since OAS/EOMs serve as one of the instruments the OAS has at its disposal for the strengthening of institutions and electoral processes in member states and thus for democratic consolidation in the Hemisphere, the legal precepts contained in the OAS Charter define the sphere of action of its observation missions.

The OAS Charter establishes respect for the principle of self-determination of peoples and for the fundamental rights of the individual without discrimination.²⁶ It also states that the political organization of member states must be based on representative democracy. Further, it establishes an important link between consolidation of the democratic system and development, indicating that extreme poverty must be eradicated to attain integral development, in accordance with the democratic principles of the inter-American system.²⁷

²² The OAS Charter was first signed on April 30, 1948, at the Ninth International Conference of American States, held in Bogotá, Colombia, and entered into force on December 13, 1951. It was later amended by the Protocol of Buenos Aires, on February 27, 1967; the Protocol of Cartagena de Indias, on December 5, 1985; the Protocol of Washington, on December 14, 1992; and the Protocol of Managua, on June 10, 1993. Available at: https://www.oas.org/en/sla/dil/inter_american_treaties_A-41_charter_OAS.asp

²³ This principle is enshrined in Article 2, literal b of the OAS Charter, which was introduced within the framework of the General Assembly through which the Cartagena de Indias Protocol was approved in 1985, amending the Charter of the OAS and that introducing important norms referring to representative democracy and democratic institutions.

²⁴ Article 3(d), related to the principles reaffirmed by the member states, a section that was expanded as part of the reforms introduced by the Protocol of Cartagena de Indias.

²⁵ *Idem*.

²⁶ Article 3(e) and (l).

²⁷ Article 2(g), Article 31, and Article 45(f).

2. Inter-American System for the Protection of Human and Political Rights

The standards for protecting human rights in the region—known as the inter-American system for the protection of human and political rights—are based on the American Declaration of the Rights and Duties of Man²⁸ and the American Convention on Human Rights or “Pact of San José.”²⁹ These standards form an integral part of the legal framework of OAS/EOMs.

The first instrument recognizes multiple rights, including the right to vote and to participate in government.³⁰ It also establishes the duty to refrain from taking part in political activities in foreign countries that are the exclusive preserve of the citizens of that state.³¹

The second instrument reaffirms the intention to consolidate in the region a system of personal liberty and social justice based on respect for the essential rights of man, within the framework of democratic institutions.³² It also recognizes the political rights to vote, to participate under equal conditions in public service, and to be elected in genuine periodic elections by universal suffrage and by secret ballot that guarantees the free expression of the will of voters, with no limitations other than those established by law.³³

3. General Assembly Resolutions

The General Assembly is the supreme body of the OAS in which member states are represented.³⁴ It issues resolutions, declarations, and recommendations.³⁵ This Manual refers generally to the resolutions related to the consolidation of democracy and specifically to those that substantively develop the concept of electoral observation in the Hemisphere.

To be clear, however, there are other General Assembly resolutions that promote and strengthen representative and participatory democracy; that link the concept of democracy to civic participation, citizenship, and democratic culture; and that draw a connection between education in values and democratic practices. Additional resolutions refer to the strengthening

²⁸ The American Declaration of the Rights and Duties of Man was approved by the Ninth International Conference of American States, held in Bogotá in 1948. This was the conference that created the Organization of American States. Available at: https://www.oas.org/dil/access_to_information_human_right_American_Declaration_of_the_Rights_and_Duties_of_Man.pdf

²⁹ The American Convention on Human Rights (“Pact of San José”) was signed in 1969 during the Inter-American Specialized Conference on Human Rights in San José, Costa Rica. The conference approved the incorporation of broader standards with respect to economic, social, and educational rights into the OAS Charter. Available at: http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm

³⁰ American Declaration of the Rights and Duties of Man, Article XX.

³¹ Article XXXVIII.

³² Pact of San José, Preamble.

³³ Article 23.

³⁴ General Assembly resolution AG/RES. 1737 (XXX-O/00) of June 5, 2000, Article 1. Available at: https://www.oas.org/juridico/english/agres_1737_xxxo00.htm

³⁵ Ibidem, Article 80.

of democratic systems and matters related to election campaigns, electoral technology, political parties, access to public information, governance, human rights, and democratic security. Finally, other resolutions link together the concept of democracy and the notion of socioeconomic development.

The OAS General Assembly resolutions containing rules related to the observation of elections include the following:

a) *Resolution on Human Rights and Democracy – Electoral Monitoring*³⁶

This is the first General Assembly resolution that expressly mentions the observation of electoral processes as a means to strengthen the Organization.

It establishes that the basis for said observation is to contribute to the consolidation of genuinely democratic and participatory systems, based on respect for human rights. It also reaffirms respect for the principle of nonintervention, as OAS/EOMs are carried out at the request of member states.

This resolution emphasizes the need to undertake comprehensive observation by monitoring all stages of the electoral process. In addition, it establishes that public reports should be issued as a result of the on-site observation process.

b) *Resolution on Representative Democracy*³⁷

This resolution recognizes, as does the OAS Charter, that representative democracy is an indispensable condition for the stability, peace, and development of the region, and that one of the basic purposes of the OAS is to promote and consolidate representative democracy, with due respect for the principle of nonintervention.

It resolves to instruct the OAS Secretary General to call for the immediate convocation of a meeting of the Permanent Council in the event of any occurrences that give rise to the sudden or irregular interruption of the democratic political institutional process or of the legitimate exercise of power by the democratically elected government in any of the Organization's member states. The Permanent Council, within the framework of the OAS Charter, shall examine the situation, decide on, and convene an ad hoc meeting of ministers of foreign affairs or a special session of the General Assembly, all of which must take place within a 10-day period.

³⁶ AG/RES. 991 (XIX-0/89), adopted at the nineteenth regular session of the OAS General Assembly, held in Washington, D.C., November 13-18, 1989. Available at: <http://scm.oas.org/pdfs/agres/ag03803E01.PDF>

³⁷ AG/RES. 1080 (XXI-0/91) of June 5, 1991. Available at: <https://www.oas.org/sap/peacefund/VirtualLibrary/KeyPeaceInstruments/SantiagoCommitment/SantiagoCommitment.pdf>



OEAS/OAS

Misión de Observación Electoral
Missão de Observação Eleitoral
Mission d'Observation Électorale
Electoral Observation Mission

ELECCIONES

Another relevant development of this resolution is that it instructs the Permanent Council to devise a set of proposals that will serve as incentives to preserve and strengthen democratic systems, based on international solidarity and cooperation.

c) Inter-American Democratic Charter³⁸

The Inter-American Democratic Charter, approved by resolution of the OAS General Assembly,³⁹ marks the most significant step forward in norms related to the protection and strengthening of democracy in the Hemisphere. This is due to its precision regarding the scope of this concept, the rich development of the relationship between democracy and other regional aspirations, and the establishment of formal mechanisms to strengthen and preserve democratic institutions. Such mechanisms apply when a member state considers that its democratic political institutional process or its legitimate exercise of power is at risk, or when there is an alteration of the constitutional regime that seriously impairs the democratic order.⁴⁰

With the adoption of the Inter-American Democratic Charter, OAS/EOMs were explicitly recognized as a means to support member states that request it.⁴¹ Article 24 of the Democratic Charter states the following:

“The electoral observation missions shall be carried out at the request of the member state concerned. To that end, the government of that state and the Secretary General shall enter into an agreement establishing the scope and coverage of the electoral observation mission in question. The member state shall guarantee conditions of security, free access to information, and full cooperation with the electoral observation mission.

Electoral observation missions shall be carried out in accordance with the principles and norms of the OAS. The Organization shall ensure that these missions are effective and independent and shall provide them with the necessary resources for that purpose. They shall be conducted in an objective, impartial, and transparent manner and with the appropriate technical expertise.

Electoral observation missions shall present a report on their activities in a timely manner to the Permanent Council, through the General Secretariat.”⁴²

³⁸ Inter-American Democratic Charter (Lima, September 11, 2001). Available at: https://www.oas.org/OASpage/eng/Documents/Democractic_Charter.htm

³⁹ General Assembly Resolution AG/RES. 1 (XXVIII-E/01). Available at: <https://www.oas.org/consejo/GENERAL%20ASSEMBLY/Resolucionesextraordinarias.asp>

⁴⁰ Inter-American Democratic Charter, Chapter IV.

⁴¹ Ibidem, Article 23.

⁴² Article 24.

Article 25 of the Democratic Charter establishes that EOMs must advise the Permanent Council, through the OAS General Secretariat, if the necessary conditions for free and fair elections do not exist. In this case, and with the consent of the state concerned, the OAS may send special missions with a view to creating or improving said conditions.⁴³

4. Agreements Signed between the GS/OAS and Member States⁴⁴

Prior to the deployment of OAS/EOMs, the OAS General Secretariat enters into two agreements with the host country, which establish the conditions for the observation process. These are the legal instruments signed with the host country that govern the actions of the Missions.

a) Agreement on Privileges and Immunities

The OAS Charter provides that “[t]he Organization of American States shall enjoy in the territory of each Member such legal capacity, privileges, and immunities as are necessary for the exercise of its functions and the accomplishment of its purposes.”⁴⁵

In this regard, a prerequisite for the deployment of an OAS/EOM is the signing of an agreement specifying the privileges and immunities of those participating in the Mission and the protection that will be afforded to their property and information. This agreement is signed between the OAS General Secretariat and the government entity in the host country that has the legal authority to represent the State, in keeping with its internal legal framework, which in most cases is the Ministry of Foreign Affairs.

Privileges and immunities⁴⁶ include freedom of movement and communications of the OAS/EOM in the host country; provisions related to the possession of foreign currency and to customs and taxes; immunity from detention, arrest, or legal proceedings; and inviolability of OAS/EOM facilities and documents. Immunities from search and seizure or judicial proceedings in general are also provided.

b) Agreement on the Electoral Observation Process

The Inter-American Democratic Charter establishes that “electoral observation missions shall be carried out at the request of the member state concerned. To that end, the government of that state and the Secretary General shall enter into an agreement establishing the scope and

⁴³ Article 25.

⁴⁴ See models in Annex I and II of this Manual.

⁴⁵ Charter of the Organization of American States, Article 133.

⁴⁶ For more information on this topic, visit: <http://www.oas.org/legal/english/docs/BilateralAgree/BilateralAgreemt.htm>

coverage of the electoral observation mission in question. The member state shall guarantee conditions of security, free access to information, and full cooperation with the electoral observation mission.”⁴⁷

In compliance with this provision, and prior to the installation of a Mission, the GS/OAS and the host country’s electoral authorities sign an agreement establishing the conditions under which the observation will be carried out. The agreement also specifies the functions of international observers, ensuring not only the autonomy of the OAS/EOM but also the degree of access it has to electoral institutions and authorities, including voting centers and the vote counting phase. This document may also establish that the OAS/EOM will serve as mediator or facilitator among electoral authorities and any another interested party, if so requested.

The Agreement on the Electoral Observation Process is a standard document that is replicated by Missions with the necessary adjustments to adapt it to the host country. The Agreement always guarantees the independence of international observers.

⁴⁷ Inter-American Democratic Charter, Article 24.



B. INSTRUMENTS GUIDING THE WORK OF OAS/EOMS

1. Declaration of Principles for International Election Observation⁴⁸

In October 2005, 21 international and regional organizations specialized in election observation, including the OAS, signed the Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers (see the next subsection for more information about the latter).⁴⁹ To date, more than 50 organizations have signed both instruments.

The Declaration of Principles compiles the fundamental freedoms and political rights established in universal and hemispheric instruments related to elections. It recognizes genuine democratic elections as the human right to free expression of the will of citizens, provided that this right is exercised in accordance with the rule of law and with respect for fundamental freedoms and other human and political rights. It also highlights the importance of international election observation in helping to achieve democratic elections.

The Declaration of Principles also establishes that international election observation should be public and should conduct an impartial, professional, and process-oriented analysis during all stages of the electoral process, through comprehensive, long-term observation, employing appropriate techniques. The analysis should reflect the conditions under which the election is being held, and its conclusions should be impartial so that the recommendations can improve the integrity and effectiveness of electoral processes without interfering in them. It recognizes that each state is called on to determine the credibility and legitimacy of its electoral processes and establishes that the role of the observation process is to report on compliance with international principles and domestic law in this area.

The Declaration of Principles also determines the role of international electoral observation organizations in relation to the government of the host country and its national authorities (including electoral bodies), the political actors in the process, and citizens, as well as other national and international electoral observation organizations. It also touches on suitable

⁴⁸ The Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers are technical, nonbinding instruments. However, the organizations that endorsed them have committed to use every effort to comply with them.

⁴⁹ Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers (New York, October 27, 2005). Available at: <https://www.oas.org/en/spa/deco/docs/Declaration-of-Principles-for-International-Election-Observation.pdf>

qualities that members of international electoral observation missions should possess. In addition, it includes the minimum guarantees that must be in place so that these Missions can perform their functions.

2. Code of Conduct for International Election Observers⁵⁰

The Code of Conduct lays out the standards of behavior for individuals who carry out international electoral observation. It indicates that international observers' activities must adhere to the principles of objectivity, transparency, and impartiality. It requires participants in a Mission to be aware of the Code of Conduct and to behave in accordance with its provisions, in order to ensure the integrity of election observation.

Among the provisions included in the Code of Conduct are the obligation to respect the sovereignty and laws of the host country, international human rights standards, and the authority of the electoral bodies; to maintain strict political impartiality at all times; to not obstruct election processes; to provide appropriate identification; to maintain the accuracy of observations; to refrain from making comments to the public or the media before the Mission speaks; to cooperate with observers; and to exercise proper personal conduct, among other obligations.

3. Electoral Good Practices Guide for Strengthening Electoral Processes⁵¹

DECO published this Guide in 2021, in compliance with resolution AG/RES. 2931 (XLIX-0/19) of the OAS General Assembly. The text compiles, for the first time, the principles, rights, electoral procedures, and substance of inter-American case law on electoral matters. In addition, it lays out the relevant decisions of the Inter-American Juridical Committee, the Inter-American Commission on Human Rights, and the Inter-American Court of Human Rights, along with resolutions of the OAS General Assembly and Permanent Council. It also includes recommendations that have come out of OAS/EOMs. All of these make the Guide an essential instrument for the effective exercise of democracy.

⁵⁰ Idem.

⁵¹ Available at: https://www.oas.org/documents/eng/press/FV_OEA_good_practices_eng_WEB.pdf

3.

Methodology

OAS/EOMs have methodological tools at their disposal to observe electoral processes in a comprehensive, systematic, and objective manner. This enables them to develop standardized technical recommendations that contribute to the improvement of electoral processes in the countries where Missions are deployed.

The OAS observation methodology has been built on the foundation of the fundamental rights and international standards derived from general principles contained in the instruments of the inter-American and universal human rights systems, as well as from interpretative criteria developed by the highest-level bodies of the inter-American system. Based on this foundation, democratic elections are considered to be those that comply with four basic attributes: (1) they must be inclusive, (2) they must be clean, (3) they must be competitive, and (4) the main public offices must be filled through periodic elections.

These four basic attributes, in turn, are broken down into multiple components used to evaluate aspects of the electoral process, such as civil registration, voter registration, access to the polling station, casting of ballots, integrity of voter preferences, accurate recording of voter preferences, respect for the right to run for public office, and equal opportunities, among other factors.

It is important to mention that OAS/EOMs also analyze other attributes that support the conduct of democratic elections, which are detailed in the upcoming sections.

Both the OAS electoral observation methodology and its thematic methodologies provide a standardized, rigorous, and objective analytical framework for electoral observation. This framework allows for a serious study of electoral processes based on documented evidence, provides criteria for comparing elections within the same country, and monitors the implementation of the recommendations made by OAS/EOMs.

The thematic methodologies allow for an in-depth, crosscutting analysis of different aspects of an electoral process, such as the electoral justice system, political-electoral financing, electoral participation of indigenous and Afro-descendent peoples, and gender mainstreaming in OAS/EOMS.⁵²

This last methodology allows for a crosscutting analysis of all aspects of the electoral process mentioned above, focusing on the conditions in which women participate in political life as voters, as candidates, and in the organization of the election. When appropriate, the methodology developed to observe specific aspects of direct democracy exercises is applied.

52 The respective manuals on these subjects are available on the DECO website. Available at: <https://www.oas.org/en/spa/deco/Publicaciones.asp>

These methodologies are implemented by the OAS/EOM's team of specialists under the guidance of a specialists' coordinator. The specialists analyze the regulatory framework of the host country in their area of expertise and meet with electoral officials, political actors, academics, and civil society representatives, among others. The specialists' reports provide essential input for the preparation of the Missions' reports.

Another key input for OAS/EOM reports is the Election Day Questionnaire, which includes a series of questions related to the opening of the polling station,⁵³ the voting process, and the closing of the polling station. This instrument makes it possible to monitor critical aspects of Election Day and generate a representative sample for the purpose of preparing a quantitative analysis of the process. The questionnaire is implemented by the short-term international observers⁵⁴ and regional coordinators under the guidance of the Mission's general coordinator, and its results are analyzed by the Mission's Core Group.

53 The terms used for polling stations may vary from country to country.

54 Short-term international observers are deployed the week before the election. The focus of their work is on the final preparations and on what happens on Election Day.



A. INTERNATIONAL STANDARDS

The OAS observation methodology and the concept of democratic elections adopted by the OAS have been built on the foundation of international standards in this area. These include general principles contained in treaties or other international or inter-American instruments, as well as criteria that the IACHR and the Inter-American Court have developed for interpreting such precepts.

International standards make it possible to establish a point of reference for observing electoral processes in different political contexts and with different electoral rules, while allowing for comparisons between the recommendations proposed by the Missions.

A good source for identifying these standards is the Electoral Good Practices Guide⁵⁵ prepared by DECO, which brings together the principles, rights, electoral procedures, and the substance of inter-American case law on electoral matters. It also includes decisions of the Inter-American Juridical Committee, the IACHR, the Inter-American Court, and the resolutions of the OAS General Assembly and Permanent Council.

The following section summarizes some of the main instruments that OAS/EOMs use as a reference, drawing from both the inter-American and universal systems.

1. Inter-American System

The IADC states that “electoral observation missions shall be carried out in accordance with the principles and norms of the OAS.”⁵⁶ For this reason, the basic criteria used by OAS/EOMs are derived directly from the instruments developed and subscribed to by OAS member states within the framework of the inter-American human rights system. The Missions also use as a reference the criteria established by the Inter-American Court through its judgments and advisory opinions, as detailed in the Electoral Good Practices Guide for Strengthening Electoral Processes.

The inter-American human rights system has set forth the rights and freedoms directly linked to electoral processes primarily in three documents: the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights (“Pact of San José”) and the

⁵⁵ Available at: https://www.oas.org/documents/eng/press/FV_OEA_good_practices_eng_WEB.pdf
⁵⁶ Inter-American Democratic Charter, Article 24.

Inter-American Democratic Charter (Table 1). These documents, in turn, serve as the basis for resolutions, agreements, or executive orders of the OAS General Assembly, Permanent Council, and General Secretariat.

The Missions also use as a reference the criteria established by the Inter-American Court through its judgments and advisory opinions and by the IACHR through its official documents.

TABLE 1.
ELECTORAL RIGHTS ENSHRINED IN INSTRUMENTS OF THE INTER-AMERICAN SYSTEM

	RIGHTS	AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN [1948]	AMERICAN CONVENTION ON HUMAN RIGHTS [1969]	INTER-AMERICAN DEMOCRATIC CHARTER [2001]
1	Right to democracy			Article 1
2	Right to participate in government	Article 20	Article 23	
3	Periodic elections	Article 20	Article 23	Article 3
4	Free elections	Article 20		Articles 3 and 23
5	Fair elections			Articles 3 and 23
6	Universal and equal suffrage	Article 20	Article 23	Article 3
7	Secret ballot	Article 20	Article 23	Article 3
8	Honest elections	Article 20		
9	Right to participate directly in government	Article 20	Article 23	
10	Right to access power			Article 3
11	Full and equal participation of women			Article 28
12	Pluralistic system of political parties and organizations			Article 3
13	Right to security	Article 1	Article 7	
14	Balanced and transparent campaign financing system			Article 5
15	Free press			Article 4
16	Transparency in government activities			Article 4

	RIGHTS	AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN (1948)	AMERICAN CONVENTION ON HUMAN RIGHTS (1969)	INTER-AMERICAN DEMOCRATIC CHARTER (2001)
17	Right to file claims/lawsuits	Article 24		Article 8
18	Freedom of association	Article 22	Article 16	Article 3
19	Right of assembly	Article 21	Article 15	
20	Freedom of expression/speech	Article 4	Article 13	Article 4
21	Freedom of movement	Article 8	Article 22	
22	Access to basic civil rights	Article 17		
23	Right to equality	Article 2		
24	Elimination of all forms of discrimination		Article 1	Article 9
25	Respect for human rights			Article 3
26	Rule of law			Articles 3 and 4
27	Fundamental freedoms			Article 3

Source: Electoral Good Practices Guide for Strengthening Electoral Processes, p.10.

a) American Declaration of the Rights and Duties of Man⁵⁷

This was the first international declaration on human rights, approved in 1948, on the occasion of the Ninth International Conference of American States, and it recognizes the right to vote and to participate in government. It also states that all persons with legal capacity are entitled to participate in the government of their country, directly or through their representatives, and to take part in democratic elections, which shall be by secret ballot and shall be genuine, periodic, and free.

b) American Convention on Human Rights (“Pact of San José”)⁵⁸

Signed in 1969, the American Convention establishes the foundations of the inter-American system for the promotion and protection of human rights. It recognizes civil, political, economic, social, and cultural rights. With regard to the latter group, the states parties undertake to institute a system of progressive implementation of rights. The American Convention also creates the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights.

⁵⁷ Available at: https://www.oas.org/dil/access_to_information_human_right_American_Declaration_of_the_Rights_and_Duties_of_Man.pdf

⁵⁸ Available at: http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm

The political rights granted to citizens include the right to take part in the conduct of public affairs, directly or through freely chosen representatives; the right to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of voters; and the right to have access, under general conditions of equality, to the public service of their country.

c) Inter-American Democratic Charter⁵⁹

The Democratic Charter was adopted by the OAS General Assembly in 2001. It includes chapters that focus on democracy and human rights, democratic institutions, democratic culture, and electoral observation missions, among other topics. It recognizes OAS/EOMs as instruments for strengthening and developing electoral institutions and processes in OAS member states.⁶⁰

According to the Democratic Charter, essential elements of representative democracy include, among others, respect for human rights and fundamental freedoms; access to and the exercise of power in accordance with the rule of law; the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people; the pluralistic system of political parties and organizations; and the separation of powers and independence of the branches of government.

The Inter-American Democratic Charter recognizes that the strengthening of political parties and other political organizations is a priority for democracy. It suggests paying special attention to the problems associated with the high costs of election campaigns and the establishment of a balanced and transparent system for their financing.

The Democratic Charter is also emphatic in its commitment to inclusion in order to strengthen democracy and citizen participation, particularly establishing that “States shall promote the full and equal participation of women in the political structures of their countries as a fundamental element in the promotion and exercise of a democratic culture.”⁶¹ In this regard, it provides for the elimination of all forms of discrimination, especially gender, ethnic, and race discrimination, as well as diverse forms of intolerance. It calls for the promotion and protection of human rights of indigenous peoples and migrants, and respect for ethnic, cultural, and religious diversity in the Americas.

d) Criteria Established by the Inter-American Court of Human Rights⁶²

OAS/EOMs also carry out their observation taking into account the opinions of the Inter-American Court of Human Rights. This body exercises jurisdictional competences that include the review of judgments issued by national courts and the resolution of contentious cases. For international electoral observation, it is essential to take into consideration the jurisprudence on political and electoral rights.

⁵⁹ Available at: https://www.oas.org/OASpage/eng/Documents/Democratic_Charter.htm

⁶⁰ Inter-American Democratic Charter, Article 23.

⁶¹ Article 28.

⁶² See: <https://www.corteidh.or.cr/index.cfm?lang=en>

The advisory opinions issued by the Inter-American Court are also relevant inasmuch as they guide the interpretation of the American Convention or treaties concerning the protection of human rights in the region and the compatibility of member states' domestic laws with the American Convention. Where applicable, official documents issued by the IACHR are also taken into account.

2. Universal System

One of the most relevant instruments for electoral observation is the Universal Declaration of Human Rights,⁶³ which establishes the right of people to take part in the government of their country, directly or through freely chosen representatives. It recognizes that the will of the people is the basis of the authority of government and is expressed in genuine elections to be held periodically by universal and equal suffrage and by secret vote.

Similarly, the International Covenant on Civil and Political Rights⁶⁴ recognizes the rights to take part in the conduct of public affairs; to vote and to be elected at genuine periodic elections by universal and equal suffrage and secret ballot; and to have access, on general terms of equality, to public service in the country.

Other international treaties recognize political rights granted to certain population groups or collectives. These include the International Convention on the Elimination of All Forms of Racial Discrimination,⁶⁵ the Convention on the Elimination of All Forms of Discrimination against Women,⁶⁶ the Convention on the Rights of Persons with Disabilities,⁶⁷ and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,⁶⁸ among other instruments.

⁶³ Available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

⁶⁴ Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

⁶⁵ Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>

⁶⁶ Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

⁶⁷ Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>

⁶⁸ Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant-workers>

B. CONCEPT OF DEMOCRATIC ELECTIONS

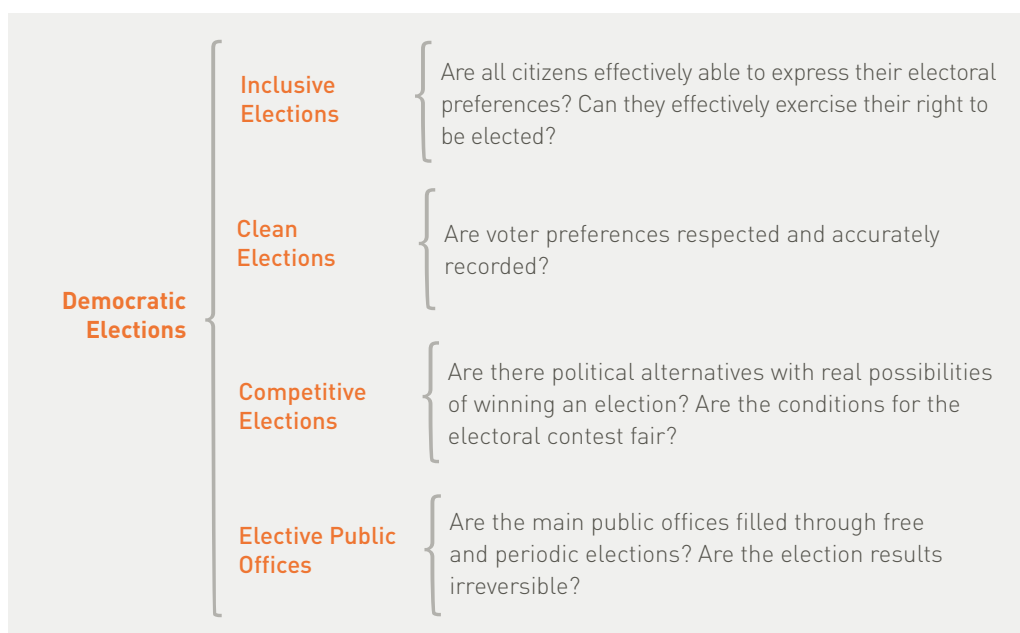
The concept of democratic elections used by the OAS to observe elections is built on the foundation of the fundamental rights established in the legal instruments of the inter-American human rights system. (See Box 1 and Diagram 1.)

BOX 1. DEMOCRATIC ELECTIONS

Elections are considered democratic when they have four basic attributes.

- 1) The elections are **inclusive**: All citizens are effectively able to exercise their political-electoral rights, including the possibility to vote and to stand for election.
- 2) The elections are **clean**: Voter preferences are respected and accurately recorded.
- 3) The elections are **competitive**: The electorate has a set of political options with real possibilities of being elected under fair conditions.
- 4) The main **public offices** are filled through free and periodic elections, and the results of the elections are irreversible.

DIAGRAM 1. DEMOCRATIC ELECTIONS



With respect to the attribute of **inclusive elections**, it is important that the right to universal suffrage by secret ballot be recognized by law and can be properly exercised in practice. Likewise, consideration should be given to whether or not there are obstacles in place that prevent certain population groups from effectively exercising their right to participate in the electoral process and to run for office.

In terms of **clean elections**, the key issue is to ensure the integrity of the voter's will, which must be accurately recorded.

The attribute of **competitive elections** considers that citizens have the right to run for public office and can compete without fearing for their physical safety. This should occur on an equal opportunity basis, with due respect for free access to information and the freedoms of the press, association, assembly, expression, and movement. A competitive election also assumes that there are different options from which to choose and conditions of fairness in place to ensure that the electorate can learn about the various proposals and candidates. For the latter to happen, the issue of campaign financing and regulation is critical.

Finally, with regard to **elective public office**, it is essential that positions are filled by means of free and periodic elections and that the results of the elections are irreversible.

Table 2 lays out the components and subcomponents of the four attributes of democratic elections.

TABLE 2.
CONCEPT OF DEMOCRATIC ELECTIONS IN MORE DETAIL

ATTRIBUTE	COMPONENT	SUBCOMPONENT	ISSUES AT STAKE
1. Inclusive elections	1.1 Universal and equal suffrage		Who is allowed to vote?
	1.2 Conditions for the use of the right to vote	Registration	Are there any legal or other hurdles to register to vote?
		Electoral roll	Is the information on the electoral roll accurate?
		Polling station access	Are there any legal or other hurdles to get to a polling station or otherwise cast a ballot?
		Voting	Were all eligible and willing voters able to cast their ballots, and did they do so in accordance with their preferences?
	1.3 Fairness in the exercise of the right to stand for election	Effective participation	Are measures taken to implement the principle of gender equality in the registration of candidates, as well as in the composition of elective public bodies?
		Affirmative action	Are there institutional measures in place to ensure that historically underrepresented groups can compete for public office?

ATTRIBUTE	COMPONENT	SUBCOMPONENT	ISSUES AT STAKE
2. Clean elections	2.1 Integrity of voter preferences	Free suffrage	Are voters able to cast their ballots without any outside pressure or fear of reprisals?
	2.2 Faithful recording of voter preferences		Are tests and simulations done to evaluate and make transparent the technologies that are used in the electoral process? Are official results consolidated, transmitted, and disseminated in an accurate, timely, impartial, clear, and transparent manner?
3. Competitive Elections	3.1 Right to run for public office		Are there unreasonable legal hurdles to becoming a candidate?
			Are the grounds for suspension and revocation of candidacies provided for by law, do they pursue a legitimate purpose, and do they meet the requirements of suitability, necessity, and proportionality?
	3.2 Basic guarantees for an election campaign	Equal security	Is the physical security of all candidates and party personnel guaranteed?
		Equal opportunity	Do candidates compete on a level playing field?
		Right to a free press and access to information	Do the voters have access to the information they need to make an informed choice when they cast their ballot?
Freedom of association, assembly, expression, and movement	Are candidates for office and the electorate allowed to organize and interact freely?		
4. Elective public offices	4.1 Regular elections for top offices		Are the main public offices at the national and subnational level filled through regular elections?
	4.2 Irreversibility of election results		Are those who win the elections duly able to take office?

Source: Adapted from Methods for Election Observation: A Manual for OAS Electoral Observation Missions (OAS, 2008), p. 8.

C. OTHER ATTRIBUTES OF DEMOCRATIC ELECTIONS

OAS/EOMs also observe and analyze other elements established in instruments of the Inter-American System that are necessary for the conduct of democratic elections. This Manual does not attempt to list them exhaustively but rather to highlight those that are essential in the context of an election.

1. Independent and Impartial Electoral Authority

The performance of electoral authorities, both administrative and jurisdictional, has a significant impact on the electoral process and therefore should be examined as part of an assessment of the quality of an electoral process.⁶⁹ In this sense, it is important for electoral bodies to be “independent as regards their ability to decide and act, without their performance being subject to any governmental, political, or other influence.”⁷⁰

As a result, observation missions analyze whether there is an independent electoral authority that guarantees that the process is conducted fairly and impartially. This analysis does not imply an evaluation or position regarding the way the electoral authority is constituted (method of appointment or composition), a matter on which there is no defined international standard.⁷¹ More than the specifics of the mechanisms implemented for designating the arbiter of elections, what is relevant is whether its independence is guaranteed.

2. Sufficient and Timely Budget

OAS/EOMs observe whether electoral bodies have sufficient funds and whether these are allocated in a timely manner to cover the costs associated with organizing and adjudicating an election. Missions analyze whether the electoral authorities have their own budget,⁷² whether they participate in preparing it, and whether they have exclusive control over it. This condition is essential to ensure that the arbiters of elections are independent and do not rely on decisions that may be made unilaterally by the executive branch, the legislative branch, or any other public body.⁷³

⁶⁹ Methods for Election Observation: A Manual for OAS Electoral Observation Missions (OAS, 2008), p. 9.

⁷⁰ Electoral Good Practices Guide for Strengthening Electoral Processes (OAS, 2021), p. 32.

⁷¹ General Comment No. 25 of the United Nations Human Rights Committee on Article 25 of the International Covenant on Civil and Political Rights.

⁷² Electoral Good Practices Guide for Strengthening Electoral Processes (OAS, 2021).

⁷³ Guarantees for the Independence of Justice Operators: Towards Strengthening Access to Justice and the Rule of Law in the Americas, Inter-American Commission on Human Rights, OEA/Ser.L/V/II. Doc.44, December 5, 2013, paras. 49-55.

3. Effective Judicial Guarantees

The principle of legal certainty is fundamental in any democratic electoral process. Citizens, political parties, candidates, and other political actors have the right to know in advance the legal framework that applies to the electoral process.

OAS/EOMs observe whether there is a clearly defined regulatory framework and the degree of compliance with it. If a regulatory change was made prior to the electoral process, they observe whether the competent authority made the change far enough in advance and publicized it sufficiently. They also observe the compatibility of electoral reforms with the rest of the national legal framework and, if applicable, with international law.

In any democratic election, it is also essential that the means exist to challenge electoral decisions and actions, so that those who feel their rights have been violated can seek redress.⁷⁴ Therefore, OAS/EOMs analyze whether electoral laws provide for reasonable and timely mechanisms for filing challenges and complaints; evaluate who is in a position to activate these mechanisms; and identify whether or not there are formal or financial requirements that would stand in the way of their effective implementation.

4. Unbiased Districting

The districting process, used to define the size and territorial boundaries of electoral districts, has a decisive impact on how the votes cast by citizens translate into public offices. The proper implementation of the districting process is central to electoral competition. Practices which involve redrawing the boundaries of districts to benefit or disadvantage a certain political camp, create bias in the electoral system.

OAS/EOMs analyze how the districting process is regulated in the country being observed, what principle is followed for setting the boundaries of districts (territorial representation or population representation), what authority is in charge of carrying out this process, and how independent that authority is. Districts or constituencies should be determined prior to the elections and should be based on objective, clear, measurable, impartial, and technical criteria.

Table 3 summarizes the other attributes of democratic elections.

⁷⁴ Universal Declaration of Human Rights (1948), Article 8; American Declaration of the Rights and Duties of Man, Article XVIII; General Comment No. 25 of the United Nations Human Rights Committee on Article 25 of the International Covenant on Civil and Political Rights (1996).

TABLE 3.
OTHER ATTRIBUTES OF DEMOCRATIC ELECTIONS

ATTRIBUTES	ISSUES AT STAKE	RELEVANT INFORMATION
Independent and impartial electoral authority	Do the actions of the electoral authority promote a fair and impartial process?	The electoral authority is independent and can oversee the electoral process and ensure that it is implemented impartially.
Sufficient and timely budget	Is the budget granted in a timely manner and is it sufficient for the conduct of the election?	The competent authorities grant sufficient resources and provide them to the electoral authorities in a timely manner for the conduct of the election.
Effective judicial guarantees	Do the relevant political actors have certainty about the regulatory framework that applies to the electoral process? Is it possible to challenge the principal actions and decisions in the electoral process?	Clear rules applicable to elections are in place. The electoral rules do not change close to the beginning of the electoral process. It is possible to challenge electoral actions and decisions at the different stages of the electoral process.
Unbiased districting	Are electoral districts determined sufficiently in advance of the election, and are they based on objective, clear, measurable, impartial, and technical criteria?	The law establishes clear, objective criteria for determining districts. The process of districting is overseen by an impartial authority. The boundaries or size of the districts are reviewed periodically to avoid imbalances in representation.



D. THEMATIC METHODOLOGIES FOR OBSERVATION

The OAS has developed a series of standardized thematic methodologies for doing an in-depth, crosscutting analysis of various aspects of the electoral process. These include the electoral justice system, political-electoral financing, political participation of women, use of electoral technology, and the electoral participation of indigenous peoples and people of African descent.⁷⁵

These are valuable tools that the OAS has developed based on its concept of democratic elections and on international standards in each of the subject areas. The thematic methodologies are essential to the work of observation because they provide a lens that is both common and specialized through which to analyze elections in the region. This allows the Mission, using standardized criteria, to issue recommendations aimed at improving the quality of electoral processes and institutions in the medium and long term.

In addition, based on the OAS member states' recognition that "promoting and fostering diverse forms of participation strengthens democracy,"⁷⁶ the OAS General Secretariat, through DECO, has deployed several OAS/EOMs to observe different types of exercises of direct democracy in several countries in the region. DECO also has a specific methodological approach on direct democracy mechanisms.

1. Electoral Justice Systems⁷⁷

This methodology defines the concept of electoral justice, examines the inter-American standards that apply, and looks at how the functioning of an electoral justice system affects the quality of an election. It also lays out the different characteristics and indicators that the specialist in electoral justice must consider in an analysis, as well as his or her responsibilities as a member of the OAS/EOM. It also specifies the sources of information that should be taken into account and the steps to follow during each stage of the Mission. Finally, it details the tools available for observation and for the collection, systematization, and presentation of the information that is collected.

⁷⁵ The respective manuals on these subjects are available on the DECO website. <https://www.oas.org/en/spa/deco/Publicaciones.asp>

⁷⁶ Inter-American Democratic Charter, Article 6.

⁷⁷ Available at: <https://www.oas.org/es/sap/deco/Pubs/Manuales/Observing-Electoral-Justice-Systems-a-Manual-for-OAS-Electoral-Observation--Missions.pdf>



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2. Political-Electoral Financing⁷⁸

This methodology provides the conceptual framework on the subject and examines the relationship between the rights embodied in the inter-American human rights system, the concept of democratic elections, and political-electoral financing systems. It establishes that equity and transparency are the main characteristics of the financing systems to be observed and defines relevant indicators and variables. It also contains the methodological framework for observation and establishes the functions of OAS/EOM members and their work in the field, broken down by phases and steps. It also details the tools used to collect and systematize data, including the General Questionnaire on Political-Electoral Financing Systems and templates of the reports that the specialist must prepare. Finally, the methodology includes a glossary with definitions of the basic concepts of political-electoral financing systems.

3. Gender Mainstreaming in EOMs⁷⁹

This methodology enables a Mission to assess compliance with the commitments made by OAS member states, in both national and international legislation, to promote the political participation of women, particularly article 28 of the Inter-American Democratic Charter which establishes that “States shall promote the full and equal participation of women in the political structures of their countries as a fundamental element in the promotion and exercise of a democratic culture.”⁸⁰ Underpinning this approach is the conviction that equality and nondiscrimination are cornerstones of democracy, the rule of law, and full respect for human rights. The methodology lays out a conceptual framework that provides an overview of the principles and precepts on women’s political participation established in the universal and inter-American human rights systems, and explains how a gender perspective is incorporated into the four essential attributes of a democratic election.⁸¹ The methodological framework sets forth the scope and procedures for observation, the data and sources of information, the functions of OAS/EOM members, and the steps to be followed during each stage of observation. Lastly, it describes the necessary tools for observing elections from a gender perspective.

4. Use of Electoral Technologies⁸²

The incorporation of technologies seeks to bring agility, transparency, reliability, and security to every stage of the electoral process (pre-electoral period, election day, and post-electoral period). This methodology covers topics that should be considered in the observation of elections in which technology is a factor. It describes the work methodology for the Core Group in general

⁷⁸ Available at: https://www.oas.org/es/sap/deco/pubs/manuales/MOE_Manual_e.PDF

⁷⁹ Available at: https://www.oas.org/es/sap/deco/pubs/manuales/Manual_gender_e.pdf

⁸⁰ Inter-American Democratic Charter, Article 28.

⁸¹ To be considered democratic, elections must be (1) inclusive, (2) clean, and (3) competitive, and (4) the main public offices must be filled through periodic elections.

⁸² Available at: <https://www.oas.org/es/sap/docs/Technology%20English-FINAL-4-27-10.pdf>

and its electoral technology specialists in particular. It also reviews the various areas in which information technologies can be used to organize and run elections in the context of the three stages of an electoral process. Further, it includes a glossary of terms related to the use of technology in the electoral context and standardized tools for collecting information on this topic, as well as other annexed documents.

5. Electoral Participation of Indigenous and Afro-descendent Peoples⁸³

This methodology provides technical criteria to analyze compliance by OAS member states with the binding obligations, both national and international, that they have entered into to guarantee the protection and exercise of the rights of indigenous peoples and people of African descent. It contains a conceptual framework and a series of indicators on the participation of members of these population groups as voters, as candidates, and in the organization of the electoral process. The methodological framework also spells out the criteria for observation, the structure of the OAS/EOM, and the functions of the specialist in this area. Finally, it provides tools for gathering, systematizing, and presenting information.

6. Direct Democracy Mechanisms⁸⁴

The methodology on this subject covers specific aspects of direct democracy mechanisms, such as their activation mechanism, the formulation of the questions, and the technical and constitutional controls in place in the host country, among others. It offers a conceptual definition of direct democracy mechanisms and categorizes the different existing instruments. It also discusses how direct democracy mechanisms are recognized in different instruments of the inter-American system, as well as their uses in the region. It lays out the observable attributes and conditions of direct democracy mechanisms. Lastly, it provides a methodological framework, tools for observation, and a guide for the presentation of information in the context of an OAS/EOM deployed for a direct democracy mechanism.

⁸³ Available at: https://www.oas.org/es/sap/deco/pubs/Metodologias/OAS_Metodologia_Indig_Afro_Print_E.pdf
⁸⁴ Available at: <https://www.oas.org/es/sap/deco/Pubs/Manuales/OBSERVING-DIRECT-DEMOCRACY-MECH-ANISMS.pdf>

E. SOURCES OF INFORMATION

In the performance of their duties, members of OAS/EOMs turn to different sources of information to obtain a broad and comprehensive perspective on the quality of the electoral process and to implement the various methodologies. The information they gather is analyzed in depth and compared with other sources to determine its reliability. The constitutional and legal framework pertaining to the election being observed, the interviews conducted by the international observers, the information derived from the Election Day Questionnaire, and the information provided by third parties all provide valuable input that allows the Mission to conduct a technical, complete, and professional analysis of the elections.

1. Legal Framework

For rigorous observation, it is necessary to know the rules that apply to the electoral process, whether constitutional, legal, or regulatory in nature. This allows international observers to compare the practices they observe with the content and spirit of the rules that are in place. In the case of direct democracy exercises or subnational elections, it is also necessary to understand the provisions of the applicable national or local legal framework.

2. Meetings

OAS/EOMs hold a series of meetings with key actors in the electoral process, including officials from electoral institutions, representatives of political organizations, candidates, academics, and civil society representatives, among others.

The interviews are a valuable source of information in understanding the perspectives of the various actors regarding the ongoing process, to understand how election preparations are progressing, gather information on the development of the campaigns, consult on judicial decisions regarding the electoral process, and identify issues of concern for participants in the elections.

During these meetings, the members of the Mission do not offer value judgments or opinions but simply ask questions and take note of the information, following the criteria established in this methodology and in the respective thematic methodologies. The interviews may be conducted in person or virtually, depending on the applicable public health and logistical conditions in place, and are carried out in accordance with the relevant criteria issued by the OAS.

3. Election Day Questionnaire

Another primary source of information is the election day questionnaire, which includes a series of questions about how the process is unfolding at three points during the day: at the opening of the polls, at midday, and at the closing of the polls. The questionnaire also documents some observations made immediately after the polls close, related to the vote counting and canvassing process, the transfer of materials, and the transmission of results, among other steps.

Where budgetary and security conditions permit, missions work with a statistics specialist who is in charge of creating a sample of polling stations to provide a quantitative view of the electoral process.

The election day questionnaire is a standardized instrument that makes it possible to compare the information obtained during an electoral process with what was observed in previous elections in the same country or other countries. However, depending on the situation and the particularities of each election, adjustments are made to the questionnaire to collect information on a particular procedure or topic.

4. Media and Other Sources of Information

An OAS/EOM will also use information available in the media or produced by other international agencies or civil society organizations, among other relevant actors, to guide its observation and to have a broad overview of the conditions that make it possible to hold democratic elections in the country being observed. This information is analyzed by both the Mission's leadership⁸⁵ and the specialists to supplement their analyses, following strict standards of reliability and under the guidance of the applicable observation methodologies.

⁸⁵ The Mission's leadership is the team comprising the Chief of Mission and the persons who make up his/her closest work circle.



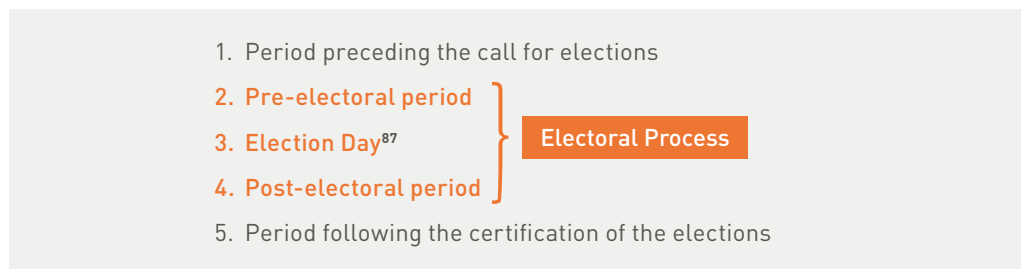
The Electoral Cycle as the Subject of Observation

OAS/EOMs understand elections as part of an ongoing process, rather than isolated activities. The electoral cycle⁸⁶ is a logical sequence of steps connecting one election to the next. This approach offers a continuous and comprehensive perspective for analyzing and observing the development of electoral processes in member states (Diagram 2).

The notion of the electoral cycle is based on the premise that before the **electoral process** begins, a series of activities take place that have a bearing on how it will unfold; these may include the drafting and approval of legislation, voter registration, registration of political parties, and other activities. The cyclical approach also assumes that other activities that take place after the electoral process is over will help shape the next cycle; these may include the inauguration of elected representatives, the analysis and review of the electoral process that was held, and eventual electoral reforms or institutional or procedural improvements.

Although OAS/EOMs primarily carry out their observation activities during the electoral process, their comprehensive analysis also includes events prior to and after the electoral process itself.

DIAGRAM 2.
STAGES OF THE ELECTORAL CYCLE



The pre-electoral period, the day of the election, and the post-electoral period make up what is called the electoral process. It is in this phase that OAS/EOMs carry out their direct observation activities. Although Missions formally begin their activities with the OAS Secretary General's acceptance of the host country's invitation, their work covers everything from the electoral authority's call for elections, through Election Day, to the certification of the election, the declaration of validity of the election and/or official proclamation of the results by the electoral authorities.

⁸⁶ This concept was developed jointly by the European Commission, International IDEA, and the United Nations Development Programme (UNDP). See UNDP Electoral Assistance Implementation Guide (UNDP, New York, 2007). Available at: http://content-ext.undp.org/aplaws_publications/2219667/UNDP-Electoral-Assistance-Implementation-Guide.pdf

⁸⁷ Point 5 of the Declaration of Principles for International Election Observation calls on observer missions "to make concerted efforts to place the election day into its context and not to over-emphasize the importance of election day observations."

Prior to the call for elections and following certification of the results, the OAS/EOM does a general analysis of the events that set the stage for the electoral process and have an impact on how it unfolds. These may include enforcement of current legislation and issuance of new legislation (new laws as well as amendments to those already in force); recruitment of personnel; logistical planning; development of technologies; registration of voters, candidates, and political parties; and budgeting, among other issues.



A. PERIOD BETWEEN CERTIFICATION OF ONE ELECTORAL PROCESS AND THE CALL FOR THE NEXT

The period of time from the certification of one election to the call for the next electoral process is a long one. The Mission's analysis of this time frame includes the most relevant issues or those with a direct impact on the development of the electoral process. The Mission looks at whether there is enforcement of current electoral regulations, whether electoral reforms have been put in place, and whether recommendations made by previous Missions to the country have been implemented.

1. Enforcement and Reform of Electoral Regulations

The Mission analyzes enforcement of current electoral regulations and their reforms, as well as the issuance of any new legislation before the call for elections, and any effect this could have on the development of the electoral process. This could include substantial amendments to the Constitution and laws, as well as lower-ranking rules, including decisions issued by the electoral authority. During the course of the electoral process, it is not advisable to make substantial changes to the relevant legal framework that could distort procedural guarantees.⁸⁸ Legal certainty is based on having clear, certain and public rules in place that cannot be altered once the electoral process has started.⁸⁹

Electoral regulations include those related to the designation of electoral authorities, the drawing of electoral districts, voter registration and the creation of the electoral roll, the allocation of seats, the registration of political parties and candidates, political financing, electoral observation, and procedures related to voting and vote counting. Other aspects that must be taken into account include regulations to ensure the participation of historically underrepresented groups, as well as rules for handling and reviewing complaints. When analyzing the period before the call for elections, the OAS/EOM considers whether recommendations made by previous Missions in the country have been implemented.

⁸⁸ Electoral Good Practices Guide for Strengthening Electoral Processes (OAS, 2021), p. 16.

⁸⁹ *Ibidem*, p. 43.

2. Functions and Composition of the Electoral Authorities

Depending on the electoral model adopted by the host country, the electoral authority may exercise both administrative and jurisdictional functions; alternatively, these may be separate roles under the responsibility of different authorities. In its administrative function, the electoral authority is in charge of organizing and managing the electoral process, while in its jurisdictional function it is in charge of the protective means and mechanisms designed to uphold the principles of free, fair, and legitimate elections and to safeguard the political-electoral rights of all people.⁹⁰

Depending on the situation and the potential impact on the process to be observed, the Mission may choose to examine the process used to designate the electoral authority or authorities, focusing on whether or not the regulatory framework for the designation was respected and whether the process was geared toward creating an independent and impartial body. OAS/EOMs also observe whether there is parity in the composition of the electoral authority or authorities, or whether people of indigenous or African descent are included.

Electoral bodies must be “independent as regards their ability to decide and act, without their performance being subject to any governmental, political, or other influence.”⁹¹ In this context, and in line with international standards, the Mission examines whether there is an “independent electoral authority ... to supervise the electoral process and to ensure that it is conducted fairly [and] impartially....”⁹² Sometimes it is also relevant to review the designations and powers of public prosecution offices specialized in electoral matters.

3. Planning and Budgeting

OAS/EOMs also examine whether the electoral authority has budgetary autonomy and whether it has sufficient funds for its operation within the framework of the electoral process. The planning of the electoral process usually takes place the year before the call for the election and in some cases, even before that. The preparation of the budget also tends to be completed in the previous fiscal cycle, so that at the beginning of the electoral process there is certainty about the availability of resources.

In the observation process, OAS/EOMs take into consideration electoral plans and programs and how they are funded by the competent authorities. The purchase, contracting or receipt as donation of essential materials, software, and equipment before the electoral process begins, are also subject to observation because of the importance of these factors in how the elections are carried out.

⁹⁰ Orozco Henríquez, José de Jesús (2013), *Electoral Justice: The International IDEA Handbook*, ed. International IDEA et al. In *Observing Electoral Justice Systems: A Manual for OAS Electoral Observation Missions* (OAS, Washington D.C., 2019, p. 14).

⁹¹ *Electoral Good Practices Guide for Strengthening Electoral Processes* (OAS, 2021), p. 32.

⁹² United Nations. General Comment No. 25 of the United Nations Human Rights Committee on Article 25 of the International Covenant on Civil and Political Rights (1996).

4. Register of Electors and Electoral Roll

The register of electors contains data on everyone who is eligible to vote and is updated regularly. The electoral roll or voters' list, meanwhile, is derived from the register of electors and contains the data of voters who are eligible to participate in a specific electoral process. Usually, both the register of electors and the electoral roll or voters' list are updated and completed before the electoral process begins. The OAS/EOM observes whether there are clearly specified criteria to determine who is eligible or qualified to exercise his or her right to vote and who is not, and whether these criteria are enforced. In addition, the Mission gathers and analyzes information on the procedures for creating, updating, and purging both the registration records and the voter rolls.

5. Registration of Political Groups

This process fulfills the right to take part in the conduct of political affairs, the right to be elected in democratic elections, and the right to have access to power as an essential element of representative democracy.⁹³ The OAS/EOM observes this process, if applicable, to identify any discriminatory or arbitrary application of existing national laws or international standards in this area. It examines the laws regulating the creation, dissolution, or operation of political groups (whether they are political parties, alliances, coalitions, movements, or other arrangements authorized by law), as well as the procedures included in the law for reinstating rights that have been infringed upon, in the event of an impediment to the registration of a particular political group or candidate. The list of registered political groups is usually updated before the electoral process begins.


6. Districting

The boundaries for electoral districts are usually determined by population census figures and/or information provided through the electoral registration process. In systems that use representation based on multiple districts or constituencies, the territorial demarcation process must ensure a balance between the number of voters and representatives. This is especially the case in parliamentary systems, where the district is the basis for legitimacy. It is recommended that districts or constituencies be pre-established and be based on objective, clear, measurable, impartial, and technical criteria rooted in the principles of proportionality, the equality of each vote, territorial representation, and representation based on population density.⁹⁴ If they believe it is necessary, OAS/EOMs also examine which institutions carried out this process and how they did so.

⁹³ American Convention on Human Rights, Article 23(a) and (b); Inter-American Democratic Charter, Article 3; and International Covenant on Civil and Political Rights, Article 25.

⁹⁴ Electoral Good Practices Guide for Strengthening Electoral Processes (OAS 2021), p. 45.



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B. ELECTORAL PROCESS

The electoral process, with its three phases (pre-electoral period, Election Day, and post-electoral period), begins with the call for elections and ends with their certification, the declaration of validity of the election and/or official proclamation of the results made by the electoral authorities.

1. Pre-Electoral Period

This phase begins with the call for elections and ends on Election Day. During this period, OAS/EOMs observe matters related to election preparations and political aspects such as monitoring compliance with the electoral calendar. The presence of the OAS/EOM in the pre-electoral period is limited by the date the host country sends the invitation and the ability to secure funding for the Mission.

The following are some of the elements that are observed during this stage:

a) Performance of the Electoral Authority

The electoral authority is the institution or institutions in charge of the organization and management of electoral processes and the exercise of electoral jurisdiction.

OAS/EOMs observe how the following functions are carried out:

- **Compliance with the electoral calendar:** The Mission observes the design and implementation of activities for the systematic organization of the electoral process, in accordance with the dates established by the competent authority.
- **Electoral organization:** The Mission observes the preparation and distribution of voting materials, designation of voting centers and polling stations, distribution and display of the electoral roll, summoning of polling station members, accreditation of party poll watchers, and the chain of custody to safeguard sensitive materials used during the elections (tally sheets and ballots), among other activities.
- **Candidate registration:** This process determines the degree of openness and transparency of the elections. The Mission observes this process carefully and pays special attention to the certification of candidates, the implementation of affirmative action in the composition of candidate slates (if applicable), eligibility requirements and their enforcement, and eventual disqualifications or exclusions. The latter are analyzed based on the domestic laws of the country being observed and the criteria established by the Inter-American Court to determine their admissibility.

- **Simulations and tests of the results transmission system:** The Mission observes the systems to be used for the processing, transmission, and publication of preliminary and final results. If possible, the Mission's electoral technology specialists attend the simulations and tests of the systems and examine their execution and scope, whether they meet the planned objectives, and what adjustments must be made based on the results of the tests.
- **Election information campaigns:** Efforts made by the electoral authorities to disseminate information related to the electoral process are observed, specifically whether citizens have the information they need to vote responsibly and whether they are aware of the basic procedures and political choices. The Mission also examines whether the authorities have the institutional capacity they need to deal with possible disinformation campaigns.⁹⁵
- **Training for members of polling stations:** The Mission observes the training logistics, content, tools used, scope of the training, and the authority in charge (electoral authority, political groups, or both).
- **Voting abroad:** When applicable, the Mission observes the interaction between the electoral authority, the Ministry of Foreign Affairs, and consulates or other authorities; the registration of voters living abroad; the delivery of materials and documentation; the composition of polling stations; the development of campaigns outside the territory of the country being observed; and, if applicable, any tests and simulations of voting technology systems.

b) Security of the Process

The Mission observes the conduct of the armed forces, law enforcement, and security forces in their role of providing a safe environment for the elections. In the event that there are additional reasons to believe that security conditions may affect the normal development of the electoral process, the Mission also collects information on election-related violence. OAS/EOMs understand electoral violence as any form of intimidation or physical violence directed against those involved in the electoral process, the interruption of the electoral process, or damage to election materials that affect the free and transparent conduct of the electoral process and/or influence its results. They also examine whether there are programs to prevent and address such violence, such as protection arrangements for candidates and security protocols during campaigns, among other issues.

c) Activities of Political Actors

OAS/EOMs observe the election campaigns, the various campaign activities, the general climate of electoral competition, the levels of access to the media, the dissemination of available proposals, the candidates' statements, and campaign financing,⁹⁶ among other activities. They

⁹⁵ See Guide to Guarantee Freedom of Expression regarding Deliberate Disinformation in Electoral Contexts [OAS, Washington, D.C. 2019]. Available at: https://www.oas.org/en/iachr/expression/publications/Guia_Desinformacion_VF%20ENG.pdf

⁹⁶ See OAS, Observing Political-Electoral Financing Systems: A Manual for OAS Electoral Observation Missions, 2012.

also observe the role of the government, in the event that the laws in effect grant it a supporting role in the electoral process, and whether or not its actions have an impact on the fairness of the contest.

d) Campaigns, Media and Digital Communication

The Mission observes the rules governing the work of public and private media outlets during the electoral process and the levels of access that the different contenders have to their services. An analysis is also made of the rules governing the dissemination of opinion surveys and the companies that carry them out. Since campaigns are increasingly using social media to make the candidates and their proposals known, as well as to compete with other political organizations, OAS/EOMs observe how these platforms are used, the type of discourse and content promoted by candidates, and whether or not there are deliberate disinformation campaigns on these networks.

Similarly, electoral authorities are turning increasingly to social networks to inform the main actors and the general public about the electoral process, to disseminate legislation and administrative and judicial decisions, and to publicize preliminary and final election results, among other things. The Mission observes how electoral authorities are using these platforms, the type of information being disseminated, and its relevance and effect on the development of the electoral process.

e) Activities of Social Organizations

OAS/EOMs take note of activities carried out by social organizations that participate in the electoral process through get-out-the-vote efforts, national electoral observation, the organization of debates, and campaigns to promote civic education and information on the electoral process, along with other activities.

f) Political Participation of Specific Groups

The Mission observes under what conditions and to what extent population groups that have historically been underrepresented in political activity participate in the electoral process. Such groups include women, indigenous people, people of African descent,⁹⁷ and members of the LGBTTTQIA community,⁹⁸ among others. The OAS/EOM examines any obstacles preventing them from being included on the electoral rolls or being able to run as candidates in primaries or general elections, as well as any incidents of electoral violence directed against them. Barring budgetary restrictions, OAS/EOMs include a specialist in the political participation of women.⁹⁹

⁹⁷ See *Observing the Electoral Participation of Indigenous Peoples and Afrodescendants: A Manual for OAS Electoral Observation Missions*, 2015.

⁹⁸ Lesbian, gay, bisexual, transsexual, transgender, transvestite, queer, intersex, and asexual.

⁹⁹ See *Manual for Incorporating a Gender Perspective into OAS Electoral Observation Missions*, 2013.

2. Election Day

On the day of the election, the Mission deploys international observers across the host country, thereby increasing its visibility. Efforts are made to observe the voting process in different electoral districts and voting centers.

Throughout the day, the short-term international observers and regional coordinators collect information using the Election Day Questionnaire and communicate with the Mission's call center to transmit the collected data for tabulation and consolidation.

In addition, the short-term international observers keep their regional coordinators constantly informed, and the coordinators in turn inform the general coordinator about any incidents that may arise on election day. The general coordinator keeps the OAS/EOM leadership informed about how the election is proceeding in real time.

Although there is usually a single voting day on which most ballots are cast, the region has gradually been implementing early voting to capture votes cast by citizens living abroad, persons with disabilities, or persons deprived of liberty. There are also countries that have offered the option of early voting to the general public to facilitate the casting of ballots. OAS/EOMs also monitor the voting process in all these cases.

Observation on election day covers the opening of the polling stations, the voting itself, the vote count, the tabulation and transmission of results to the regional and national tally centers, and the dissemination of results.

a) Voting Process

Voting is the individual, secret act by means of which a person expresses his or her support or preference for a particular electoral choice, or for one of the options submitted for consultation in the case of direct democracy exercises. The Election Day Questionnaire completed by short-term international observers is specifically designed to collect information at three junctures considered crucial: the installation and opening of polling stations, the progress of voting halfway through the day, and the closing of polling stations and the vote count. The questionnaire may be modified to include aspects the OAS/EOM considers relevant in a given electoral process and to adapt it to the context of each election.

Because of the need to transmit information and communicate about the events being observed in real time, there is a constant flow of information between short-term international observers and their respective regional coordinators. This information is consolidated and delivered to the OAS/EOM leadership.

These are some of the factors observed on the day of voting:

- Composition of polling stations (with the designated members or their substitutes)
- The set-up of polling stations
- Basic voting procedures
- Design of ballots and voter education
- Security and access to voting centers
- Presence and performance of members of polling stations
- Presence and performance of party poll watchers
- Presence of other international or national observers
- Potential proselytizing activities at voting centers
- Possible acts of intimidation, fraud, or violence
- General order maintained inside and outside voting centers
- Respect for the secrecy of the ballot
- Number of voters registered for each polling station.
- Voter turnout and flow

Information on the different roles that citizens may perform on election day (polling station members, witnesses, observers, etc.) is collected and disaggregated by gender. In addition, depending on the situation and the composition of the Mission, data may be collected on the participation in these roles by specific groups, including indigenous peoples and people of African descent.



b) Vote Counting at Polling Stations

The vote-counting process is done at polling stations and includes the examination of votes to determine their validity; the counting process; and the formal recording of the results on a tally sheet, in compliance with certain formalities established by the law. During this process, OAS/EOMs observe the following areas, among others:

- Compliance by members of the polling station with electoral rules.
- Number of valid, invalid, and/or challenged votes.
- Legitimacy of procedures used to determine that a vote is invalid, in accordance with the host country's election laws.
- Legitimacy of procedures used to determine challenged votes, in accordance with the host country's election laws.
- Observers' access to the vote-counting process.
- Access by poll watchers and/or party delegates.
- Security conditions during the vote count.

c) Transmission and Tabulation of Results

The transmission of preliminary results consists of the communication process established between the voting centers and the counting centers that are set up to tabulate the results on election night so that citizens can see how the vote is trending without waiting for the final numbers. In some countries, on the other hand, the results transmitted on election night are the direct result of the final count. In both cases, OAS/EOMs have specialists in electoral technology on hand to observe the progress and operation of the technology systems used to process results and, where applicable, the cybersecurity measures taken to protect these systems.

During this process, OAS/EOMs observe the following areas, among others:

- The fluidity or interruption of the transmission and publication of preliminary and/or final results.
- Means and conditions by which the results are transmitted to the municipal, state, and/or national counting centers, as the case may be.
- Procedures used to receive and process the results (tabulation) at the national vote consolidation center.
- Methods and conditions for transporting election materials, including ballot boxes, to the electoral authority's municipal, state, and/or national voting centers and counting centers.
- Chain of custody of sensitive documents (original ballots and tally sheets) as they are transferred to storage, as well as the return of documents related to voting abroad and their proper handling by the authorities receiving them in the host country, when applicable.

3. Post-Electoral Period

This stage begins at the close of election day and ends with the certification of the results. During this period, the final vote count is done, and any claims, complaints, and challenges are filed. When no incidents are anticipated in the post-electoral period, or when there are budgetary restrictions, the OAS/EOM may leave the country before this stage is complete and follow it remotely. If, on the other hand, the Mission deems it necessary to remain in the host country during this stage, it may designate a team for that purpose. Areas to be observed include adherence to rules issued by the electoral authority, the presence and participation of election officials and of the various political groups, the custody of election materials, and the security of the facilities where the counts are being conducted.

The last step in this period is the certification of the elections, the declaration of validity of the election and/or official proclamation of the results made by the electoral authorities. The Mission observes the acceptance of the results by all those who participated in the elections and by the citizens in general.

The areas observed during this period include the following:

a) Final Vote Tabulation

This refers to the counting, processing, and publication of the official election results that have been tabulated or compiled nationally.

Among other issues, OAS/EOMs observe:

- Electoral authorities' compliance with electoral rules.
- The actions of the jurisdictional electoral authorities, specifically the adherence of their decisions to international parameters, current national standards and applicable jurisprudence.
- Number of valid, invalid, and/or challenged votes or challenged tally sheets.
- Legality of procedures followed to determine the invalidity of a vote or tally sheet, in accordance with the host country's election laws.
- Legality of procedures used to determine challenged votes, in accordance with the host country's election laws.
- Access of international and national observers to the vote-counting process.
- Access of party delegates and/or poll watchers to the vote-counting process.
- Security conditions during the vote count.
- Custody and integrity of sensitive documents (original ballots and tally sheets).
- Operation of the technology systems used to count, process, and publish the official results.

b) Electoral Dispute Resolution

During this stage, electoral authorities (both administrative and jurisdictional) and regular judicial authorities hear complaints about alleged irregularities related to the election and the vote count or tabulation, as well as challenges to decisions made by administrative and jurisdictional electoral authorities. The OAS/EOM's electoral justice specialist observes the process by which the competent authorities handle and resolve disputes, the application of the laws, compliance with time frames, and the jurisdictional decision-making process, among other activities.

Any complaint received by the OAS/EOM from a citizen or political participant during the electoral process is forwarded to the competent electoral body, which has the authority to address and resolve such complaints.

c) Post-Election Events

OAS/EOMs also observe the official declaration of results, note the reactions of the relevant participants during the post-electoral period, and closely follow any development, including incidents of electoral violence, that could affect the political atmosphere in the host country.



5.

International observers

A. GENERAL CONSIDERATIONS

OAS international electoral observers (hereinafter international observers) are those who are accredited as members of an OAS/EOM, pursuant to the terms and conditions established by the Organization of American States, for the duration of the Mission.

Anyone accredited as a member of an OAS/EOM, regardless of their role, has the status of OAS international observer. This status covers officials of the OAS Secretariat for Strengthening Democracy who perform functions within the OAS/EOM structure; members of the Mission's Core Group, field coordination area, and team of specialists (See chapter 6); short-term international observers; and special guests¹⁰⁰ and advisors to the Chief of Mission.¹⁰¹ International observers are also accredited to the national electoral body, and the OAS/DECO is in charge of handling this process.

International observers are protected by the agreement on privileges and immunities signed by the OAS General Secretariat and the government of the host country, as well as by other agreements and laws on the matter, and the principles and practices that inspire international law. Also, as international observers are considered human rights defenders, they are entitled to special protection measures by States.¹⁰²

In the selection process for international observers, and during the course of the Mission, the OAS General Secretariat is obliged to observe the principles of efficiency, competence and probity and the principles of non-discrimination based on age, disability, gender, race, religion, or sexual orientation.¹⁰³ Members of an OAS/EOM must meet the eligibility requirements that apply to the role they are assigned in the Mission.

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- 100** Notwithstanding the categories of international observers, when it is appropriate or necessary to the interests of the OAS/EOM, the GS/OAS may extend invitations to certain individuals who are designated as special guests. They are appointed by the DECO Director, taking into account the eligibility requirements laid out in this Manual. Their functions will be defined by the DECO Director, and they will sign an agreement whereby they are required to fully comply with all the provisions established in the manual. The number of special guests may not exceed 5 percent of the total number of EOM observers.
- 101** The Chief of Mission may appoint up to two advisors to support his or her work should the OAS/EOM have adequate funds for these positions.
- 102** The Situation of Election Observers as Human Rights Defenders, UN Special Rapporteur on the rights to freedom of peaceful assembly and of association and UN Special Rapporteur on the situation of human rights defenders (Geneva, October 27, 2022). Available at: <https://srdefenders.org/information/the-situation-of-election-observers-as-human-rights-defenders%EF%BF%BC/>
- 103** In accordance with the provisions of the OAS Charter in its article 45, "All human beings, without distinction as to race, sex, nationality, creed, or social condition, have a right to material well-being and to their spiritual development, under circumstances of liberty, dignity, equality of opportunity, and economic security". Also according to article 137, "The Organization of American States does not allow any restriction based on race, creed, or sex, with respect to eligibility to participate in the activities of the Organization and to hold positions therein."

Relatives of OAS staff members, elected officials of any OAS body, representatives or delegates of member states, and permanent observers to the OAS and their relatives will not be eligible to participate as international observers.¹⁰⁴ OAS staff members who do not belong to the Secretariat for Strengthening Democracy must have the authorization of the OAS Secretary General, the Chief of Staff, or the Secretary for Strengthening Democracy to participate as international observers.

104 Relatives are understood to be the following: spouse, son or daughter, stepson or stepdaughter, father or mother, stepfather or stepmother, brother or sister, half-brother or half-sister, stepbrother or stepsister, uncle or aunt, nephew or niece, first cousin, father- or mother-in-law, son- or daughter-in-law, or brother- or sister-in-law.



B. CATEGORIES OF INTERNATIONAL OBSERVERS

International observers are classified into three types: nonresidents of the host country, residents of the host country, and those who observe voting abroad.

1. International observers who are Not Residents of the Host Country

This category of international observers corresponds to individuals who are sent from their respective countries to the territory of the country being observed, generally in the weeks before the election, and who leave the week after the voting. On an exceptional basis, international observers may stay longer than originally scheduled, if and when they are expressly authorized to do so by the DECO Director. They must be withdrawn at the end of the Mission. Other than in exceptional circumstances, OAS/EOMs are made up primarily of international observers who reside outside the host country.

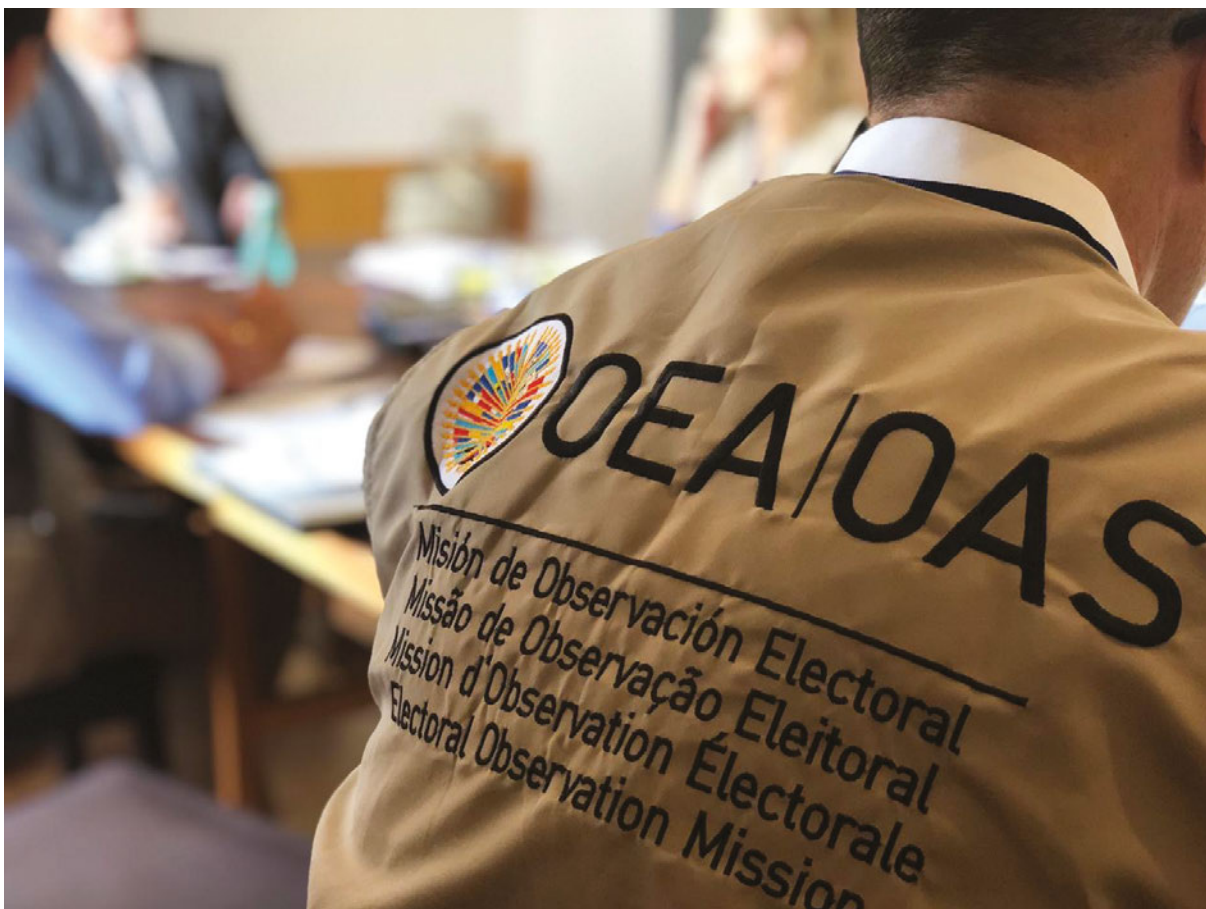
2. International observers who are Residents of the Host Country

This exceptional category of international observers corresponds to those who live in but are not citizens of the host country and do not belong to the diplomatic or consular staff of a foreign country or any other international organization. In addition to meeting the general eligibility criteria, international observers in this category must meet the following specific requirements:

- Not be married to a citizen of the host country.
- Not have lived for more than five consecutive years in the host country.
- Not have a current contract with any centralized or decentralized government agency, or with any company in which the state has an ownership stake.
- Not have a current contract with a political party or organization competing in the elections to be observed.
- Not have participated in any other entity that might compromise their impartiality, such as political parties or movements, institutions, or organizations in the country where they live and where the observation is to be carried out.
- In cases involving observation of mechanisms of direct democracy or citizen participation, not be part of an organization that is actively promoting one of the options being put to voters.

3. International observers Abroad

When the Mission deems it appropriate, it may deploy international observers to embassies, consulates, post offices, or other sites where votes are cast outside the territory of the country being observed. In such cases, preference will be given to observers who live in the country where ballots cast abroad are being collected. In no case may citizens of the country holding the election participate in this category as international observers.



C. ELIGIBILITY REQUIREMENTS¹⁰⁵

For the selection of international observers, the Deputy Chief of Mission, with the support of the general coordinator, prepares a list from the DECO Observers Database.¹⁰⁶ The list of candidates must be approved by the DECO Director once it has been validated and presented by the Chief of the Electoral Observation Section. The eligibility requirements given preferential consideration are the following:

- Natural persons: Only natural persons may be considered.
- Of legal age: Applicants must have reached the age of majority in accordance with the laws of their own country of citizenship and of the host country.
- Legally qualified: They must not have lost their political rights; nor may they be undergoing prosecution in a criminal court or have been convicted of a serious crime.
- Nationality: Persons who were born in or are citizens of the host country will not be invited to serve as observers, even in the case of those who live abroad or hold dual citizenship. There should also be a balance among the nationalities of the members of OAS/EOMs. No more than 15 percent of the members of a Mission may be nationals of the same country, unless authorized by the DECO Director due to exceptional circumstances in the host country. The calculation of this percentage does not include GS/OAS staff who work in the Secretariat for Strengthening Democracy or the Department of Electoral Cooperation and Observation.¹⁰⁷
- Interests: Applicants should demonstrate interest in matters related to the promotion of democracy and democratic values.
- Public officials: Applicants will not be eligible if at the time of the call for applications they are serving as a minister, deputy minister, or head of presidential cabinet; senator or congressional representative, at the federal or state/provincial level; member of a national assembly; judge in the judicial branch; or member of the diplomatic corps accredited in the host country or commissioned ambassador. This prohibition extends to active members of the armed forces.
- Political affiliations: Individuals who at the time of the call for applications serve on the national board of directors of a political party are not eligible.

105 These apply to anyone accredited as a member of an OAS/EOM who has the status of OAS International Observer.

106 The database is an open tool in which anyone can register and enter their data to participate in OAS/EOMs.

107 This provision refers to DECO staff members and consultants who work at the headquarters in Washington, D.C.

- Gender: The selection process will seek to achieve parity in the participation of men and women.¹⁰⁸
- Languages: international observers should have an advanced command, both verbal and written, of the official language of the host country. The DECO Director may exempt certain members of the Mission from this requirement due to the nature of their roles.

The list of members (name and nationality) of an Electoral Observation Mission will be shared with the host country prior to its deployment with the objective of processing their accreditation with the electoral management body and to inform the country's authorities about their entry as a member of the OAS/EOM.

Once the OAS/EOM is completed, the GS/OAS will publish the list of members in the DECO database, as well as in the Final Report that is distributed to the Permanent Council of the Organization.

In order to guarantee the protection of EOM participants' personal data, DECO will only share this information in the cases mentioned above. However, international observers will have the right to request (through formally established procedures) that their personal information not be published on the OAS web platforms or in the Mission's Final Report.

108 Through resolution CP/RES. 1149 (2278/20), the Permanent Council of the OAS instructed the GS/OAS to progressively increase the participation and representation of women in decision-making positions within the Organization, including in electoral observation missions, with the goal of achieving parity. Available at: http://www.oas.org/legal/english/gensec/Plan_for_Gender_Parity_GS_OAS_English.pdf



D. STANDARDS OF CONDUCT

All international observers are subject to a series of standards contained in this Manual, in the Code of Conduct for International Election Observers,¹⁰⁹ in the contract documents, in GS/OAS regulations, and in the instructions issued by the Chief of Mission. All of these provisions are mandatory, and a failure to comply with them may result in the termination of the respective contracts and agreements, as well as in ineligibility to participate in future Missions.

Among other obligations, the members of an OAS/EOM must:

- Be familiar with the Manual for OAS Electoral Observation Missions.
- Be familiar with and abide by the standards laid out in the Code of Conduct for international observers.¹¹⁰
- Respect the laws of the host country and the authority of the bodies in charge of administering and judging the electoral process.¹¹¹
- Maintain strict political impartiality. In that sense, they should not express their biases or preferences in relation to the authorities, parties, candidates, or issues that arise within the framework of the electoral process.¹¹²
- Perform their duties without disturbing or interfering with the electoral process, election day procedures or the counting of votes and tabulation of results.¹¹³
- “Be based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence”.¹¹⁴
- Carry in a visible place and at all times the valid credentials provided by the GS/OAS and by the host country’s electoral authority.
- Use and allocate the property and resources of the OAS/EOM exclusively for its functions and purposes.
- Comply with the instructions of their immediate supervisor, in accordance with the OAS/EOM’s structure.
- Attend any required training sessions.

109 International observers must sign the pledge to abide by the Code of Conduct for International Election Observers.

110 International observers must agree in writing to abide by the Code of Conduct.

111 Code of Conduct for International Election Observers, p. 1.

112 *Ibidem*, p. 2.

113 Declaration of Principles for International Election Observation.

114 Code of Conduct for International Election Observers, p. 2.

- Bring any questions, concerns, or problems to the attention of their immediate supervisor.
- Report any situation that places or could place the objectives of the OAS/EOM or of its members in jeopardy.
- Perform assigned duties promptly.
- Inform their immediate supervisor in advance of any absences they may have to incur.
- Remain in their work area for the entire time that is required.
- Comply with any safety and health protocols implemented during the course of the Mission.
- Inform their immediate supervisor and the security officer about any accident or injury to themselves or any other member of the OAS/EOM in the performance of their duties, as well as any accident in which an OAS/EOM vehicle is involved.
- Fulfill any other obligations established in the terms of reference of their contracts or in the respective observer agreements.



E. PROHIBITIONS

Prohibited actions for members of an OAS/EOM include the following:

- **Actions contrary to the interests of the OAS/EOM:** No member of the Mission should act in such a way as to compromise the neutrality, objectivity, independence, impartiality and professionalism or objectives of the OAS/EOM.
- **Failure to comply with instructions:** This includes failing to comply with instructions given by supervisors in the exercise of the duties of an OAS/EOM, consistent with the Mission's hierarchical structure, or assuming duties which the Observer has not been expressly authorized to perform.
- **Failure to comply with the security protocol:** No member should fail to comply with the rules established in the security protocol or the instructions given by the security officer in the exercise of the duties of an OAS/EOM.
- **Dissemination of information without proper authorization:** Making available to third parties any OAS/EOM information that has not been published officially, or without prior authorization from the Chief of Mission, is prohibited. This includes sensitive information on the work of the Mission.
- **Public statements:** Making public statements¹¹⁵ of any nature and by any means about any aspect of the OAS/EOM, the electoral process, or internal affairs of the host country is prohibited, whether or not such statements are made in the person's capacity as an International Observer.
- **Publication of information:** Observers must not publish any information, directly or indirectly or through any means, about the electoral observation process or about knowledge acquired in the course of it, until the Mission's final report has been presented to the OAS Permanent Council. This prohibition includes social media accounts over which the International Observer has control. Nor may the Observer repost on social media any messages issued by participants in the election or the direct democracy process being observed.
- **Inappropriate use of resources:** Using or allocating property or resources of an OAS/EOM for any activity not related to the Mission's functions and objectives is prohibited.
- **Harassment:** GS/OAS standards prohibiting workplace harassment and sexual harassment, as well as their definitions, apply to the members of an OAS/EOM.¹¹⁶

¹¹⁵ This prohibition does not apply to the Chief of Mission or whoever they may designate to make public statements.

¹¹⁶ Order 15-02. Available at: <http://www.oas.org/legal/english/gensec/EXOR1502.htm>

F. MEASURES FOR FAILURE TO COMPLY WITH DUTIES AND PROHIBITIONS

In the case of GS/OAS staff, failure to comply with their functions and prohibitions may result in the disciplinary consequences provided for in the General Standards to Govern the Operations of the GS/OAS and in the GS/OAS Staff Rules.

In the case of other people participating in the Mission (contractors, observers), failure to comply with their duties and prohibitions may result, among others, in the termination of their contract, and exclusion from the OAS/EOM, as well as from future Missions.



G. EVALUATION OF MEMBERS OF THE MISSION

In each OAS/EOM, the performance of the members of the Mission who are not OAS staff is evaluated using standardized forms, and the evaluations become part of each person's record in the Database of international observers maintained by DECO. International observers, regional coordinators, and specialists also evaluate the logistical and operational aspects of the Missions, and their members, in order to continuously improve their performance.

The following positions are required to be evaluated as part of the OAS/EOM:¹¹⁷

- Specialists are evaluated by the specialists coordinator or by the Deputy Chief of Mission if there is no specialists coordinator.
- The specialists coordinator is evaluated by the specialists and by the Deputy Chief of Mission.
- Regional coordinators are evaluated by the international observers they have supervised and by the general coordinator.
- Short-term international observers are evaluated by the corresponding regional coordinator.

The evaluations are done using the respective digital forms and are completed in the system created by DECO for this purpose. The information contained in these forms is processed and filed by DECO in a confidential manner to protect the privacy of those being evaluated and entered into the Database of international observers. The performance evaluation is taken into account when selecting the members of future OAS/EOMs.

Additionally, the Database is updated every six months in consultation with other areas of the GS/OAS.

¹¹⁷ Staff members of the OAS General Secretariat who participate in the Missions are evaluated through the organization's Performance Evaluation System.



Structure of OAS/EOMs and Functions of their Members

A. STRUCTURE AND HIERARCHICAL RELATIONSHIP

The OAS has **permanent** and **temporary** structures in place for electoral observation. The permanent structure consists of the Secretary General of the OAS, the Secretary for Strengthening Democracy, the Director of DECO, and the Chief of the DECO Electoral Observation Section (Diagram 3). These officials carry out different functions related to electoral observation on an ongoing basis from their respective mandates and positions.

DIAGRAM 3.
PERMANENT STRUCTURE FOR OAS ELECTORAL OBSERVATION



The **temporary** structure is what is deployed in response to an invitation from a host country to observe a specific electoral process. An OAS electoral observation mission is formed for this purpose, grouping together the officials who make up the permanent structure plus other members, usually along the lines of the structure shown below¹¹⁸ (Diagram 4):

- **Core Group:** The Core Group is composed of the Chief and Deputy Chief of Mission, the Secretary for Strengthening Democracy, the Director of DECO, and the Chief of the Electoral Observation Section, when they participate in the Mission. In cases where the OAS Secretary General or special advisors participate in the OAS/EOM, they will also be part of the Core Group.
- **Field Coordination Group:** This group consists of the general coordinator, the regional coordinators, the short-term international observers, and the Mobile Group. If deemed necessary,

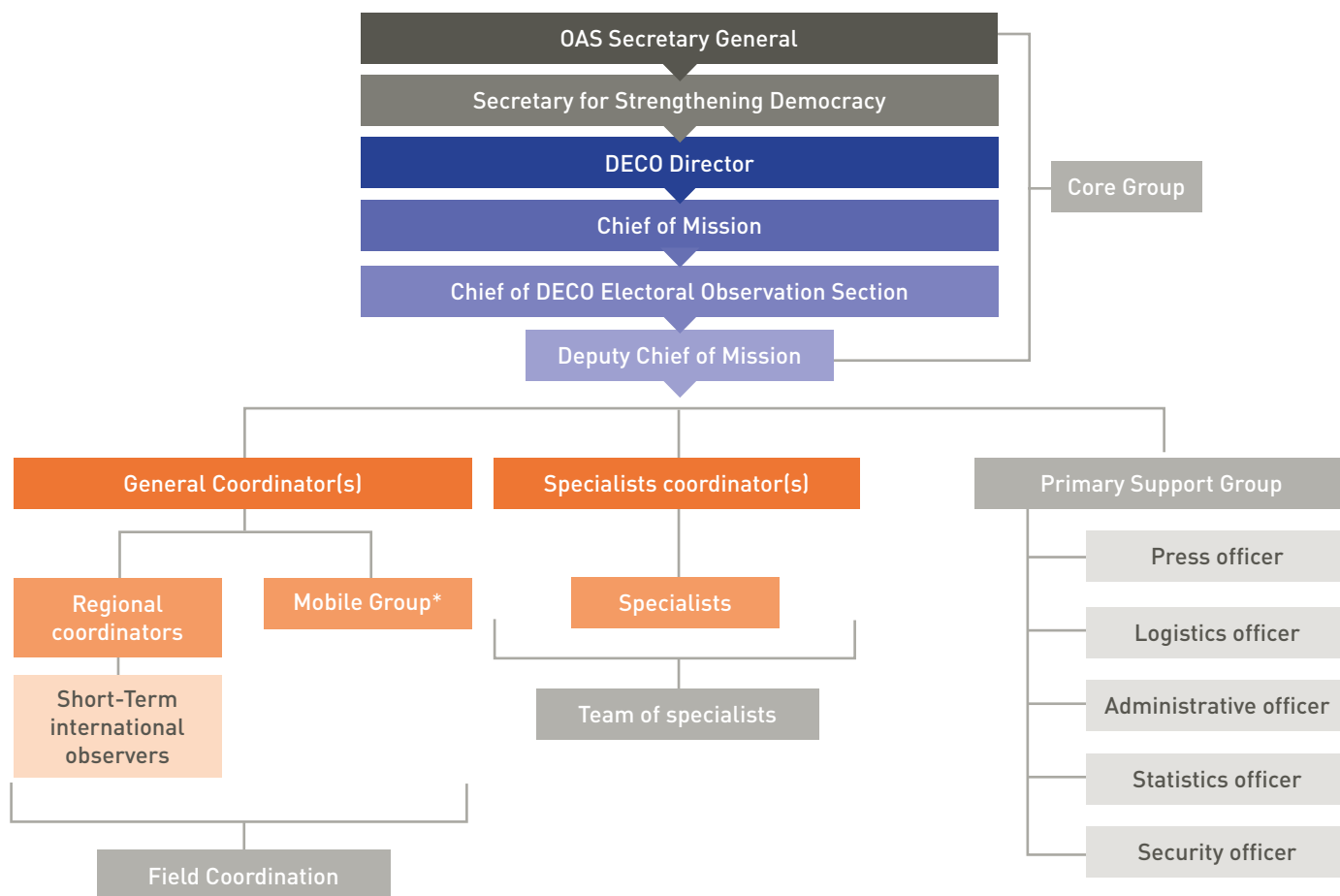
¹¹⁸ This structure may be modified by the DECO Director based on the nature and circumstances of each OAS electoral observation Mission assigned by the GS/OAS.

the Mission may have two general coordinators. Furthermore, a Mobile Group may be established and deployed to the country before the rest of the Mission to conduct an initial assessment of the political-electoral environment. The group may remain in the country until the Mission departs.

- **Team of Specialists:** This team is composed of a specialists coordinator and specialists in different aspects of the electoral process who are invited to join the Mission. If necessary, the Mission may have two specialists coordinators.
- **Primary Support Group:** This group includes the press officer, administrative officer, logistics officer, security officer, and statistics officer. If deemed necessary, the Mission may have more than one officer in these categories. This group reports directly to the Deputy Chief of Mission and works in coordination with the general coordinator and the specialists coordinator. Generally, members of this group do not perform electoral observation tasks, but their technical and specialized support is critical for the Mission’s good performance.

Diagram 4 summarizes the general, typical structure of OAS/EOMs deployed in the host country.

DIAGRAM 4.
GENERAL STRUCTURE OF AN OAS/EOM



Source: Prepared by Author
*Not necessarily present in all OAS/EOMs.

B. FUNCTIONS OF OAS/EOM MEMBERS

1. DECO Director

The DECO Director is in charge of developing and maintaining a permanent, professionalized electoral observation and technical cooperation service for OAS Member States. The main objective of his or her work is the continuous improvement and consolidation of procedures and practices in this area.

The DECO Director, with the support of the Chief of the Electoral Observation Section, determines the general parameters of OAS/EOMs and their geographical scope, size, and composition. He or she also designates the Deputy Chief of Mission, the general coordinator, and the specialists coordinator, along with the specialists. In addition, the DECO Director approves the final list of the members of the Mission and, if applicable, any observers removed from the list. Finally, the Director reviews and approves the budget before it is presented to donors to request funds and defines the fundraising strategy.

During the deployment of Missions, the DECO Director participates in meetings with high-level electoral and governmental authorities of the host country and with the main actors in the electoral process. Finally, he or she approves the reports and other official documents produced by the OAS/EOM, including public statements by the Chief of Mission, press releases, and social media postings, without prejudice to the responsibilities and duties of other members of the Mission described in this Manual. The DECO Director also sends the Mission's final report to the Office of the Secretary General for presentation to the Permanent Council.

When he or she believes it is necessary, the DECO Director will consult with the Secretary for Strengthening Democracy and the Secretary General regarding the different areas and activities of the Mission.

2. Chief of the Electoral Observation Section

The main role of the Chief of Section is to ensure that DECO fulfills its functions in the area of electoral observation. He or she must assign responsibilities and set goals for the section's team. In addition, the Chief of Section is responsible for directly supervising the deployment of OAS/EOMs and for developing and honing the methodological tools used by international observers.

During Missions, the Chief of Section exercises the following functions:

- Fill in for the DECO Director when he or she is not participating in the Mission.
- Design fundraising strategies for Missions.
- Oversee the preparation of Mission proposals for approval by the DECO Director and subsequent distribution to donors.
- Review the list of participants of OAS/EOMs.
- Review and approve the OAS/EOM informational and logistics documents.
- Meet with high-level electoral and governmental authorities and with the main actors in the electoral process.
- Maintain contact with other international and national electoral observation missions.
- Review the draft preliminary and final reports of the Mission before they are sent to the DECO Director.
- Promote consistency among the recommendations of the various OAS/EOMs.
- Oversee the technical content of the reports and documents prepared within the framework of Missions.
- Promote standardization of OAS/EOM reports and other documents.
- Identify opportunities to enhance the work of Missions and propose procedural and thematic improvements to the DECO Director.
- Carry out other duties assigned by the DECO Director.

3. Chief of Mission

OAS/EOMs are headed by a Chief of Mission who is appointed by the OAS Secretary General based on the person's high level of experience¹¹⁹ and sound judgment.¹²⁰ The Chief of Mission will preferably be from outside the Organization. In making this appointment, the OAS General Secretariat may conduct such consultations as it deems necessary with the host country and the country of nationality of the persons being considered for Chief of Mission.

The Chief of Mission's functions include the following:

- Lead the OAS/EOM.
- Participate in the preliminary visit to the host country, if applicable.
- Work in coordination with the Deputy Chief of Mission to ensure compliance with GS/OAS standards and procedures.
- Participate in coordination meetings with the members of the Core Group and specialists.

¹¹⁹ Regarding level of experience, it is considered whether the person has held positions of responsibility in both electoral organizations and international organizations and/or in other relevant public positions.

¹²⁰ Regarding soundness of judgment, people who have not previously issued public statements that could compromise their impartiality will be selected.

- Meet with high-level electoral and governmental authorities and with the main actors in the electoral process.
- Keep the OAS Secretary General and the Secretary for Strengthening Democracy informed, via the DECO Director, about matters related to the OAS/EOM.
- Reach agreement with the DECO Director, the Chief of the Electoral Observation Section, and the Deputy Chief of Mission on matters relevant to the proper functioning of the OAS/EOM.
- Review all official reports and public statements of the OAS/EOM.
- Serve as spokesperson for the OAS/EOM, and in that capacity make public statements and present reports when he or she believes it is appropriate.
- Present the OAS/EOM report to the OAS Permanent Council.

4. Deputy Chief of Mission

The Deputy Chief of Mission supervises the operational and administrative aspects of the OAS/EOM. He or she supports the Chief of Mission in making requests of the Mission's various teams. The Deputy Chief is also the Mission's liaison with the technical areas of the electoral and/or political institutions of the host country.

This position is preferably held by a DECO staff member. He or she is responsible for supervising the work of the general coordinator and the specialists coordinator. The members of the Primary Support Group also report to the Deputy Chief of Mission.

The Deputy Chief of Mission's functions include the following:

- Assist the Chief of Mission in complying with GS/OAS standards and procedures during the course of the Mission.
- Prepare the draft work agenda for the Mission and accompany the Chief of Mission on visits to the host country.
- Submit the OAS/EOM list to the Chief of the Electoral Observation Section.
- Delegate and supervise the responsibilities of the members of the OAS/EOM to ensure compliance with the functions included in this Manual.
- Maintain contact with the main political actors in the host country.
- Review the information and logistics documents and the forms to be used during the Mission.
- Prepare the Agreement on Privileges and Immunities and the Agreement on the Electoral Observation Process.¹²¹ Coordinate the review of these Agreements by the Department of Legal Services and the Financial Services Department, and then submit them to the Ministry of Foreign Affairs and the electoral authority of the host country, respectively.

¹²¹ Annexes I and II of this Manual.

- Obtain the delegation of authority of the OAS Secretary General to sign Agreements when necessary.
- Ensure the proper use of OAS/EOM property and resources, in coordination with the administrative officer.
- Review the draft OAS/EOM preliminary report prepared by the specialists coordinator.
- Prepare the final report of the OAS/EOM to be presented to the Permanent Council. To this end, the specialists coordinator provides the Deputy Chief of Mission with a draft of the body of the report and annexes, along with the final reports of each specialist.
- Request and supervise the translation of the OAS/EOM final report.
- Coordinate meetings between the different members of the OAS/EOM and the Core Group.
- In conjunction with the OAS national office, coordinate meetings with the diplomatic community and international agencies represented in the host country.
- Conduct evaluations of the specialists coordinator and the general coordinator, if they are not DECO staff members.
- Ensure that all relevant OAS/EOM documents are properly placed on file.
- Ensure that the OAS/EOM Database is properly updated with information on the Mission in question.
- Check to see that all members of the Mission have completed their respective evaluations and inform the Chief of the Electoral Observation Section if any of these are negative.
- Coordinate with the DECO specialist in charge of fundraising to ensure that all documentation required by donors is delivered.
- Coordinate the submission of the final report of the OAS/EOM to the Permanent Council.
- Perform any other duties assigned by the DECO Director.

5. General coordinator

The general coordinator is appointed by the DECO Director and is preferably a DECO staff member. The general coordinator should have extensive experience in electoral observation within the GS/OAS. He or she organizes, together with the Deputy Chief of Mission, the training and deployment of short-term international observers and regional coordinators, from whom the general coordinator receives reports and comments. The general coordinator acts as liaison between the regional coordinators and the Chief of Mission. In Missions with a large number of observers, and in the event the DECO Director deems it necessary, the general coordinator position may be held by two individuals, who will divide the workload between them.

Among the functions of the general coordinator:

- Prepare the logistics and informative documents for the approval of the Deputy Chief of Mission and their distribution to the regional coordinators and short-term international observers.
- Propose a list of short-term international observers and regional coordinators. To this end, evaluate the profiles included in the database maintained by DECO.
- Coordinate the purchase of airline tickets and hotel reservations for members of the OAS/EOM.
- Verify compliance with visa requirements by the members of the Mission.
- Coordinate on an ongoing basis with the security and logistics officers on the efficient deployment of the members of the Mission.
- Carry out the selection process for personnel to provide local logistical and administrative support.
- Prepare the field deployment plan for the regional coordinators and international observers, in coordination with the logistics, administrative, and security officers. Once the plan is finalized, submit it to the Deputy Chief of Mission for approval.
- Maintain permanent contact with the regional coordinators and transmit the Core Group's instructions to them.



- Receive and systematize all reports sent by the regional coordinators during the Mission.
- Provide periodic reports to the specialists coordinator and the Deputy Chief of Mission with the most important findings of the international observers and coordinators deployed in the field, both during the week leading up to the election and on election day.
- Prepare and conduct training sessions for the regional coordinators and international observers who will be in the field.
- Review and adjust the OAS/EOM questionnaires for international observers. Coordinate with the specialists coordinator and the electoral organization specialist to plan any such adjustments.
- Prepare the meetings in which the international observers and regional coordinators exchange experiences and opinions at the end of the Mission.
- Conduct evaluations of the regional coordinators and international observers assigned to the field.
- Coordinate observation tasks on election day and, if applicable, the optimal implementation of the sample of polling stations defined by the statistics officer.
- Forward all documents received from the regional coordinators to the Deputy Chief of Mission and ensure that they are placed on file with DECO once the OAS/EOM has ended.
- Upload observer data and generate the respective evaluations.
- Upload the corresponding information to the OAS/EOM database.
- Carry out other duties assigned by the DECO Director.

6. Regional coordinators

Regional coordinators are assigned to different regions of the host country to organize and supervise the work of the short-term international observers who have been deployed. The regional coordinators serve as liaisons between the international observers and the general coordinator. They are required to have experience as short-term international observers and to have received positive evaluations.

Their responsibilities include the following:

- Participate in all training sessions organized by the OAS/EOM.
- Set up and organize the OAS/EOM in the assigned region.
- Establish and maintain contacts with all relevant local actors in the electoral process, including representatives of the electoral authorities, political parties and candidates, civil society groups, national and international observers, and armed forces, security forces, and

law enforcement.

- Observe the activities of the relevant local actors in the process and report to the general coordinator in the format he or she indicates.
- Confirm the arrival and set-up of the short-term international observers.
- Organize the logistics and observation routes for the short-term international observers assigned to each coordinator's particular region.
- Instruct the short-term international observers on the practical and procedural aspects of the OAS/EOM.
- Supervise the short-term international observers assigned to that region and inform them about the work conditions and characteristics of the area and about instructions and information received from Mission headquarters.
- Refer all journalists and media inquiries to the press officer.
- Take photos to illustrate OAS/EOM activities and send them to the press officer.
- Fill out the Mission forms and questionnaires and submit them in accordance with the guidelines established in the training sessions.
- Turn in any formal complaint to the electoral justice specialist and inform the general coordinator.
- Evaluate the performance of the short-term international observers under their supervision and the logistical operational aspects of the Mission.
- Give the general coordinator a final report, as well as all other reports that have been completed, the questionnaires of the short-term international observers, and the originals of the formal complaints within the time frames that have been set.
- Perform any other duties assigned by the DECO Director.

7. Short-Term International Electoral Observers

Short-term international observers play an essential role in the development of OAS/EOMs. They may not participate in more than one election per calendar year, unless there is more than one election in the same country, or in exceptional circumstances when someone who fits the same profile cannot be found. In the latter case, the DECO Director must authorize the person's participation.

Their responsibilities include the following:

- Participate in OAS/EOM training sessions and in training meetings organized by the regional coordinators.
- Follow the work plan established by the regional coordinators.
- Observe and report on activities of the electoral authorities in the areas to which they have been assigned.

- Establish contact with political and electoral authorities and community organizations in their assigned areas when the regional coordinator indicates they should do so.
- Refer all journalists and media inquiries to the press officer.
- On election day, observe the opening of polling stations, the voting process, and the closing of polling stations.
- Take photos to illustrate OAS/EOM activities and send them to the press officer through the observer's regional coordinator.
- Fill out forms and questionnaires in accordance with the guidelines established in the training sessions.
- Refer any formal complaint to the electoral justice specialist through the observer's regional coordinator.
- Produce a pre-election report on all issues observed and submit it to the assigned regional coordinator.
- Evaluate the performance of the regional coordinator and of the operational and logistical aspects of the Mission, using the digital evaluation forms sent by the general coordinator.
- Prepare a final report that contains all issues observed during the OAS/EOM, including any recommendations, within the specified time frames.
- Submit all assigned documents, reports, and questionnaires to the regional coordinator and the Mission, within the specified time frames.
- Turn in any other relevant information regarding the observation process.
- Perform any other duties assigned by the DECO Director.

8. Specialists coordinator

Under the supervision of the Deputy Chief of Mission, this person is responsible for coordinating the team of specialists who participate in the OAS/EOM and who implement the thematic observation methodologies and examine other issues that are relevant to the electoral process. He or she should be trained in social sciences and have experience in electoral observation. If the DECO Director deems it necessary, the specialists coordinator position may be held by two individuals, who will divide the workload.

The functions of this position include the following:

- Coordinate the agendas of meetings between the specialists and the various actors in the electoral process, taking into account the Mission's needs and the suggestions of the specialists themselves.

- Coordinate the logistical aspects of the Mission specialists' participation.
- Establish contact with institutions or political actors to be interviewed or, in specific cases, delegate this function to the specialist in question.
- Conduct training on the political-electoral context for coordinators and observers.
- With the support of a local assistant, keep track of the specialists' progress with their agendas to ensure that they can carry out their activities efficiently.
- Follow up on the information collected by the specialists.
- Together with the Chief of the Electoral Observation Section and the Deputy Chief of Mission, coordinate the issues to be analyzed in the preliminary and final reports and potential recommendations.
- Keep the Deputy Chief of Mission informed about the findings of the specialists and other relevant information for the development of the OAS/EOM.
- Analyze, together with the specialists, compliance with recommendations from previous Missions and present this information to the Core Group.



- Guide the specialists in the preparation of their reports, both in terms of form and content.
- Check to see that the specialists' reports meet OAS/EOM standards and assemble them for the preparation of the preliminary and final reports.
- Accompany the specialists to meetings as necessary and as instructed by the Deputy Chief of Mission.
- Verify that the Mission's findings are supported by evidence.
- Prepare a draft preliminary report, as well the body and annexes of the final report, based on the reports submitted by the specialists.
- Perform other tasks assigned by the DECO Director.

9. Specialists

The DECO Director, with the support of the Chief of the Electoral Observation Section, will determine the number of specialists who will join the Mission's team and their areas of specialization. This will be based on the needs of each Mission and the availability of resources. Those designated as specialists must have ample experience and be able to carry out technical and professional observation of the electoral process, in their area of specialization.¹²²

Specialists must follow the report-writing guide that will be provided by their coordinator. Preferably, the specialists will be able to work in person in the host country; if not, they will do so through virtual platforms that will allow them to meet with the main actors and analyze the technical aspects of the process in a comprehensive manner.

The specialists have the following responsibilities in common:

- Propose a work agenda and submit it to the specialists coordinator for consideration.
- Identify key actors in the host country related to each specialist's area of expertise and submit them to the specialists coordinator for consideration.
- Schedule in-person or virtual meetings with the actors upon whom the specialist and his or her coordinator have agreed.
- Maintain permanent contact with the electoral officials who handle issues related to each specialist's area of expertise.

122 People who are interested in participating as specialists must first register in the OAS Electoral Observation Missions observer database. Before they participate for the first time in a Mission, they are interviewed in which their technical knowledge is evaluated, as well as their abilities in communication, teamwork, ability to function in a multicultural team, among other skills. If people have previously participated, the quality of the work delivered to the Mission of which they were part is taken into account.

- Perform direct observation of activities and procedures in the different stages of the process, as appropriate to their specialty.
- Review the recommendations of previous Missions in the area under the specialist's responsibility and submit the result of this analysis to the specialists coordinator.
- Review different types of reports from different sources in the specialist's area of expertise that are applicable to the electoral process being observed.
- Report potential contradictions between findings in a specialist's subject area and those of other specialists.
- Participate in meetings as required by the Deputy Chief of Mission and/or the specialists coordinator.
- If an OAS guide or methodological approach exists for the observation of a specialist's subject area, he or she should adhere to its guidelines and coordinate and carry out any necessary actions for its implementation.
- Prepare and deliver a list of all contacts collected during the exercise of the functions described above.
- Prepare an advance report, as well as preliminary and final reports, with observations and recommendations on matters related to the specialist's focus area. Submit these reports with the features and within the deadlines established in the terms of reference and/or in accordance with the guidelines established by the specialists coordinator.
- Strictly adhere to the report-writing guidelines for DECO specialists and comply with the requirements of form and substance.
- Perform other functions assigned by the DECO Director.

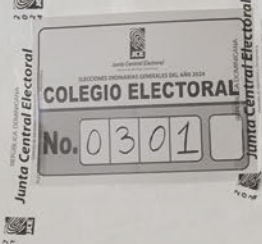
OAS/EOMs include the following specialists, without prejudice to the inclusion of experts in other subject areas:

a) Electoral Organization Specialist

The electoral organization specialist observes matters related to the electoral roll, logistics, training of election officials, vote counting and tallying, and the distribution and retrieval of materials, among other matters. In addition, he or she is responsible for proposing adjustments to the Election Day Questionnaire; conducting physical verifications of the main facilities used for election logistics and/or training of election officials; analyzing matters related to compliance with the electoral calendar; and compiling the final election information, including election results.

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b) Electoral Technology Specialist

The electoral technology specialist observes all matters related to electoral technology and acts as a liaison with the technical staff of electoral bodies. He or she also collects and examines information provided by the technical experts of political parties and other groups of international observers; observes the tests and simulations carried out by the electoral authority and their results, from a technical perspective; and analyzes the system of transmission and publication of results, the computer security mechanisms, and the contingency plans observed and implemented. Finally, the specialist advises the Core Group on matters related to the technological aspects of the electoral process and prepares recommendations in this area.

c) Gender Specialist

The gender specialist analyzes the conditions under which women participate in the electoral process as voters, as candidates, and in the organization of the election. This person is responsible for implementing the Manual for Incorporating a Gender Perspective into OAS/EOMs.¹²³ To this end, the specialist examines the host country's laws and practices that affect women's political participation and prepares recommendations on how to strengthen them. The specialist also provides training to the regional coordinators and short-term international observers to ensure that they mainstream the gender perspective in their observation work.

d) Specialist in Political-Electoral Financing

The political-electoral financing specialist observes all matters related to political-electoral financing in the elections of the host country. He or she is responsible for implementing the methodology contained in the manual Observing Political-Electoral Financing Systems developed by the OAS.¹²⁴ The specialist analyzes the host country's laws and practices related to campaign and political party financing and prepares recommendations aimed at strengthening fairness and transparency in the electoral contest and in political organizations.

e) Specialist in Electoral Justice

The electoral justice specialist is in charge of implementing the Methodology for the Observation of Electoral Justice Systems.¹²⁵ In this context, they must analyze substantive legal issues of the election, gaps identified in the electoral justice processes, the adherence of decisions to international parameters, current national standards and the applicable jurisprudence

¹²³ Available at: https://www.oas.org/es/sap/deco/pubs/manuales/Manual_gender_e.pdf

¹²⁴ Available at: https://www.oas.org/es/sap/deco/pubs/manuales/MOE_Manual_e.PDF

¹²⁵ Available at: <https://www.oas.org/es/sap/deco/Pubs/Manuales/Observing-Electoral-Justice-Systems-a-Manual-for-OAS-Electoral-Observation--Missions.pdf>

of decisions of the jurisdictional electoral authorities. To do so, the specialist must know the host country's laws and practices in this area and prepare recommendations aimed at strengthening the due process of law, transparency, effectiveness, and independence of the electoral justice system. The specialist also collects the complaints presented by different political actors and citizens to members of the Mission so that these can be submitted to the appropriate authorities.

f) Specialist in Participation of Indigenous Peoples and Afro-Descendants

This specialist analyzes the conditions under which indigenous populations and people of African descent participate in the electoral process and the obstacles they face when voting, forming their own political organizations, and presenting candidates. The specialist implements the OAS methodology on Observing the Electoral Participation of Indigenous Peoples and Afro-descendants¹²⁶ and prepares recommendations aimed at ensuring that the members of these groups can participate in public life under conditions of equality.

g) Specialist in Direct Democracy

When applicable, OAS/EOMs will include a specialist in direct democracy. This person is responsible for observing the mechanisms for activating direct democracy exercises, the formulation of questions put to voters, and the technical and constitutional controls in place in the host country, among other areas. He or she implements the manual for OAS/EOMs on Observing Direct Democracy Mechanisms,¹²⁷ applies its methodological framework and observation tools, and prepares reports and recommendations on the subject.

h) Others Specialists

Depending on the context and the needs of the Mission, an OAS/EOM may include specialists in other areas of the electoral process, such as campaigns and freedom of expression or electoral violence, for example. In the absence of specific methodologies, they work with the person coordinating the team of specialists to map out a work plan and the main issues to be observed.

¹²⁶ Available at: https://www.oas.org/es/sap/deco/pubs/Metodologias/OAS_Metodologia_Indig_Afro_Print_E.pdf

¹²⁷ Available at: <https://www.oas.org/es/sap/deco/Pubs/Manuales/OBSERVING-DIRECT-DEMOCRACY-MECHANISMS.pdf>

10. Logistics officer

The logistics officer is responsible for organizing and implementing the operational aspects of the OAS/EOM, in keeping with guidelines established by the Deputy Chief of Mission and in permanent communication with the general coordinator and specialists coordinator.

The duties of the logistics officer include the following:

- Train local personnel who will support the logistics office.
- Assist the Deputy Chief of Mission and the general coordinator in the preparation of the logistics plan and the travel plan for international observers.
- Coordinate the work of the Mission's drivers, in keeping with guidelines established by the general coordinator and the specialists coordinator.
- Identify lodging and other services in the areas where the Mission will be deployed.
- Ensure the provision of office supplies for the duration of the Mission.
- Support the general coordinator in preparing folders and observation materials for OAS/EOM members.
- Ensure that the training venues have the necessary equipment (audio, video, internet, etc.).
- Oversee the installation and maintenance of the Mission's communications equipment.
- Support the implementation of OAS/EOM security measures.
- Perform other duties assigned by the DECO Director.

11. Administrative officer

The administrative officer must be a staff member of the Secretariat for Strengthening Democracy. He or she is responsible for managing the resources and property of the OAS/EOM. The administrative officer is appointed by the head of the SSD's administrative and financial team, in coordination with the DECO Director.

The administrative officer's duties include the following:

- Prepare the Mission's budget.
- Ensure that OAS/EOM finances are managed in accordance with GS/OAS standards and procedures and with the guidelines established by each donor.
- Be familiar with and follow-up on requests to and the implementation of agreements with donors.
- Coordinate the procurement of goods and services for the implementation of the OAS/EOM.
- Serve as liaison with all of the Mission's suppliers.

- Ensure payment of OAS/EOM contracts.
- Perform other duties assigned by the DECO Director.

12. Statistics officer

The person in this position must have a background in mathematics, statistics, econometrics, and/or social sciences, as well as experience in electoral observation, and must be knowledgeable about the OAS/EOM methodology. The functions of the statistics officer include the following:

- Prepare the random sample of polling stations, based on the electoral roll, for the deployment of international observers in the field.
- Adapt the Election Day Questionnaire in accordance with the characteristics of the process being observed.
- Prepare documents used to enter data and process and present results.
- Process and tabulate the results of the Election Day Questionnaire and forward them to the Chief of Mission.
- Coordinate the operation of the OAS/EOM call center and train the personnel who will receive the information sent in by international observers on election day.
- Coordinate the digitization of data received in the call center.



- Prepare a final report that includes all the activities carried out during the OAS/EOM and the results of the process of tabulating and consolidating the information reported by international observers and coordinators from the field. This document must be sent to the Deputy Chief of Mission.
- Perform other duties assigned by the DECO Director.

13. Press officer

The press officer is responsible for coordinating OAS/EOM relations with the national and international press. He or she should preferably be a GS/OAS staff member or consultant based in Washington, D.C., and have experience as a journalist or press specialist. Ideally, he or she should have a degree in journalism or communications, as well as experience in press coverage and electoral observation.

The responsibilities of this position include the following:

- Propose and execute the OAS/EOM press and communication strategy in coordination with the Deputy Chief of Mission, the Chief of the Electoral Observation Section, and the DECO Director.
- Identify and develop contacts with national and international media in the host country and prepare a list of these contacts.
- Prior to deployment, prepare documents for the Chief of Mission, including a document on frequently asked questions from the media, an OAS/EOM factsheet, and talking points.
- Prepare and distribute a daily summary of relevant news for the OAS/EOM during the Mission's deployment.
- Prepare press releases for the OAS/EOM when it is in the host country.
- While in the host country, ensure that all press releases and reports are distributed to the national and international press.
- Draft content for social media accounts and coordinate its distribution with the OAS Press and Communications Department.
- Take photos of the main meetings and activities to accompany the content published by the Mission on social media and manage the photo archive.
- Draft and record the messages the Chief of Mission delivers at the start of the deployment, on the eve of election day, at the presentation of the preliminary report, and on other occasions considered appropriate.
- Manage media interviews with the Chief of Mission.
- Organize press conferences for the Chief of Mission.
- Provide training on media and social networks to the members of the OAS/EOM.

- Create a folder with the materials mentioned above and with press coverage of the OAS/EOM for DECO's records.
- Perform other duties assigned by the DECO Director.

14. Security officer

The security officer is responsible for implementing the OAS/EOM security protocol, which is designed to ensure the physical safety of the members of the Mission. The security officer works directly under the supervision of the Deputy Chief of Mission. If the DECO Director deems it appropriate, there may be more than one security officer, one of whom will serve as chief officer.

The security officer's responsibilities include the following:

- Obtain information on the national and regional public security situation for the preparation of an electoral map showing areas of high, medium, and low risk in the country being observed.
- Coordinate meetings with different actors from the security forces. The meetings will include the participation of some members of the Mission.
- Obtain information on routes, with travel times to each province, district, and township, for mobilization of the members of the Mission.
- Present the Deputy Chief of Mission and the general coordinator with an analysis of the security assessment, along with relevant considerations and recommendations.
- During the training of international observers and Mission coordinators, present the protocol to be followed in case of any incident and the preventive security measures that should be taken.
- Prepare the emergency contact sheet to be distributed to members of the Mission.
- Obtain contact information for law enforcement at the regional level.
- Establish and maintain a system to check in every morning and evening with the members of the Mission to receive information from them and/or inform them about any incidents in their region.
- Provide reports to the Deputy Chief and the general coordinator whenever events arise during the day that could affect the safety of the members of the Mission.
- In the event of any incident, work with the institutions of the state security forces to coordinate measures to support members of the Mission who may be affected by crime or vandalism.
- Monitor the movements of Mission members and their return to OAS/EOM headquarters through the security app developed by DECO.
- Confirm to the Deputy Chief and the general coordinator the arrival of all members of the OAS/EOM in the country's capital.
- Prepare a final report with any security incidents that occurred within the framework of the OAS/EOM.
- Perform other duties assigned by the DECO Director.

15. Mobile Group

The Mobile Group is formed on occasion and preferably deployed during the preliminary visit. It may stay in the host country until the official declaration of results.

The mobile group has the following functions:

- Conduct on-site monitoring of the electoral process in the assigned regions.
- Establish direct contacts with the authorities in the assigned regions, including electoral officials, representatives of political parties, and members of community organizations.
- Point out areas that require the OAS/EOM's attention in monitoring reports.
- Perform other functions assigned by the DECO Director.



The Observation Process

A. PRELIMINARY CONSIDERATIONS

Implementing OAS/EOMs requires moving a large number of people from different countries to the host country and, once they are there, to different locations across its territory. To ensure that these movements and the work of observation can be carried out safely and to minimize all types of risks, the Missions have a mandatory security protocol in place. As a complement to this, every OAS/EOM establishes a series of preventive health measures that are adjusted to the context in which the election is taking place.

In the event of a possible health or security emergency that severely limits the international physical movement of people, the DECO could decide to rely on alternative instruments for collecting information such as, for example, data collectors.¹²⁸

128 Electoral observation missions should take into account the considerations included in the Guide to Organizing Elections during a Pandemic, prepared by the OAS/DECO. Available at: <https://www.oas.org/documents/eng/press/Guide-to-Organizing-Elections-During-a-Pandemic-vFINAL.pdf>



B. PHASES OF OBSERVATION

OAS/EOMs are generally present during the three stages of the electoral process: the pre-electoral period, election day, and the post-electoral period. This section covers the phases and activities required for a Mission's field work in the context of an electoral process.

1. Initial Phase

This phase begins when a member state asks the OAS Secretary General to deploy an electoral observation mission—which the Secretary General instructs DECO to start organizing—and ends when the OAS/EOM is set up in the host country.

This phase includes tasks such as the following:

- Designation of the Chief and Deputy Chief of Mission.
- Preparation of the proposal and budget to be sent to donor countries.
- Preparation and approval of the list of specialists, coordinators, and international observers.
- Selection of suppliers, along with other logistical issues.
- Organization of the preliminary visit to the host country, if necessary.
- Signing of the Agreement on Privileges and Immunities and the Agreement on the Electoral Observation Process.
- Drafting of preparatory documents.
- Adjustments to the security protocol and health measures, if necessary.

The OAS/EOM proposal covers the electoral context and information about the Mission's objectives, its work plan, and the preliminary budget. It is prepared by the Deputy Chief of Mission and/or the DECO fundraising officer. It is submitted to the DECO Director for consideration, after review by the Chief of the Electoral Observation Section. The budget proposal is prepared by the administrative specialist.

Given that OAS/EOMs are funded almost entirely by donor countries, the proposal that has been prepared is sent at this point to OAS member states and permanent observers, following the procedures established by the GS/OAS. A DECO staff member is responsible for following up on the requests and maintaining active channels of communication with the donors.

At this stage, the general coordinator, under the supervision of the Deputy Chief of Mission, prepares the list of short-term international observers and regional coordinators. Once it is

validated by the Chief of the Electoral Observation Section, the list is submitted to the DECO Director for its authorization.

Depending on the political-electoral context and the availability of resources, a preliminary visit may be made to the host country prior to the Mission's deployment. The purpose of such a visit is to examine the conditions under which the elections will be held, meet with political actors, and adjust the general parameters of the OAS/EOM, if necessary. When applicable, an advance mission is carried out to ascertain any logistical and budgetary needs that the Mission may have.

The preliminary mission initiates contacts with the various actors involved in the electoral process, including government officials, electoral authorities, representatives of political parties or movements, representatives of civil society, and members of the diplomatic community.

During this phase, the general coordinator must also prepare the informative document, which summarizes all the relevant information about the electoral process. A document on logistics is also prepared and the relevant information is sent to the members of the Mission.

In addition, the Agreements on Privileges and Immunities and the Agreement on the Electoral Observation Process are prepared. The agreements are drafted by the Deputy Chief of Mission and reviewed by the Department of Legal Services of the OAS Secretariat for Legal Affairs. The Agreement on Privileges and Immunities is signed by the host country's Minister of Foreign Affairs and the OAS Secretary General. The Agreement on the Electoral Observation Process is signed by the host country's electoral authority and the OAS Secretary General. If the OAS Secretary General will not be signing these agreements, a delegation of authority must be prepared for signature. Finally, copies of the Agreements should be placed on file by the Deputy Chief of Mission, along with other documents that are relevant to the OAS/EOM, and the originals should be sent to the GS/OAS Secretariat for Legal Affairs as the repository of treaties and agreements.

In this initial phase, OAS/EOM specialists begin to study the host country's legal framework applicable to their area of expertise and draw up a list of actors in the electoral process with whom they plan to meet once they are deployed to the country being observed. They should also prepare and submit a preliminary report to the specialists coordinator, in which they describe the most relevant issues to be observed. This document, which is internal in nature, is useful for preparing the information that will be provided as input to the Chief of Mission before the start of his or her activities in the host country.

OAS/EOMs have a security protocol which standardizes the coordination and execution of the security plan for deployments and establishes courses of action to take in the event of situations of potential risk. The ultimate purpose of this document is to provide the OAS international election observation process with instruments to minimize the risks to which observers could be exposed.

The protocol's implementation is the responsibility of the security officer, and all members of OAS/EOMs are required to comply with it. Its provisions are presented in detail in the training sessions for international observers and regional and specialists coordinators. During these sessions, information is provided on the host country in preparation for deployment; this includes characteristics of the region, convenient routes, recommendations in the event of an incident or a crisis, evacuation plans, and emergency and security contacts. Information is also provided on transportation, schedule restrictions, lodging, use of cell phones and communications in the OAS/EOMs, travel during deployment, the handling of sensitive information, and the return to countries of origin.

Along with the security protocol, DECO has developed a smartphone app that allows international observers to send alerts to the security officer in case of emergency due to natural disasters, accidents, or incidents of violence, as well as notifications about their location, coordinates, and health status. Security officers have a web-based application that allows them to follow up on such notifications.

As a complement to the security protocol, the security team for each Mission coordinates with the Deputy Chief of Mission and the Chief of the Electoral Observation Section on a series of preventive health measures designed to avoid contagion and keep the members of the Mission healthy.¹²⁹

2. Set-Up Phase

This phase begins with the arrival in the host country of the first members of the Mission, such as the logistics officer, security officer, and general coordinator.

This stage includes the preparation of a deployment plan, which indicates how the short-term observers and regional coordinators will be sent to the different geographical areas of the host country. Factors to be considered for this plan include the following: location of the polling stations selected for the random sample, availability of resources, size of the host country, geographical characteristics, type of election, security conditions, areas that could represent potential problems, and other considerations of a socioeconomic or ethnic nature, as well as any other determining factors.

Under the guidance of the Deputy Chief of Mission, and with the assistance of the logistics officer and the security officer, the general coordinator prepares a draft deployment plan to be considered and eventually approved by the Deputy Chief of Mission, the Chief of the Electoral Observation Section, and the Director of DECO. If a sample of polling stations to be observed has been defined, the deployment plan includes which International Observer will be assigned

¹²⁹ Electoral observation missions should take into account the considerations included in the Guide to Organizing Elections during a Pandemic, prepared by the OAS/DECO. Available at: <https://www.oas.org/documents/eng/press/Guide-to-Organizing-Elections-During-a-Pandemic-vFINAL.pdf>

to which polling station. These decisions take into account factors such as the observer's experience, the political situation in each part of the country, the security context, and other considerations.

Once the Core Group and coordination teams are in place, the regional coordinators arrive in the host country, followed by the short-term international observers.

a) Training of international observers

The first activity organized with international observers (regional coordinators, short-term international observers, and specialists, as the case may be), is the training session, which complements the material contained in the Informative Document and provides specific guidelines for their work.

The training includes information on the following topics:

- **Electoral observation and methodology of OAS/EOMs:** This covers the theoretical and practical aspects of international election observation, specifically the observation work of the OAS General Secretariat. Training is provided on the objectives of OAS/EOMs, the principles involved, and the importance of the role of the international observer, among other topics. The members of the Mission are coached on how to conduct themselves during observation, on methods and tools for collecting information (how to fill out the questionnaires), on the observation strategy and press strategy, and on what to do when receiving a complaint.
- **Electoral process:** Information is provided on the characteristics of the electoral process, especially the procedures to be observed on election day: the composition and opening of polling stations, filling out of tally sheets, verification of voter identity, voting procedures, closing of polling stations, counting of votes, and transmission of results. To ensure that international observers have accurate information and can address all of their questions before they are sent into the field, the Mission requests that training on these procedural issues be given by officials of the host country's electoral authority.
- **Gender perspective:** The specialist in charge of this topic provides training on how to observe the different stages of the electoral process from a gender perspective. This presentation includes a review of the main obstacles women face in terms of participating in the country's political life, as well as an explanation of the tools available to the Mission for observing this aspect of the electoral process and issuing recommendations in this area.
- **Interaction with the press:** The OAS/EOM's press officer provides training on how to respond to journalists' questions or requests for information. Members of the Mission are instructed not to make any public statements and to refer all inquiries to the press officer.

- **Logistics and security:** This area covers logistical and organizational issues related to the Mission, including deployment plans, communication and coordination with the general coordinator and the specialists coordinator, procedures for the installation of regional offices, and management of resources, as well as any financial or logistical issues in general.

Observers are also trained in security measures and the use of the app designed to monitor their movements and convey instructions from the security officer. As part of the security training, international observers also receive information on how to activate operational procedures in the event of medical emergencies, traffic accidents, demonstrations and protests, natural disasters, or other situations of risk.

- **Workplace harassment policies:** The policies adopted by the OAS to prevent workplace harassment are explained.

Once deployed to their designated areas, short-term international observers also receive special training sessions from their respective regional coordinators to reinforce the concepts laid out in the training.



3. Observation Phase

During this phase, the members of the Core Group, the specialists and the regional coordinators meet with electoral and governmental authorities, candidates, and representatives of political organizations, civil society, academia, and the international community. These meetings allow the OAS/EOM team to hear about technical issues related to the preparations for the elections, collect information on the areas being observed, and gather the views of the various actors on the political context in which the elections are taking place.

Meetings may be of two types:

- In-person: This is the preferred option because it allows for a greater degree of trust among participants. The ability to hold in-person meetings is subject to logistical, security, and health and safety conditions.
- Virtual: Meetings are held through the Mission's technology platform, following any applicable criteria established by the GS/OAS.

On election day, the OAS/EOM observes different areas of the electoral process:

- Set-up of the polling stations and opening of the polls
- Conduct of the electoral process and voting
- Closing of the polls
- Ballot counting process at the polling stations
- Transfer of election materials
- Transmission and tabulation of results

Throughout its deployment, the OAS/EOM is open to receiving formal complaints about the process. A complainant may report the alleged commission of a crime or offense related to the electoral process, or any other fact they believe is important to bring to the Mission's attention.

An International Observer who receives a complaint must know the identity of the complainant and receive the respective evidence to support the allegation the person is making. If expressly requested by the complainant, the OAS/EOM will keep the person's identity confidential when submitting the complaint to the electoral authority. Once the complaint is received, the International Observer gives it to their regional coordinator, who then delivers it to the electoral justice specialist. Any other information regarding alleged irregularities in the process will be duly reported and catalogued as a complaint. A record should be kept of any allegations and complaints brought to the OAS/EOM. The Mission does not have jurisdictional authority in such matters; accordingly, its role is to receive the allegations and complaints and monitor their timely handling by the competent authorities of the host country.

During the observation stage, the specialists prepare their preliminary report, which they submit to the specialists coordinator. The information in those reports, an analysis of the recommendations made by past missions in the country, and field observations compiled by

the regional coordinators and short-term international observers are used to prepare the draft preliminary report. This report will be made publicly accessible through digital channels and may be presented at a press conference, depending on the circumstances and the Mission's communication strategy.

4. Final Phase

During this stage, the information obtained during observation in the host country is processed for the preparation of the final report. The withdrawal of the international observers begins, and activities get underway to evaluate the electoral process that has been observed.

a) Departure of the OAS/EOM from the Host Country

The departure of the members of the Mission takes place gradually, in the following order: first the short-term international observers, then the regional coordinators, specialists, Core Group, specialists coordinator, and general coordinator. Since the post-election period continues until the official declaration of results, in some elections certain members of the OAS/EOM may remain in the host country until this last stage has concluded.

The administrative and logistics officers are responsible for ensuring that members of the Mission comply with the final administrative steps, such as providing an accounting of expenses and returning the vests and equipment, and that the observers receive their payments and return to their home countries as scheduled. If international observers remain in the host country after their official departure date, once they are no longer international observers, they do so at their own expense and with complete personal responsibility.

The logistical closing of the OAS/EOM also takes place at this stage, and this is the responsibility of the logistics and administrative officers. They must ensure that they receive the inventory of vests and equipment (all OAS/EOM members must turn these in to the logistics officer) and terminate local contracts. (The administrative officer is responsible for terminating any contracts with local personnel and settling any outstanding accounts of the OAS/EOM.)

The final phase is also the time to do the evaluations of those who took part in the Mission.

During the final phase, short-term international observers assigned to a specific region should submit the Election Day Questionnaire to their regional coordinators. These questionnaires serve as input for the report that each regional coordinator presents to the general coordinator, who then writes up a report on the work that was done.

The Mission specialists should gather any additional documents they might need to write their final reports in their countries of residence. These reports are sent to the specialists coordinator by the agreed-upon deadlines, in order to prepare the final version of the OAS/EOM report.

b) Final Mission Report

The draft of this final report is prepared by the specialists coordinator, in collaboration with the Deputy Chief of Mission, and approved by the Chief of Mission. This document is submitted by the DECO Director to the OAS Secretary General for consideration and approval and is then sent to the Chair of the OAS Permanent Council for distribution and publication. The host member state, the Chair of the Permanent Council, or the Secretary General may ask the Chief of Mission to make an oral presentation during a regular meeting of the Permanent Council. If all parties (OAS/EOM, host Member State, the Chair of the Permanent Council and the Secretary General) agree, the report may be published and circulated electronically without a verbal presentation.

Before it is submitted to the Permanent Council, and within a reasonable period of time, the report is sent to the host country for its information. In the event that the host country considers that there is any inaccuracy, it may inform DECO and provide the relevant documentary support for the Mission's consideration and analysis.

c) Follow-up on OAS/EOM Recommendations

Concrete recommendations to improve various aspects of the electoral process are included in both the preliminary and final reports of OAS/EOMs and are central to the fulfillment of the Missions' goals and objectives. DECO follows up on compliance with these recommendations before, during, and after electoral observation missions are deployed, taking into account the concept of the electoral cycle.¹³⁰ Depending on the Mission's observations during deployment, new recommendations are also issued. The basis for this is found in the Inter-American Democratic Charter: "Member states, in the exercise of their sovereignty, may request that the Organization of American States provide advisory services or assistance for strengthening and developing their electoral institutions and processes, including sending preliminary missions for that purpose."¹³¹ Taking into account the above, the DECO, at the request of the member states, carries out technical cooperation projects in conjunction with national institutions to implement the recommendations issued by the EOMs.

Finally, an OAS/EOM is considered closed once all financial and administrative arrangements have been concluded and the final report has been presented to the Permanent Council.

130 See chapter 4 of this Manual.

131 Inter-American Democratic Charter, Article 23.



OEA

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para más gente

de Observación Electoral



ANNEX I. MODEL AGREEMENT ON PRIVILEGES AND IMMUNITIES

AGREEMENT BETWEEN THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN STATES AND THE GOVERNMENT OF *HOST COUNTRY* ON THE PRIVILEGES AND IMMUNITIES OF OBSERVERS OF THE *TYPE OF ELECTIONS TO BE HELD ON DATE*

The Parties to this Agreement, the General Secretariat of the Organization of American States (hereinafter the “GS/OAS”) and the Government of *HOST COUNTRY* (hereinafter the “Government”),

WHEREAS:

The Government of *HOST COUNTRY*, in a communication sent to the OAS Secretary General on *DATE*, requested the sending of an OAS Electoral Observation Mission (hereinafter the Mission) for the *TYPE OF ELECTION* to be held on *DATE*;

The GS/OAS accepted the invitation in a note dated *DATE* and has established an OAS Group of international observers to carry out an Electoral Observation Mission in *HOST COUNTRY* for the *TYPE OF ELECTION* to be held on *DATE*;

The Mission will be composed of officials of the GS/OAS and international observers contracted by the GS/OAS to participate in the Mission; Article 133 of the OAS Charter provides that: “The Organization of American States shall enjoy in the territory of each Member such legal capacity, privileges, and immunities as are necessary for the exercise of its functions and the accomplishment of its purposes”; and

The privileges and immunities enjoyed by the OAS, the GS/OAS, and its staff and property in *HOST COUNTRY*, in addition to the provisions of the OAS Charter, whose instrument of ratification was deposited by the Government of *HOST COUNTRY* on *DATE*, are set out in the Agreement on Privileges and Immunities of the Organization of American States, adopted on *DATE*, whose instrument of accession was deposited by the Government of *HOST COUNTRY* on *DATE*;

HAVE AGREED AS FOLLOWS:

CHAPTER I
PRIVILEGES AND IMMUNITIES OF THE GROUP
OF OAS INTERNATIONAL OBSERVERS

ARTICLE 1

The privileges and immunities of the OAS Group of international observers for the TYPE OF ELECTION to be held on DATE in the Republic of HOST COUNTRY shall be those accorded to the OAS, to its organs, and to its staff and property, pursuant to the provisions of Articles 133, 134, 135, and 136 of the OAS Charter, whose instrument of ratification was deposited by the Government of HOST COUNTRY on DATE.

ARTICLE 2

The property and effects of the OAS Group of international observers, located in any part of the territory of HOST COUNTRY and in possession of any person, shall enjoy immunity against any type of judicial proceeding, save in those specific cases for which said immunity is expressly waived. However, it is understood that said waiver of immunity shall not have the effect of subjecting any such property and effects to any type of measure of execution.

ARTICLE 3

The premises occupied by the OAS Group of international observers shall be inviolable. Moreover, its property and effects, in any part of the territory of HOST COUNTRY and in possession of any person, shall enjoy immunity against search and seizure, confiscation, expropriation, and against any form of intervention, be it executive, administrative, judicial, or legislative.

ARTICLE 4

The files of the OAS Group of international observers and all of the documents pertaining to it or in its possession shall be inviolable wherever they are located.

ARTICLE 5

The OAS Group of international observers shall be:

- a) Exempt from any internal taxation, it being understood, however, that they may not claim any type of tax exemption that is in fact remuneration for public services;
- b) Exempt from any type of customs duty, prohibition and restriction in respect of articles and publications that it may import or export for its official use. It is understood, however, that the articles imported duty-free may be sold in the host country only in accordance with conditions agreed upon with the Government; and

- c) Exempt from being affected by tax ordinances, regulations, or moratoriums of any kind. Moreover, they may have currency of any type, carry their accounts in any foreign currency, and transfer their funds in foreign currency.

CHAPTER II

MEMBERS OF THE OAS GROUP OF INTERNATIONAL OBSERVERS

ARTICLE 6

The members of the OAS Group of international observers (hereinafter the Observers) shall be those persons who have been duly designated by the OAS Secretary General and accredited with the authorities of HOST COUNTRY.

ARTICLE 7

For the period during which the Observers exercise their functions and during their trips to and from HOST COUNTRY, the Observers shall enjoy the following privileges and immunities:

- a) Immunity from personal detention or arrest as well as immunity from any type of legal proceeding in respect of their actions and statements, be they oral or written, done in the performance of their functions;
- b) The inviolability of all papers and documents;
- c) The right to communicate with the GS/OAS via radio, telephone, satellite or other means, and to receive documents and correspondence through messengers or in sealed pouches, enjoying for that purpose the same privileges and immunities accorded to diplomatic mail, messages, and pouches;
- d) The right to utilize for their movements throughout the national territory, any means of transportation, be it by air, by water or over land;
- e) Exemption in respect of their persons and that of their spouses and children, from any type of immigration restriction and registration of aliens and any type of national service in HOST COUNTRY;
- f) The same privileges accorded to the representatives of foreign governments on official mission in respect of foreign-currency restrictions;
- g) The same immunities and privileges in respect of their personal baggage as are accorded to diplomatic envoys; and
- h) Such other privileges, immunities and facilities as are compatible with the foregoing, and enjoyed by diplomatic envoys, with the exception that they shall not enjoy any exemption from customs duties on imported merchandise (that is not part of their personal effects) or sales taxes or consumer taxes.

ARTICLE 8

The provisions contained in the preceding Article do not apply to nationals of HOST COUNTRY working as local contract staff in the Mission, except in respect of official acts performed or statements issued in the exercise of their functions.

ARTICLE 9

The Mission may establish and operate in the territory of HOST COUNTRY an independent radio communications system to provide an on-going communications link between the Observers and the vehicles used by the Mission with the Mission's regional offices and regional headquarters; between the regional offices and the Mission's central headquarters; and between the latter and the Headquarters of the GS/OAS in Washington, D.C. To this end, the Government shall provide any necessary technical and administrative support.

CHAPTER III

COOPERATION WITH THE AUTHORITIES

ARTICLE 10

The Observers shall cooperate with the relevant authorities of HOST COUNTRY to prevent any occurrence of abuse in respect of the privileges and immunities accorded. Similarly, the relevant authorities of HOST COUNTRY shall do whatever possible to provide the cooperation requested of them by the Observers.

ARTICLE 11

Without prejudice to the privileges and immunities accorded, the Observers shall respect the laws and regulations existing in HOST COUNTRY.

ARTICLE 12

The Government and the OAS Secretary General shall take any measures necessary to procure an amicable arrangement in the proper settlement of:

- a) Any disputes that may arise in contracts or other questions of private law; and
- b) Any disputes to which the OAS Observer Mission and/or any of its Members may be parties with respect to matters in which they enjoy immunity.

CHAPTER IV

NATURE OF PRIVILEGES AND IMMUNITIES

ARTICLE 13

The privileges and immunities are granted to the Observers in order to safeguard their independence in the exercise of their functions of observing the TYPE OF ELECTIONS to be held on

DATE in HOST COUNTRY, and not for personal gain or to perform activities of a political nature in HOST COUNTRY.

Thus, the OAS Secretary General shall waive the privileges and immunities of any Observer in the event that he determines, in his discretion, that the exercise of said privileges and immunities may obstruct the course of justice and so long as such waiver does not prejudice the interests of the OAS.

CHAPTER V

IDENTIFICATION

ARTICLE 14

The Government recognizes the “official travel document” issued by the GS/OAS as a valid and sufficient document for purposes of travel by the Observers.

The Government of HOST COUNTRY shall provide each of the Observers with an identity document, which shall include the person’s full name, position or rank, and a photograph. The Observers will not be obligated to hand over said document but to show it whenever the authorities of HOST COUNTRY so require.

CHAPTER VI

GENERAL PROVISIONS

ARTICLE 15

This Agreement may be amended by mutual consent of the Government and the GS/OAS.

ARTICLE 16

This Agreement shall enter into force on the date of its signature and shall cease to have effect once the Observers have completed their work with respect to the entire electoral process, in accordance with the terms of the invitation issued by the Government of HOST COUNTRY.

IN WITNESS WHEREOF, the undersigned do hereby sign this Agreement, in duplicate, on DATE OF SIGNING.

**FOR THE GOVERNMENT
OF HOST COUNTRY**

**FOR THE GENERAL SECRETARIAT
OF THE ORGANIZATION
OF AMERICAN STATES**

ANNEX II. MODEL AGREEMENT ON OBSERVATION PROCESS

AGREEMENT BETWEEN THE *ELECTORAL AUTHORITY* AND THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN STATES ON THE ELECTORAL OBSERVATION PROCESS IN THE *TYPE OF ELECTION TO BE HELD ON DATE OF ELECTIONS*

The Electoral Authority (hereinafter the EA) and the General Secretariat of the Organization of American States (hereinafter the GS/OAS),

WHEREAS:

On DATE OF INVITATION the ELECTORAL AUTHORITY requested that the Secretary General of the Organization of American States (hereinafter the Secretary General) send an OAS Observation Mission hereinafter the Mission with the purpose of observing the electoral process with respect to the elections to be held in NAME OF HOST COUNTRY on DATE;

In Resolution AG/RES. 991 (XIX-0/89), the OAS General Assembly recommended to the Secretary General that “when a member state so requests in the exercise of its sovereignty, missions should be organized and sent to said state to monitor the development, if possible at all stages, of each of its electoral processes”;

Article 24 of the Inter-American Democratic Charter states: “The electoral observation missions shall be carried out at the request of the member state concerned. To that end, the government of that state and the Secretary General shall enter into an agreement establishing the scope and coverage of the electoral observation mission in question. The member state shall guarantee conditions of security, free access to information, and full cooperation with the electoral observation mission...”; and

In a note dated DATE OF NOTE, the GS/OAS accepted the invitation from HOST COUNTRY and arranged to send an OAS Electoral Observation Mission (hereinafter the Mission) to HOST COUNTRY] with the objective of observing the TYPE OF ELECTION to be held on DATE,

THE PARTIES AGREE AS FOLLOWS:**First: Guarantees**

- a) The ELECTORAL AUTHORITY shall guarantee the Mission access to all facilities for the adequate fulfillment of the observation of the elections in HOST COUNTRY, in accordance with the relevant laws and standards of HOST COUNTRY and the terms of this Agreement.
- b) The ELECTORAL AUTHORITY shall guarantee that its authorities will be duly instructed so that the international observers are granted complete access to all of its installations, as well as to timely information regarding the development and progress of the election calendar.
- c) The ELECTORAL AUTHORITY, on the day of the elections, shall guarantee the Mission access to voting locations, from the installation of the polling stations until the official count is tabulated nationally.

SECOND: Information:

- a) The ELECTORAL AUTHORITY shall furnish the Mission with all information having to do with the organization, direction, and supervision of the electoral process. The Mission will be able to request of the ELECTORAL AUTHORITY any information as is necessary for the exercise of its functions, and the ELECTORAL AUTHORITY shall provide such information promptly.
- b) The Mission shall inform the relevant authorities about any irregularities or interference which it may observe or about which it may learn. Similarly, the Mission shall be able to request information from the relevant authorities regarding any measures that may have been taken with respect to such irregularities.
- c) The relevant authorities shall provide the Mission with information related to the electoral rolls and other computerized electoral data referring to the same. Similarly, they shall provide all other information relative to the computer systems used on election day, and will offer demonstrations of the systems' operations to the Mission.
- d) The ELECTORAL AUTHORITY shall guarantee the Mission access to all electoral bodies responsible for vote counting. Similarly, the ELECTORAL AUTHORITY shall permit the Mission to conduct any evaluations the Mission deems necessary of the voting system and of the communications utilized to transmit electoral results. At the same time, the ELECTORAL AUTHORITY must guarantee the Mission complete access to the complaints process and quality controls that occur before and after the electoral process.
- e) The ELECTORAL AUTHORITY shall guarantee the Mission access to all polling stations throughout the national territory of HOST COUNTRY.

- f) The ELECTORAL AUTHORITY shall guarantee the Mission access to information on the provisional tabulation and the final tabulation of results, and shall guarantee access by members of the Mission to the respective vote counting centers, as well as copies of documents printed electronically.

THIRD: General Provisions:

- a) The GS/OAS shall communicate to the President of the ELECTORAL AUTHORITY the names of the persons who will comprise the Group of international observers, who will be duly identified with an identification credential issued by the GS/OAS and by the ELECTORAL AUTHORITY, produced especially for the Mission.
- b) The Mission shall act impartially, objectively, and independently in the fulfillment of its mandate.
- c) The Secretary General shall send the President of the ELECTORAL AUTHORITY a copy of the Mission's final report.
- d) The ELECTORAL AUTHORITY shall make known and disseminate the contents of this Agreement among all electoral bodies responsible for the electoral process.

FOURTH: Privileges and Immunities:

No provision of this Agreement shall be construed as a waiver of the privileges and immunities enjoyed by the OAS, any of its organs, their staff, and their property under the OAS Charter, whose instrument of ratification was deposited by the government of HOST COUNTRY; the Agreement on Privileges and Immunities of the Organization of American States, adopted on May 15, 1949, whose instrument of accession was deposited by the Government of HOST COUNTRY on DATE; the Agreement between the Government and the GS/OAS on the Operation of the Office of the GS/OAS in HOST COUNTRY and on its Privileges and Immunities, signed on DATE; and the Agreement on Privileges and Immunities of the OAS Group of international observers related to the electoral process in HOST COUNTRY, signed on DATE.

FIFTH: Resolutions of Disputes:

The Parties shall attempt to resolve through direct negotiations any disputes arising in relation to the interpretation and/or implementation of this Agreement. If such a resolution should not be possible, the matter shall be resolved through any procedure agreed to by the Parties.

SIXTH: Entry into Force and Termination:

This Agreement shall enter into force upon the signature of the Parties' duly authorized

representatives and shall remain in effect until the Mission has concluded all of its duties related to the electoral process in HOST COUNTRY.

This Agreement may be terminated by either Party without cause by means of written notice to the other Party, no less than five days prior to the termination date.

IN WITNESS WHEREOF, the representatives of the Parties, being duly authorized to this effect, sign this Agreement in equally valid duplicates at LOCATION OF THE SIGNING on DATE OF THE SIGNING.

FOR THE ELECTORAL AUTHORITY

**FOR THE GENERAL SECRETARIAT
OF THE ORGANIZATION OF
AMERICAN STATES**



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for more people



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