



Florida High Schools Model United Nations

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ORGANIZATION OF AMERICAN STATES
ELECTORAL ASSISTANCE AND OBSERVATION
MISSIONS

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“Convinced that representative democracy is an indispensable condition for the stability, peace and development of the region.”¹

"The right to universal suffrage by secret ballot is a cornerstone of the democratic system. It is imperative that citizens of every county be able to rely on electoral processes that are free, peaceful and transparent."²

Introduction

It is often said that a country is only as free as its electoral process. This includes, among other things: the ability of opposition parties to campaign freely, without fear of reprisal or recrimination from those in power; the ability of citizens and other eligible voters to be able to cast secret ballots without being under duress, and; the ability of the media to report on political developments without censorship. To this end, the Organization of American States (hereafter OAS), which consists both of established and fledgling democracies, seeks to promote representative democratic processes among its member-states. The OAS and its members state that representative democracy is fundamental in fights to eradicate poverty among their respective constituencies and is essential in preventing illegitimate intervention into each others' affairs. Despite these lofty goals ascribed to democratic governance, not every member-state in the OAS has experience with a robust, peaceful, democratic climate. In order to further promote the goals of establishing and maintaining representative democracy, the OAS carries out a series of electoral observation missions to ensure that the integrity of votes is upheld, and to foster capacity-building strategies throughout the Americas such that the region is known internationally for its commitment to strong self-determination. The OAS reaffirmed its dedication to promoting representative democracy in 1990 by establishing a Unit for Democratic Development, tasked with:

provid[ing] a program of support for democratic development that can respond promptly and effectively to member states which, in the full exercise of their sovereignty, request advice or assistance to preserve or strengthen their political institutions and democratic procedures in order "to renew, preserve or strengthen democratic institutions and processes by serving as a forum for the exchange of information and expertise."³

In this background guide, the OAS' role as an election monitor will be explored, as well as its goals of "strengthening democracy in the hemisphere."⁴ It will also examine the strengths and limitations of what the OAS and its partners do in their observation missions and look at alternatives to past and current OAS action in this field.

How it Works

The OAS has a long history of providing election monitoring services for its members, with more than 250 elections supervised through 2018.⁵ Twenty-seven OAS member-states have

¹ Charter of the Organization of American States (as revised in 1967).

² Charter of the Organization of American States (as revised in 1967), chs. 2 and 3.

³ Organization of American States, "Elections," <http://www.oas.org/en/topics/elections.asp>.

⁴ Organization of American States, "Secretariat for strengthening democracy," 2018, <http://www.oas.org/en/spa/deco/autoridades.asp>.

⁵ The OAS listed 7 electoral observation and assistance missions for 2018: Colombia; Costa Rica; Ecuador; El Salvador; Grenada; Mexico; and Paraguay. OAS, "Electoral Observation Missions and Recommendations Database", 2018. Found at: <https://www.oas.org/eomdatabase/default.aspx?lang=en>

hosted monitors,⁶ including the United States.⁷ From the very first observation missions held in Costa Rica and the Dominican Republic in 1962, OAS monitoring has been a voluntary affair: countries need to request observation in order to receive it, rather than having it foisted upon them by another entity.⁸ According to OAS guidelines, elections can only be democratic when four conditions are met in full and are guaranteed by each country's electoral observation body:⁹

- Elections are inclusive: This condition concerns the right to vote, and which population/s are able to have it. The OAS considers nothing short of universal suffrage (i.e., voting rights are not restricted by gender identity, race, financial status, or other factor) to be appropriate, and works with member-states to ensure voter registration data are up to date, that polling places can be easily accessed, and that voters are unencumbered in their attempts to cast ballots.
- Elections are competitive: This condition deals with the right of people to enter elections as candidates, regardless of their political leanings or party registration. OAS monitors and observers work to clarify legal language surrounding candidate eligibility as to not make the process of running for office unnecessarily burdensome. The condition also concerns whether or not media organizations are able to report on elections without fear of reprisal or censorship.
- Elections are clean: This condition ensures elections are conducted fairly, by secret ballot, and that votes are counted accurately after being cast. In other words, it seeks to prevent vote tampering or pressuring people to vote in ways that may be against their conscious decisions.

Public offices are openly elected: This condition addresses whether or not government positions are open for competitive election, and whether winners are duly given the offices to which they have been elected. Bearing these factors in mind, OAS election monitors and observers are dispatched to polling places on an election day in a country, and given questionnaires to fill out detailing specific pieces of information about what is seen at those locations at specific times during the voting process. Some details, like whether observers see anyone trying to bribe voters, are straightforward to record; others, like whether the design of the ballots is confusing to a point where voter intent may be misinterpreted, require a bit more attention to detail. The questionnaires are designed both for observers who make repeated visits to a polling place throughout the day to record more quantitative measures of information (i.e., how many people voted out of the total population of eligible voters) and for those who make shorter visits for qualitative purposes (i.e., asking individual voters about difficulties they experienced in the process). While questionnaires may be customized for

⁶ Organization of American States, "Department of electoral cooperation and observation," 2018, <http://www.oas.org/en/spa/deco/ACERCA.ASP>.

⁷ Organization of American States Secretariat for Political Affairs, Department of Electoral Cooperation and Observation, "United States of America general election 2016," 2016, <http://www.oas.org/eomdatabase/moeInfo.aspx?Lang=en&Id=389>.

⁸ Organization of American States, Annual report of the Secretary-General (1962).

⁹ Unless otherwise noted, the following information in this section comes largely from Organization of American States, Methods for election observation: a manual for OAS electoral observation missions, October 2007, <http://www.oas.org/en/spa/docs/Methods%20manual.pdf>.

individual elections and the countries in which they are conducted, the OAS recommends a generally standardized form be used in order to properly compare data from country to country afterward.

The OAS also carries out observation and monitoring missions ahead of time in order to observe particular aspects of the electoral process in the runup to a general election. This wide array of approaches ensures a multidisciplinary look at how elections take place in a given location, helping give observers a more nuanced view at how the processes take place. Specific observers are trained in media monitoring,¹⁰ where they watch, read & listen to local media accounts to see whether or not information is being portrayed fairly and accurately. They are also trained in matters of political finance,¹¹ to see if any kind of graft, bribery or misuse of funding is taking place with candidates or their parties, or other affiliated groups with a vested interest in the outcome of the election. Some are tasked with developing a strong knowledge of the different voting technologies used in an area,¹² to ensure the integrity of any computer systems that may be used in transmitting or tabulating voting/voter information, and/or to ensure that any kind of vote tampering cannot happen. Still others look at issues related to who is participating in the electoral process, from both gender perspectives¹³ and from indigenous peoples' perspectives.¹⁴ Once information both ahead of, during and after an election is collected, OAS observers then create reports based on what they saw and provide recommendations to the relevant country's elections agencies.

Indigenous Peoples and Voting

One important aspect of the OAS election monitoring missions is ensuring the fair inclusion and access of indigenous peoples in the election process. It is estimated that indigenous peoples occupy 10% of the population of Latin America and the Caribbean, roughly 50 million people as of 2015.¹⁵ Indigenous peoples have faced exclusion and been historically marginalized when it comes to elections and the trend still continues today. Decades of being exploited and discriminated against have left many indigenous peoples in economically and socially vulnerable positions as they have lacked a voice in the political system. Despite comprising a large percentage of the population in some countries, indigenous peoples still have low representation.¹⁶ While indigenous tribes often operate with their own power structures and social organization, the United Nations Declaration on Indigenous Rights protects the rights of indigenous peoples to participate in the political process if they so choose.¹⁷ The inclusion of all citizens in the election process is an

¹⁰ Organization of American States, Methodology for media observation during elections: a manual for OAS electoral observation missions, 2011, http://www.oas.org/es/sap/docs/deco/ManualMedia_WEB.pdf.

¹¹ —, Observing political-electoral financing systems: a manual for OAS electoral observation missions, 2012, http://www.oas.org/es/sap/deco/pubs/manuales/MOE_Manual_e.PDF.

¹² —, Observing the use of electoral technologies: a manual for OAS electoral observation missions, 2010, <http://www.oas.org/es/sap/docs/Technology%20English-FINAL-4-27-10.pdf>.

¹³ Organization of American States, Manual for incorporating a gender perspective into OAS observation missions (OAS/EOMs), 2013, http://www.oas.org/es/sap/deco/pubs/manuales/Manual_gender_e.pdf.

¹⁴ —, Observing the electoral participation of indigenous peoples and afrodescendants: a manual for OAS electoral observation missions, 2015, http://www.oas.org/es/sap/deco/pubs/Metodologias/OAS_Metodologia_Indig_Afro_Print_E.pdf.

¹⁵ Ibid

¹⁶ UNDP, Our Democracy in Latin America, 2011, https://www.undp.org/sites/g/files/zskgke326/files/migration/latinamerica/UNDP-OAS_Our_Democracy_in_Lat_in_America.pdf

¹⁷ —, United Nations Declaration on The Rights of Indigenous Peoples, 2007, <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/>

important tenet of the OAS definition of democratic election, but ensuring that indigenous peoples have access to fair voting options is equally as important to the representation of indigenous voices in politics.

Progress has been made towards increasing indigenous voices in the political system and in the election process, but there is still far to go. One example is the OAS's observation of the recent 2022 Brazil election cycle. The electoral observation mission reported an increase in Indigenous and Afro-descendant candidates from the 2018 election cycle. Candidacies of peoples of Indigenous and Afro-Descent total roughly 51% of the candidacies of the election, consistent with the 51% of the population that identifies as either indigenous or of Afro-descent. Despite this, the number of seats actually won by candidates of Indigenous and Afro-descent was 27.4% for legislative seats and 37% for governorships, percentages that don't match the numbers of candidacies or population.¹⁸ OAS member-states could consider strengthening their laws around regional electoral districts to ensure fair districts that accurately represent the population. Another thin member-states could consider is their laws dictating citizenship and against discrimination. Discrimination against indigenous peoples keeps them out of the election process and in social and financial poverty while unclear or unfair citizenship laws may prevent indigenous peoples from voting in elections.

Case Studies

Reports issued after OAS monitoring missions have become increasingly complex and detailed with each passing election. The group's first efforts — monitoring the Costa Rican presidential election of 1962 — yielded a simple, 16-page written report on the electoral process discussing the "spectacular exercise of representative democracy" that "realized democratic principles" by and for the country's voters. Compare this to the final OAS report following the 2014 presidential and legislative elections in the same country, which spanned 89 pages. The report detailed how the electoral process played out, from the perspectives of multiple parties and their officials, and how the first & second rounds of voting took place throughout the country. OAS observers offered multiple recommendations for improvement in how the election should have been organized, how roles for women could have been expanded, and others,¹⁹ with a hope they would be taken into consideration for the country's next elections in 2018.

One example of an OAS observation largely considered to be a "watershed" in the organization's capabilities and status was in 1990, when the OAS and other groups observed a presidential election in Nicaragua. The Sandinistas, who had held power since 1979, faced a strong electoral challenge from various opposition groups, including previous supporters such as the eventual winner of the presidential election, Violeta Chamorro of the Democratic Union of Liberation Party, contesting the country's first open election in years after the passage of a new constitution. OAS and other international monitors were able to ensure the election went smoothly and met international guidelines for a free and fair election, helping Nicaragua move back onto a path of democracy and helping to legitimize electoral defeat for the Sandinistas, who may not have otherwise conceded. Similar efforts from the OAS in the

¹⁸ OAS Electoral Observation Mission, Preliminary Report following the Second Round of the Elections in Brazil, 2022, <https://www.oas.org/fpdb/press/EOM-Brazil-Preliminary-Report.pdf>.

¹⁹ Organization of American States, Elecciones de presidente y vicepresidentes y diputados a la asamblea legislativa de la república de Costa Rica: primera y segunda vuelta, 2 de febrero y 6 de abril de 2014 (translated from Spanish by the author), n.d.

Dominican Republic in 1994 helped move that country toward democratic governance.²⁰

OAS observers sent to monitor the 2012 general election in Mexico had specific recommendations based on the country's campaign finance system, recommending clear punishments for those found guilty of campaign finance violations and increased transparency among campaign & government officials during an election. They also had recommendations to institute gender-based quotas in parties' candidate selection processes to ensure more women take part in elections, as well as improving electoral technologies used and increasing the number of polling places throughout the country.²¹ The recommendations seem to have been taken to heart: OAS monitors who observed Mexico's 2018 general election had no recommendations for improvement²² but did note in preliminary reports of issues surrounding media coverage toward certain candidates being potentially biased & of long delays at some polling places throughout the country.²³

Not every country's observation missions have yielded satisfactory results, though. Consider the 2006 presidential election in Venezuela, in which Hugo Chávez won his second full term in office. While OAS observers appreciated in their 88-page report that carrying out the election was an "arduous" task and that there were many positives to take away, more than 22 specific points of improvement were recommended, spanning from improving electoral logistics to regulating campaign finance and improving access to free & uncensored sources of information.²⁴ The criticism from the OAS began a decline in the relationship between the body and the Venezuelan government, which increasingly began to view the OAS as a puppet of western nations seeking to bring down the governments of Chávez and his successor, Nicolás Maduro. The situation deteriorated further in the later parts of the 2010s, with the OAS suggesting in 2016 that Venezuela had ceased to be a democratic state²⁵ and calling the year following for the country's constitutional assembly to be suspended because it would "dismantle" democratic institutions in the country.²⁶ Come 2018, when Maduro was running for a second term in office, the OAS called for elections to be halted because of a high potential for irregularity;²⁷ elections went ahead nonetheless, without OAS observers present to ensure the election's integrity.

²⁰ Rubén M. Perina, "The future of electoral observation," *Americas Quarterly*, Spring 2012, <https://www.americasquarterly.org/perina>.

²¹ Organization of American States Secretariat for Political Affairs, Department of Electoral Cooperation and Observation, "Mexico 2012 general election" (translated from Spanish by the author), 2012, <http://www.oas.org/eomdatabase/default.aspx?lang=en>.

²² —, "Mexico 2018 general election," 2018, <http://www.oas.org/eomdatabase/MoeReport.aspx?Lang=en&Id=409&MissionId=488>.

²³ —, "OAS electoral observation mission congratulates Mexico on the success of the largest and most complex elections in its history," 3 July 2018.

²⁴ Organization of American States, Informe final de la misión de observación electoral de la OEA sobre las elecciones presidenciales celebradas en Venezuela el 3 diciembre de 2006 (translated from Spanish by the author), 10 September 2008.

²⁵ BBC News, "Venezuela: OAS head calls emergency meeting over crisis," 31 May 2016, <https://www.bbc.com/news/world-latin-america-36416116>.

²⁶ EFE, "Almagro, 13 OAS nations demand Maduro suspend constitutional assembly," 26 July 2017, <https://www.efe.com/efe/english/world/almagro-13-oas-nations-demand-maduro-suspend-constitutional-assembly/50000262-3336688>.

²⁷ El Nacional, "La OEA insta a Maduro a cancelar las elecciones presidenciales de abril" (translated from Spanish by the author), 23 February 2018, http://www.el-nacional.com/noticias/mundo/oea-insta-maduro-cancelar-las-elecciones-presidenciales-abril_224292.

Room for Improvement

The previous example of Venezuela's most recent presidential elections is but one example of how the OAS' system for election monitoring and observation is an imperfect one. Because countries must request monitors take part in their electoral processes in order for the OAS to be present, it is unable to act when it has reason to suspect irregularity might occur or when it has been shown to have occurred after the fact. The only actions in light of such situations are post-hoc — not enough to change the result of an election or ensure its integrity. While the OAS may try to take preemptive action, like in calling for Venezuela's elections to be halted, countries have no obligation to heed the body's requests for action.

Relatedly, other groups have criticized the OAS for being slow to react to potential challenges to that robust defense of representative democracy its member-states are supposed to have. Twenty-one years after the OAS was praised for its role in Nicaragua's elections, it was criticized for its observations of the 2011 presidential election featuring Daniel Ortega — the Sandinista leader defeated in 1990. Ortega's critics and other observers were not sure if he was eligible to take part in the 2011 election given he had already served a term in office & the constitutional eligibility of such a candidate was dubious. Nonetheless, the OAS sent a mission to observe proceedings, which:

identified some organizational irregularities in the process and encountered some obstruction to its work on election day. It also reported that despite rumors of impending violence, the voting was peaceful and relatively normal. But it did not challenge the validity of the political and electoral context before the mission's arrival, which many considered constitutionally questionable.”²⁸

The OAS' potentially inadvertent role in legitimizing dubious elections — despite the purported exercise of representative democracy therein — is a longstanding critique of the group, with some saying the group itself is leery of calling out undemocratic actions by member-states for fear of financial reprisal.²⁹ Member-states to the OAS contribute dues to the organization's budget, just as they would to other supranational entities like NATO or the United Nations. On top of those dues, election monitoring missions are funded by member-states wishing to fund those activities. If a major donor to such initiatives, like Canada for instance, were to decide the OAS or its election observations were no longer major foreign policy goals for their country, the OAS could run the risk of not having the money available to carry out such projects in the future.

These criticisms could be remedied in a variety of ways. For one, obtaining sources for more dedicated funding mechanisms that are not necessarily subject to transitions in government may be a goal for the organization moving forward. OAS member-states could agree to allow election observers into a country at any time, with no questions asked, and with no precondition of an invitation to allow their presence. Relatedly, the OAS could be more forceful in condemning elections it sees as being fraudulent or faulty ahead of time and refusing to send observers to them with a hope they lend an air of legitimacy to an already tainted process. Supporters of the OAS may argue the body is already taking steps in this direction with its heightened public criticism of the current situation in Venezuela, but detractors may argue the screws have not been tightened as much as they could be.

²⁸ Rubén M. Perina, "The future of electoral observation."

²⁹ Brianna Lee & Danielle Renwick, "The Organization of American States," The Council on Foreign Relations, 11 April 2018, <https://www.cfr.org/backgrounder/organization-american-states>.

Conclusion

As the OAS looks back on more than 70 years of service, its system of election monitoring and observation can be seen as a point of pride. OAS observers have helped scrutinize dozens upon dozens of electoral processes throughout the Americas, providing people and governments with advice & technical support to improve their democratic processes. But, despite the OAS' achievements, more could be done to further the organization's self-stated goal of furthering "representative democracy." In 2018, the OAS conducted election observation missions in Brazil, Colombia, Costa Rica, Ecuador, El Salvador, Grenada, Mexico, Paraguay, and Peru. Delegates to the OAS may wish to examine the specific recommendations emanating from these observation missions in preparation for upcoming missions in 2019 and beyond.³⁰

³⁰ OAS, "Electoral Observation Missions and Recommendations Database", 2018. Found at: <http://www.oas.org/eomdatabase/default.aspx?lang=en>

RESOURCE REVIEW

United Nations Documents

United Nations General Assembly. “United Nations Declaration on the Rights of Indigenous Peoples.” A/61/295. 13 September 2007.

https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

This report represents the UN’s official declaration and stance regarding the rights of Indigenous peoples. The document affirms that every Indigenous person has the right to participate in decision making and political life if they choose to. Delegates should use this document to get an idea of what they should be working towards when including indigenous peoples in the election process.

Other Primary Documents

OAS, UNDP. “Our Democracy in Latin America.” 2011.

https://www.undp.org/sites/g/files/zskgke326/files/migration/latinamerica/UNDP-OAS_Our_Democracy_in_Latin_America.pdf

Organization of American States. “Observing the Electoral Participation of Indigenous Peoples and Afrodescendants: A Manual for OAS Electoral Observation Missions” Accessed January 23, 2023.

http://www.oas.org/es/sap/deco/pubs/Metodologias/OAS_Metodologia_Indig_Afro

Organization of American States. “Electoral Observation Mission, Preliminary Report following the Second Round of the Elections in Brazil, 2022.” November 1, 2022.

<https://www.oas.org/fpdb/press/EOM-Brazil-Preliminary-Report.pdf>.

RESOURCES & NOTES:

- United Nations Development Programme: Rights of Indigenous peoples (<https://www.un.org/development/desa/indigenouspeoples/about-us.html>)
 - Recommendation: Every indigenous person should have the right to participate how they want within their political system and should be fairly represented.
 - Indigenous peoples are often not fairly represented or allowed to participate in political elections.
- International Foundation for Electoral Systems (IFES): Rights of Indigenous Peoples (<https://www.ifes.org/our-expertise/inclusion-human-rights/rights-indigenous-people/>)
 - Fully and equal inclusion of Indigenous Peoples strengthens democracy.
 - Work towards facilitating multi-stakeholder dialogue on emerging best policies and practices for the voluntary political inclusion of Indigenous Peoples.
- Ruebén M. Perina, The Americas Quarterly: The Future of Electoral Observation (<https://www.americasquarterly.org/fulltextarticle/the-future-of-electoral-observation/>)
 - The OAS needs to strengthen its observation missions

- Observation missions can only report what they see, not resolve any noted election disputes.
- Elections can be flawed from the start, despite the election day itself perhaps going smoothly
- If an election is already flawed, an OAS observation mission may influence the credibility of a corrupt election by legitimizing any part of the process.
- OAS, Methodology for Media observation during elections
(http://www.oas.org/es/sap/docs/deco/ManualMedia_WEB.pdf)
 - OAS observation missions observe the media, matters of political finance, and counting of votes during an election.
 - Observers look for fair and accurate portrayals of information from media outlets

Guiding questions

Has your country requested — or otherwise been given — electoral monitors for recent elections? How were they received? Was there opposition to their presence?

Has the OAS observed elections in your country? What recommendations were given? Has action been taken to meet them?

What obstacles exist to voting in your country? How could voting be made simpler for your citizens?

Has your country's electoral process become more or less robust over time?

Do elections in your country meet the OAS' four standards for democratic process? Where can improvements be made?

Are elections in your country fair and allow equal participation of everyone? Are Indigenous peoples in your nation fairly represented in the election process?