



# Guiding Framework on Inclusive Election Observation





The Asia-Pacific Regional Support  
for Elections and Political Transitions  
(RESPECT) Program

# Guiding Framework on Inclusive Election Observation

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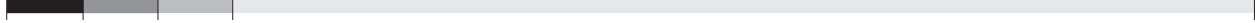
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## Abbreviations and Acronyms

<b>Perludem</b>	Perkumpulan untuk Pemilu dan Demokrasi (The Association for Election and Democracy)
<b>RESPECT</b>	The Asia-Pacific Regional Support for Elections and Political Transitions Program
<b>Covid-19</b>	Corona Virus Disease 2019
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>ICCPR</b>	International Covenant on the Civil and Political Rights
<b>ICESCR</b>	International Covenant on the Economic, Social and Cultural Rights
<b>ICPRMW</b>	International Convention of the Rights of All Migrant Workers
<b>ICERD</b>	International Convention on the Elimination of All Forms of Racial Discrimination
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UNGA</b>	United Nation General Assembly
<b>EMB</b>	Electoral Management Body
<b>ICT System</b>	Information Communication Technology System
<b>INEC</b>	Independent National Electoral Commission
<b>US</b>	United States of America
<b>EU</b>	European Union
<b>IT</b>	Information Technology
<b>ID</b>	Identity Card
<b>EVM</b>	Electronic Voting Machine
<b>PCIJ</b>	Philippine Centre for Investigative Journalism
<b>SALN</b>	Statement of Assets, Liabilities, and Net Worth
<b>SECE</b>	Statement of Elections Contributions and Expenditures
<b>Bawaslu</b>	Badan Pengawas Pemilu (Indonesian Election Supervisory Body)
<b>KPU</b>	Komisi Pemilihan Umum (Indonesian General Elections Commission)
<b>MoU</b>	Memorandum of Understanding
<b>NAMFREL</b>	National Citizen's Movement for Free Elections (Philippines)
<b>NGO</b>	Non-Governmental Organization

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# Preface

Election observation is an important activity in an effort to maintain the integrity of the election administration. This activity is usually carried out by civil society concerned with holding elections in accordance with the principles of free and fair election. Therefore, election observation activities must have clear guidelines, so that civil society as observers can observe the implementation of each aspect and stage of the general election comprehensively.

Based on this, Perludem through the RESPECT program seeks to manifest election observation guidelines in the module. Writing this module aims for several things. First, it aims to take a specific segmentation of issues. Second, this module also aims to make observation activities a means to protect the right to vote for marginalized groups. The marginal groups referred to in this module include groups with disabilities, indigenous groups, women, and youth groups, particularly the first-time voters.

This module is expected to be useful for all civil society who wish to become election observers. In addition, this module is also intended for observers who want to focus on specific issues, especially in the issue of protection of political rights of marginalized groups. It is hoped that this module can assist election observers in conducting observation activities with specific issues.



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## Module Usage Guidelines

There are several things that need to be considered in order to use this module in conducting election observation:

1. This module focuses on the implementation of observation on the segmentation or community of marginalized groups, consisting of persons with disabilities, indigenous peoples, women, and youth, especially first-time voters;
2. This module contains observation activities starting from the voter registration process, nominations, campaigns, voting, to counting the votes from the election results. At each stage there are: principles for the conduct of inclusive elections; challenges for marginalized groups; observation focus; observation strategies, use of technology in the process, and community discussion initiatives as part of political education at the election stage;
3. Observers who will use this module can adjust the implementation of their observation activities according to the situation, conditions, needs and opportunities available in each country to carry out observation and political education. This means that it is very possible that observation is carried out not necessarily from the beginning of the voter registration process but starting from the campaign stage or the voting stage;
4. In this module, there are also community discussion activities, according to the stages of the ongoing election. The implementation of these community discussions can also be adapted to the priorities and developing situation in each country when carrying out political observation and education activities guided by this module



# Guiding Framework on Inclusive Election Observation





## I. INTRODUCTION

Election observation activities are part of community participation. Election observation is also a space for learning about the development of democracy. In fact, election observation initiatives are not only carried out within a domestic scope. As part of democracy that has universal values, election observation activities transcend national boundaries.

This is certainly a very important learning medium for every country that holds elections. Observing the implementation of elections will show, as well as measure, the development of democracy and the implementation of democratic and fair election principles in the country. From the results of election observation, it will also be possible to find learning values that can encourage and influence democratization between countries. For this reason, the observation initiatives carried out by the RESPECT program for the Southeast Asia region wants to take on the role of realizing inter-country learning for strengthening democracy and citizen participation.

However, in this module election observation activities are aimed at or want to take a specific segmentation of issues, namely election observation on the protection of the voting rights of marginalized groups. Marginalized groups in this module consist of groups of people with disabilities, indigenous peoples, women, and youth groups, especially first-time voters.

The election observation activities in this module will focus on these groups. How to fulfill the right to vote and guarantee participation in elections in a democratic and fair manner can be realized for these marginalized groups by countries in Southeast Asia that will carry out elections. However, there is further hope that this module can be used to focus on observation of and by marginalized groups.

In addition to observing the fulfillment of the right to vote for marginalized groups from an election held by the state, this module also compiles political education initiatives that can be carried out in conjunction with election observation activities. Therefore, this observation module is concerned with the principle of fulfilling the rights of marginalized groups, along with the challenges at each stage of the election as a cycle, starting from voter registration, the nomination process, election campaign, voting and vote counting, to the determination of the elected candidate. In each election stage in the module, there are principles of fulfilling the rights of marginalized groups that must be protected. In addition, there are challenges for the fulfillment of the rights of marginalized groups at every stage of the election.

*In the Philippines, the groups that are often marginalized from the election stage are migrant workers, the poor, and victims of Covid-19.*

*In addition, the remote location of the polling stations, and requiring hours of travel, is also a challenge for indigenous peoples to participate in elections in the Philippines.*

This module also outlines matters that focus on observation at each stage of the election, as well as observation strategies for each stage of the election. This module also describes the use of technology and civic tech for each stage of the election as described above. Finally, at each stage, community discussion initiatives for marginalized groups are recommended to promote political education.

## **II. INCLUSIVE ELECTIONS IN VARIOUS INTERNATIONAL CONVENTIONS**

As all countries approach national and state elections in the coming years, inclusivity has risen in importance. While international law is rarely binding, the cultural shift that each law can create provides a generational shift from outdated, over practiced and traditional election systems to a new generation of diversity, accessibility, equality and inclusivity.

Although an inclusive election can often be presented as a far-reaching concept, international conventions aim to increase understanding of promoted elections in order to provide a definition. International Conventions discussing the definition of the term include the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention on the Rights of Persons with Disabilities (CRPD), the International Covenant on Civil and Political Rights (ICCPR), the International Convention of the Rights of All Migrant Workers (ICPRMW) and the Universal Declaration of Human Rights (UDHR). Although contention arises from the direct definition of ‘inclusive elections’, it is primarily based on established principles that discourage or eliminate disadvantages placed on the voter to affect their voting and increase accessibility to marginalized voters (IFES, 2021). Marginalized groups to be discussed in the lens of each international convention previously mentioned include those with disabilities, youth, women, the homeless, the illiterate, minorities, migrants, and groups living in poverty (ACE, 2021). While most countries aim to secure a worldwide standard of equality and fairness in all aspects, international conventions and law provide little to no binding power to each country (United Nations, 2021). Following this, it can be held that in order for inclusive elections to exist in practice, true to the combined definition, they must encompass multi-generational systemic and cultural change. By discussing the differences and similarities in various conventions, discrepancies or similarities will be found with the aim of assisting marginalized groups, in order to create a definition for an inclusive election.

### **1) Convention on the Elimination of Discrimination against Women**

CEDAW was first established by the United Nations General Assembly in 1979 and entered into force in the second half of 1981 (AHRC, 2021). While the convention aims for ratification by participating countries, this is with the primary goal of women to possess the same equal rights and freedoms as men. Part 2, Article 7 of the convention addresses that state parties should undertake measures to remove discrimination against women in politics and elections. This includes the right to vote and be elected in all public elections, participate in government at all levels, create policy, and be involved with non-governmental organizations and associations advocating for public and political aspects of each country (UN General Assembly, 1979). While CEDAW does not provide a definition for inclusive elections or any elections, article 7 provides for equal voting rights to men and involvement in politics and community political organizations. This implies that in each country that has ratified the convention (Byrnes & Freeman, 2012), whatever rights are guaranteed to men in voting and elections are secured for women. Therefore, inclusivity is increased by promoting involvement for women.

### **2) Convention on the Rights of Persons with Disabilities**

The CRPD was created in 2006 to advocate for those living with disabilities to retain and advocate for their human rights. While the CRPD does not create new rights for those

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living with disabilities, it does apply existing human rights through the lens of social development to highly consider the disabled (AHRC, 2007). Historically, people with physical or mental inabilities have often been prevented from voting, participating in politics, or publicity related to elections. The CRPD requires for persons with disabilities, pursuant to Article 29 regarding participation in political and public life, that effective and full participation be ensured through accessible voting and materials, optional secret ballots, holding office and acting in all levels of government with assistive technology if needed, and free expression of will when seeking assistance (Theuns, 2020). Contrasted with CEDAW, the CRPD also allows for forming or joining organizations that represent people with disabilities, effectively forming an inclusive representative community. However, the CRPD does share similarities with CEDAW in that no definition of an inclusive election is stated, but specifications in all elections are provided as a requirement of Article 29. The preamble does, however, acknowledge various groups of people with disabilities that may exist with a higher risk in activities, including in election cycles, such as those suffering multiple forms of discrimination like racism or social origin, women, and children (youth). Additionally, Article 1 relays that a disability may include impairments to physical, mental, intellectual, or sensory health. Therefore, the article includes all people with disabilities, heightening the need to remove discrimination when the convention is applied. While no definition is provided, the preamble in combination with Articles 1 and 29, provides a clear guide of the marginalized groups within people who have disabilities and how they should be guaranteed a fair and equal vote in all elections (United Nations General Assembly, 2006).

### **3) International Covenant on Civil and Political Human Rights**

Created in December 1966, and entered into force by March 1976, the ICCPR aims to safeguard and sustain the human rights of all people (CCLA, 2015). While there is no definition of an inclusive election, election and voting rights are provided pursuant to Articles 2 and 25(b), the right to take part in public affairs and elections. Article 2 requires that a State Party to the convention will not discriminate against a person on any grounds, including, race, sex, religion or status, among others. While the ICCPR is relatively limited when discussing the ability to vote, it acts more so as protection for the individual for their political views through the articles that are applicable (Davis-Roberts & Carroll, 2009). The use of Article 5 is only to be limited by Article 4 wherein the rights should only be limited by public emergency (Australian Government - Attorney-General's Department, 2021). While not directly mentioning a vote or election, articles 1, 19, 21 and 22 are relevant for protected self-determination, freedom of opinion, peaceful assembly, and association (Australian Government - Attorney-General's Department, 2021). As a result of the ICCPR, state parties have a positive obligation to guarantee the right and opportunity to vote for their citizens (Merloe, 2008). By securing consistent human rights in relation to voting and elections, the people are provided with security in their leaders and political systems.

### **4) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was adopted by the UN General Assembly in December

1990. The objective of the convention is to protect migrants as workers in their ‘new’ adoptive countries, with the concept of recognizing, respecting and promoting welfare for migrants (Cooper, 2017). Article 41 of the convention details that migrant-workers and their families have the right to participate in public affairs, be elected and vote in their state of origin, pursuant to their home, and not face discrimination based on gender, race, language, nationality, or religion, amongst others, pursuant to Article 1. The definition of a migrant worker is not limited to but includes self-employed workers, seasonal workers, seafarers, and project-tied workers, per Article 2. However, the convention does not apply to refugees, stateless individuals, students, and people in residence of a different country as an investor (United Nations General Assembly, 1990). This places some difficulties on the protection of migrants working in a foreign country who do not hold permanent residency or citizenship. Additionally, stateless peoples may not be considered by their country of origin despite their birthplace, therefore rendering them zero protection from the act if employment is found (Refugee Council of Australia, 2021). Despite the limitations, the convention provides for the protection of migrants and their families to vote, participate, and be elected in their country of origin, regardless of their gender, race, religion or political views, contributing to the inclusivity of elections in their home state.

### **5) International Convention on the Elimination of All Forms of Racial Discrimination**

The ICERD was created in March 1966 amongst the racial civil rights movement and rising racial tension across the globe (Banton, 2004). With the goal to eliminate racial discrimination, while promoting understanding between all races, the convention aims to protect marginalized racial groups such as people of color as well as indigenous and minority groups. Article 5(c) of ICERD, provides ‘political rights’ to everyone, regardless of race, color, origin, or nationality. The convention explains the rights to include participation in elections, to vote, and to enter and have equal accessibility to the public service and Government (United Nations General Assembly, 1965). Additionally, articles 5(b) provide protection from violence by the state, (d) (vii) the right to freedom of thought, conscience, and religion; (viii) the right to freedom of opinion and expression; and (e) (v) the right to education and training. By combining the sub-articles provided from article 5, the opportunity and availability to participate and vote in elections is safeguarded as the individual is free from physical harm and possesses the rights to freely vote by her/his own conscience and obtain education to enhance her decision. Per the right to enter into public service and government, people of color and people who are discriminated against because of their race are encouraged to participate in a safe environment to represent their country and community in order to continue themes of inclusivity and promote diversity (Holder, 2019).

As seen in previous conventions, while there is not a definition of an ‘inclusive election’ the articles, collectively, provide suggestions.

### **6) Universal Declaration of Human Rights**

The United Nations General Assembly adopted the Universal Declaration of Human Rights in December 1948 after the Second World War had marginalized and violated the

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rights of various political, religious, socioeconomic, and racial groups (AHRC, 2010). The UDHR, combined with the ICCPR and International Covenant on Economic, Social and Cultural Rights (ICESCR) is considered the International Bill of Human Rights (UN General Assembly, 1996). While the UDHR wholly encompasses a range of human rights, it is articles 18, 19, 20, 21, and 26 that are most relevant to finding the definition of an inclusive election. The articles are discussed through the lens of sourcing material for a definition of an inclusive election. Article 18 provides for the freedom of thought, conscience, and religion. In the context of voting and elections, the individual is freely entitled to her/his own beliefs. Article 19 pertains to the right to freedom of opinion and expression without interference. As the individual may share and receive information by any media, access to voting or political information should never be prohibited, per the article. Article 20 requires, (1) the freedom of peaceful assembly and (2) no one may be compelled to belong to a group.

This allows individuals to gather collectively without discrimination or harm, and to not be coerced or forced into an association that they do not wish to belong to. Article 21 states the rights to participate in government, equal access to public service, and genuine elections which shall be held by free voting procedures. The article allows all members to vote, be represented, elected and work in their public service if they wish to do so, without limitations. Article 26 is the right to education. Education shall be for the full development of the person (UN General Assembly, 1996). Through the perspective of an inclusive election, the individual shall be educated or have access to education on their rights, politics and elections that occur in their country. While no definition of an inclusive election is provided, the articles, through an outlook of inclusivity in elections, provide clarity on what could be possible guidelines.

While a comprehensive definition of an inclusive election is not in one consolidated form, the collated Conventions provide suggestions. With the human rights of each individual being discussed via the lens of genuine voting and elections, similarities between the conventions arise. Firstly, the removal and prevention of discrimination to all racial groups, religions, women, those with disabilities, home state or workers status, are in the collective agreement between the conventions. Freedoms of opinion, expression, thought, education, religion, peaceful assembly, to vote and be elected are all commonalities in every document. Therefore, the definition of an inclusive election is to promote and advocate for an equal and genuine election for all individuals to vote fairly, with no discrimination with regard to another's religion, race, color, age, gender, sex, socioeconomic group, country of origin, status, sexuality, or disability, and ensuring free opinion, expression and thought without fear of harm.

### **III. OBSERVATION ETHICS**

In conducting observation, there is a code of ethics that must be met. Regarding the formulation of the code of ethics presented in this module, it fully refers to the Declaration of Principles for International Election Observation and Code of Conduct for International Election Observation. The code of Conduct is as follows:

1. Respect Sovereignty and International Human Rights
2. Respect the Laws of the Country and the Authority of Electoral Bodies
3. Respect the Integrity of the International Election Observation Mission
4. Maintain Strict Political Impartiality at All Times
5. Do Not Obstruct Election Processes
6. Provide Appropriate Identification
7. Maintain Accuracy of Observations and Professionalism in Drawing Conclusions
8. Refrain from Making Comments to the Public or the Media before the Mission Speaks
9. Cooperate with Other Election Observers
10. Maintain Proper Personal Behavior
11. Violations of This Code of Conduct
12. Pledge to follow This Code of Conduct

Meanwhile, for the general code of conduct for Local Election Observation should follow the guidelines, code of conduct, and the applicable laws in each respective country.

### **IV. INCLUSIVE ELECTION OBSERVATION**

#### **1) Efforts to Realize Integrity and Inclusivity of Elections**

Elections are one of the manifestations of a democratic state. To be able to realize a quality democracy, a legal framework with integrity and inclusiveness is needed. This means that the legal framework for elections must regulate the implementation of elections in accordance with universally applicable values and principles of honest and fair election administration. The legal framework must be created by involving all electoral stakeholders. Starting from the participants, organizers, and civil society in general who have an interest in election issues.

The legal framework must lead to efforts to create honest and fair election contestation. The legal framework must set limits on behavior and actions for each actor involved in the electoral process, including voters, participants and election organizers. Limitation of action for each actor is intended so that the election process does not become a free market and a power struggle, which at a certain point can undermine the values of democracy and justice. The legal framework should limit the way that EMBs act fairly, facilitating all participants and voters to participate in elections. Election contestants must also be honest and uphold the values of integrity. Voters should not be threatened. Election contestants are also not allowed to use money in inviting voters to vote for them.

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In addition, election participants also have an obligation to ensure that the campaign narratives they convey in the public sphere are part of providing political education to the public. Voters as the holder of sovereignty must also participate in the electoral process, in accordance with the existing legal framework.

In addition to ensuring that the values of integrity are embedded in every legal framework for elections, the values of inclusiveness are also a necessity that need to be included. This means that all groups of citizens, regardless of their economic background, education, ethnicity, belief, as well as the accessibility of each citizen, must be guaranteed to be properly facilitated by the electoral legal framework. Therefore, elections are required to be able to facilitate all community groups. Implementing these inclusive values is also one of the challenges that is not easily met in any electoral legal framework in Southeast Asia. As a lesson, Indonesia explicitly includes the protection of persons with disabilities to get equal opportunities in the implementation of elections. In Indonesia, the requirement to be physically and mentally healthy, both as an election organizer and as an election participant, must not limit the rights of persons with disabilities. Some regulations regarding health requirements then mention about mental health, these provisions unfortunately limit the protection of disabilities group on election. This could be a focus of observation in each country. This is one of the important achievements in ensuring disability rights in the implementation of elections in Indonesia.

*Lessons learned from Timor Leste include that the initiative and participation of disability groups is quite good. They are aware of their political rights and the importance of participating in elections. Among others, persons with disabilities have become polling officers*

The existence of protection for groups of people with disabilities is an effort to realize an electoral legal framework that is inclusive and with integrity. In a Southeast Asian country that is still experiencing a very dynamic situation in the development of its democracy, it is important to make the issue of inclusiveness a part of observing elections. Observing the protection of the political rights of people with disabilities, indigenous peoples, women and youth, is an effort to encourage and create electoral inclusiveness in Southeast Asia. It is not enough to see whether the protection of marginalized groups has been regulated in the electoral law framework. Seeing and observing the implementation of the protection of the political rights of marginalized groups in every election process must also be one of the things that is done to strengthen democracy in the region.

## **2) The Importance of Participating in Elections**

Public participation in elections is a necessity. There is no democracy without participation. Likewise for elections. Elections as an embodiment of democracy require participation.

The electoral process is a constitutional attempt to elect every political leader. A political leader is a position that has authority and holds power from the state. In the exercise of authority, competence, and carrying out every state function, every political leader's

decision will have an impact on all of its citizens. The impact will be felt by every citizen in every affair of their life. Therefore, ensuring that political leaders are elected through an honest and fair mechanism is a must. If political leaders are elected through a dishonest process, the impact will be felt directly by citizens. Even in a wider scope, political leaders elected from dishonest mechanisms will have a negative impact on democracy itself.

The same principle also applies, regarding the importance of participating to ensure that the electoral process is truly inclusive of marginalized groups. In the short term, the initiative to observe the rights of marginalized groups aims to ensure that the electoral process can seriously and maximally facilitate marginalized groups. Starting from good access to voting, to participating in building initiatives in coloring the democratic process with an inclusive perspective.

*In Taiwan, there are 16 groups of society and immigrant with the huge populations. However, in the election process, their political rights usually are being ignored.*

### **3) Observation of the Voter Registration Process**

Voter registration is the most decisive stage for citizens to be able to vote or not in the election process. The main principle in the voter registration process is justice for every citizen who has met the requirements as a voter. All citizens who have fulfilled the requirements as voters, especially those of age, must be facilitated by the state to be able to vote. There should be no obstacles for every citizen who has met the requirements, for reasons such as coming from immigrant countries or from certain ethnic groups, religions, races, and so on.

The second principle that must be fulfilled in voter registration is actuality. This means that the age of citizens who meet the requirements will always increase in each election cycle. Likewise, the reduction in the number of voters as a result of population events. Changes in citizenship status, change of residence and death are some of the population events that will test the actuality of a voter registration process.

The third principle that needs to be considered to ensure that voter registration runs in an inclusive manner is a matter of accuracy. The voter list must be accurate, so that those who will become voters in an election process are really people who already have the right to vote.

The principle of administrative affirmation also needs to be ensured in the voter registration process. This means that administrative matters cannot override the rights of citizens to be registered as voters. Learning from the case in Indonesia, for example, many people with mental disabilities who live in social institutions do not have access to vote because they do not have residence documents.

In the Philippines there are also incidents where certain indigenous groups are denied the right to vote. Therefore, the fulfillment of administrative requirements must not override the principle of citizens who have met the requirements in terms of age to be able to vote. This also applies to any context of religious background, ethnicity, race, and other social identities.

#### 4) Challenges for Marginalized Groups in the Voter Registration Process

There are several challenges faced by marginalized groups in the electoral registration process. First, regarding discriminatory actions based on race, ethnicity, religion, or certain political sects.

*In Myanmar and Thailand, certain ethnic and religious groups are still not allowed to participate in elections.*

Second, the issue of negative stigma against marginalized groups. This has occurred in Indonesia. Groups of people with mental disabilities are often stigmatized as not being able to vote in elections. The negative stigma continues, and not infrequently it lingers on the perspective of election administrators in protecting marginalized groups in the voter registration process.

Third, the state is not careful to protect citizens' suffrage, means that state is not giving a maximum effort to protect the political rights of peoples. For instances, there are some notions, such as equality, non-discrimination, and other voter registration principles which are not being regulated in the law. This situation makes some rights of citizens' suffrage are not implemented and guaranteed by the law.

*Malaysia has changed the voting age from 21 years old to 18 years old. However, the government has not regulated it in the law, so it has not been implemented. Moreover, the political turmoil in the last 3 years has made youth have a tendency to be apathetic towards politics.*

#### 5) Focus of Observation Areas in the Voter Registration Process

In observing the voter registration process for marginalized groups, it is necessary to focus on the community area of each group. There are segments of marginalized groups that are the focus of this political observation and education activity.

*First*, disability groups. Disability groups in each of the Southeast Asian countries conducting elections focus on observation to ensure their communities have access and are properly facilitated to be able to vote in the electoral process. This means that the disability group community focuses on the area of observation voter registration in their respective regions.

The second is the indigenous people groups. Community groups need to build consolidation with their communities to ensure that all members of groups and communities have the right to vote.

The third is the women's groups. Women's organizations need to work together to ensure all women already have the right to vote. The base area can be a community of women's activities, groups of workers, laborers, or housewives.

Fourth is youth. Youth groups are also a focus area that needs to be ensured to be registered as voters. These youth are exercising their right to vote for the first time.

## **6) Observation Strategy in the Voter Registration Process**

The strategy for observing marginalized groups in the voter registration process can be carried out as follows:

1. Pay attention to the voter registration process, and observe that the voter registration process is running with access and fairness for every marginalized group. It means the registrations activity, whether using mandatory or voluntarily methods, should be accessible and fair to all of those voters, including the marginalized groups. Because, according to Ace Project, one of voter registration principles is the obvious corollary of eligible citizens from the voters list;
2. Indigenous people, as well as disability, women, and youth groups should maintain their respective communities and consolidate them to ensure that all community members who have met the requirements as voters have been registered as voters;
3. Establish communication with the election management authorities who have the authority to register every citizen as a voter so that if there are group members who have not been registered as voters, communication with the EMB that has the authority can be carried out immediately.

## **7) Utilization of Social-Media and Civic Tech in Voter Registration Observation**

Increasingly new technologies are used to make the creation and upkeep of voter register a more efficient process. It is common that voter registration data is kept in a central, electronic database that can easily allow for the sharing of information on voters between localities and also allow for the checking of multiple entries and other anomalies in the database. Such electronic registers can increase transparency as they may more easily be shared with stakeholders, such as political parties and civil society. Centralized electronic registers also allow voters to check their data, either on the Internet or by SMS on a mobile phone. At the same time, increased technology brings new challenges such as training for election officials and the need to ensure the technology chosen is appropriate, cost-effective, and sustainable (European Union 2015).

It is important to note that evaluating the use of technology in the registration process can be cost and time-effective. While observing the use of electronic technology in voter registration may require detailed knowledge of specific technologies, developing an understanding of basic principles is important for deciding on observation approaches. Even if observation groups do not have the capacity to evaluate in detail a specific technology or range of technologies being considered for application in the voter registration process, they should have a firm basis for approaching the issues and for determining what kind of assistance they may be need.

The European Union Electoral Observation Mission identifies several issues to be considered by observers if new technologies are applied:

- Is there adequate training of election officials and has sufficient voter education on the new technologies been undertaken?

- Has there been adequate testing of the new system prior to Election Day?
- How transparent was the procurement process?
- Any controversy regarding the operator/vendor?
- Is the EMB in a position to exercise proper control over the functioning of the ICT system, and is there sufficient accountability?
- What arrangements are in place to ensure the maintenance of the ICT system between elections?
- In the case of Active Registration (i.e., where voters initiate registration):
- Are there suitable opportunities for the registration of all voters?
- Is there adequate voter education on the procedures for registering as a voter?
- Are the procedures simple, and are registration offices accessible, including for those with limited mobility?
- In the case of Passive Registration (i.e., where state authorities initiate registration):
- Is the primary data source (e.g. population register) accurate and reliable?
- Are there measures for eligible voters to be registered to vote if they are not in the data source?
- Are there measures for refugees (in case of out-of-country) and IDPs who may be missing identity documents?
- Are there effective procedures to ensure that people who change their name after marriage have their data updated?
- Are there effective measures to ensure that changes of residence are accurately reflected in the register?
- Are there specific measures addressing the situation of persons who change their gender identity?

During the 2011 Nigerian elections, for example, the open crowdsourcing website [Reclaim Naija](#) was used by citizens from all over the country to report incidents during the voter registration exercise. The reports were collated in real-time and fed back to the Independent National Electoral Commission (INEC). This assisted INEC in troubleshooting in many locations across the country. The Commission deployed personnel and distributed election material based on reports on the website. The information was also useful to the media in observing and publishing stories on the voter registration exercise, thereby helping to amplify the voice of the people. In addition, the [reclaimnaija.net](#) website serves as a one-stop online resource for information on the 2011 elections.

It featured all the polling units, senatorial districts and wards, the Nigerian Constitution, information on candidates, the 2010 electoral act, the election timetable, electoral guidelines, certified voters' registration figures, political parties as well as civic and voter education modules. The website has been in continuous use since then - for example during state elections in 2014.

## 8) Dissemination of Official Information on How to Register to Vote Through Social-Media

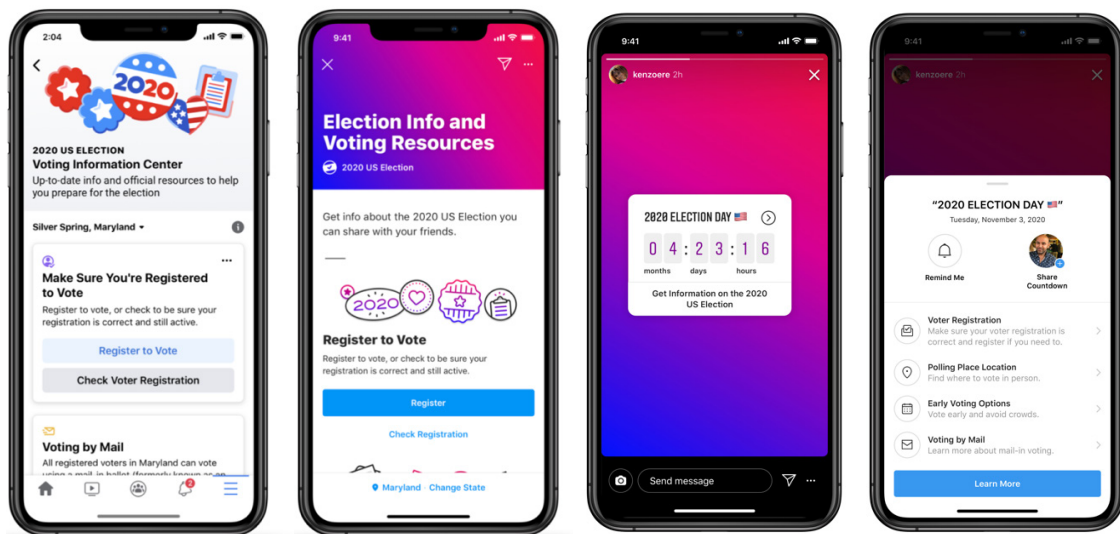
Regular and ongoing delivery of accurate information is an effective way to prevent voters from being exposed to disinformation. Important information regarding the technical procedures for voter registration must be continuously communicated by the official channels owned by the EMB until it can target all groups and communities with the unique challenges faced by these groups and communities.

Access to information should be made easy, broad and comprehensive. One way is to collaborate with social media companies so that election information, especially information on how to register as a voter, can reach social media users. Some social media companies such as Facebook, Twitter, and Google have voter education initiatives or programs.

In the 2020 United States Election, Facebook set up a Voting Information Center feature on its platforms—Facebook, Instagram, and Messenger. Everyone in the US who is of voting age will see a message at the top of the Facebook app with information about how to register to vote. This will link to that person’s state’s registration website or a nonpartisan partner site in states where it is not available online (Gleit 2020).

The Voting Information Center include:

- Posts from verified local election authorities with announcements and changes to the voting process. People can also choose to receive notifications for these alerts;
- Guidance on registration and who is eligible to vote;
- Information on how to request an absentee ballot (vote by mail), guidance for military and overseas voters, and dates and polling places for early voting;
- Information and links to help people plan their vote on Election Day, including when to vote, where to vote, and whether there are ID requirements.



Meanwhile, Google showed “how to register” and “how to vote” reminders to all U.S. users directly on Google Search, Maps and YouTube, to help everyone across the country find the information they needed to register to vote, find their voting locations, and cast

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their ballots. These reminders were seen over 2 billion times across Google products. Google worked with non-partisan, third-party data partners, such as Democracy Works, which aggregates official data directly from state and county election administrators, and linked to state government official websites for more information (Storey 2020).

In India's 2021 Election, Twitter initiated multilingual features including an information search prompt with the Election Commission of India and State Election Commissions to provide reliable information around the elections. With this initiative, Twitter aimed to make it easy for the public to find credible and authoritative information about candidate lists, voting dates, polling booths, and EVM voter registration among other election-related topics. The 'Election information prompt' will be active in six languages including Bengali, Tamil, Malayalam, Assamese, Hindi, and English, supporting more than 20 hashtags (Kamat 2021).

## **9) Community Discussion Initiatives in the Voter Registration Process**

Community discussion in the voter registration process is an initiative to encourage political education on the basis of marginalized communities. Each group is encouraged to carry out community discussions at the voter registration stage. Some of the important themes and topics of discussion include:

1. Did you know that the election in your country has entered the stage of voter registration? In this discussion, it is important to discuss the stages of voter registration in each country that holds elections.
2. Then how to check whether a citizen, especially a member of the community, has been registered as a voter or not. Then, if the community is not registered, how do you get it registered.

## **10) Observation of the Nomination Process**

### **a) The Principle of Inclusiveness in the Nomination Process**

Nomination or participation for political parties and candidates is one of the most important stages in elections. Ensuring equal treatment of all political parties and individual citizens participating in the election will ensure that the elections are free and fair. If election participation is free and fair, then the elected government as a result of the election will ensure that it is free and fair for all its citizens. The Universal Declaration of Human Rights, which has been ratified by almost all countries in the world, guarantees equal treatment of all citizens, including political rights, as stated in Article 21 of the UDHR above.-

A healthy political culture will encourage competitive observation among election participants. Each political party or candidate will observe each other for their own interests and do not want to be treated discriminatorily or even fraudulently by the election organizers. Unfair treatment in the nomination stage by the election organizers can be purely from the person who administers the election. It can also be from political parties or other candidates.

Democracy as a political system of, by, and for the people has a core value of equality and similarity. Suffrage in democracy means the right to vote as well as

the right to be elected. This applies to all citizens without exception. Any citizen, if they meet the required age, has the right to participate in the election, either as a group of citizens who are active in political parties or as individual citizens and as candidates.

The legal framework of a country must ensure that all eligible citizens are guaranteed this universal right to participation. Equal and similar, without discrimination. Equal means no one is higher or lower. Similar means that there is no difference in placement and treatment.

All these guarantees of human rights are written in the constitution and their concrete form is revealed in the law. This guarantee must be contained in the political party law and election law. The state, by law, must ensure that all citizens form political parties and participate in elections. The state also through its law must ensure that all citizens nominate in elections, both in legislative and executive elections.

### **b) Challenges for Marginalized Groups in the Nomination Process**

Some of the challenges faced by marginalized groups in the observation process are unequal access and opportunities to be elected in an election process. Regulatory barriers, social, political, and other aspects are often a problem for marginalized groups in the nomination process.

If there are no regulatory challenges, the challenges for marginalized groups often come from the nomination process itself. Access to information, and unfriendly services and no access to marginalized groups.

### **c) Focus of Observation Areas in the Nomination Process**

The focus of observation on this nomination stage can be done in several approaches:

*First*, whether the nomination provisions in the legal framework of elections in each country have fairly protected and guaranteed the voting rights of marginalized groups.

*Second*, whether in the process of implementing the nomination process, the election organizers have provided access for marginalized groups, if there are marginalized groups participating in the contestation process.

*Third*, about the schedule and nomination information. Election organizers must have concrete, detailed and definite information about nominations. This is stated in technical regulations which are generally based on the provisions of the election law. The quality of election organizers in ensuring the availability of schedules and nomination information can be seen directly in their secretarial work services.

In addition, open election organizers guarantee greater public access to election data and information. The more open they are, the more political parties and candidates will feel they are getting proper treatment regarding the fulfillment of their rights as election participants. The mass media will also easily get official data and information for reporting.

*Language is one of the obstacles for indigenous peoples in accessing electoral information in Myanmar. Myanmar has 300 ethnic groups, but information about elections is only written in Burmese.*

In today's era of computer information technology, election organizers are better at submitting nomination schedules and information through various online channels. The official website and social media (Facebook, Twitter, Instagram, and others) belonging to the election organizers can be used to publish the nomination schedule and information.

The contents of the nomination schedule and information that must be guaranteed by the election organizers are at least:

- Exact time and date;
- Requirements for nomination, both for political parties and candidates;
- Authority, contact number, contact person, as well as where and how the administration regarding the nomination must be fulfilled (for example, telephone number, letter, email, facsimile, website, direct/indirect mechanism).

The level of detail that the election organizers formulate and deliver regarding the nomination schedule and information will determine the success or failure of this state institution to serve election participants and voters. An increase in the frequency and expansion of publications regarding the opening/closing stages in the nomination schedule should be carried out. There is information on the time limit of the stages as well as sensitive or very important matters that are directly related to the fate of political parties and candidates as election participants.

The contents of the schedule and sensitive or very important information include:

- period to check the nomination paper and advise applicants of any mistakes;
- lack of fulfillment of nomination requirements;
- remedial period;
- post-remedial period;
- announcement date of nominations accepted as valid/official participants.

#### **d) Observation Strategy in the Nomination Process**

The observation strategy for the nomination process could include:

1. Observation of the legal framework of the nomination process in each country in the Southeast Asia region, whether it is in accordance with the principles of democratic and fair election administration, in particular the guarantee of protection of voting rights for marginalized groups;
2. Observing the implementation of the nomination process, whether it has provided good and fair access to information, services, and opportunities for marginalized groups. This means that observation is focused on a

series of nomination processes, starting from the announcement process, implementation of registration, remedial, submission of corrective documents, to the determination of candidates.

### **e) Community Discussion Initiatives in the Election Nomination Process**

Community discussion initiatives at the nomination stage are part of political education for marginalized groups. The topic of community discussion can be about the legal framework for candidacy as well as access to candidacy for marginalized groups. This includes access to information on the entire series of nomination stages. In addition, to enrich the perspective of marginalized groups in the electoral process, candidates from marginalized groups who register to participate in the election can also be examined.

## **11) Observation of the Campaign Process**

### **a) The Principle of Inclusiveness in the Campaign Process**

A campaign is any form of political activity including meetings, marches, speeches, parades, advertisements in the mass media, public debates and various other media activities designed to inform voters or gather support for political candidates or parties in elections, or to promote choices available to voters (Wall et.al, 2006). In simple terms, campaigns are interpreted as various forms of activities carried out by election participants to gain voter support.

The principle of inclusiveness in election campaigns is that everyone without exception can participate and obtain various information in the campaign without obstacles. In this case, various forms of political activity carried out by election participants can be followed by various segments of voters including voters who have special needs without any significant obstacles or accessibility challenges.

There are three main ways to assess how inclusive the election campaign process is:

1. Is there a legal framework for elections that stipulates those various forms of campaign activities must be accessible to various parties?
2. Are campaign activities by election participants or campaign teams carried out for marginalized voters?
3. Are campaign materials such as posters, billboards, audio visuals, video visuals, and various other forms of election campaign materials available for groups of voters with special needs? For example, for the visually impaired, campaign materials in braille are useful where braille literacy rates are high.
4. Are various campaign activities that involve direct meetings between election participants or campaign teams with voters carried out in an accessible manner and provide various tools for voters who have special needs? For example, in a face-to-face campaign, the campaign team provides sign language interpreters for disabled voters.

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## **b) Challenges for Marginalized Groups in the Campaign Process**

The main obstacle for marginalized groups in the campaign process is that they are often not the main target for election participants for campaigning because they are not considered potential voters or are considered voters of only a small number. For marginalized voter groups such as people with disabilities, it is difficult for them to obtain various information regarding the vision and mission, programs, and other information to make their choice.

The next obstacle for marginalized voters in the campaign process is that election participants or campaign teams tend to convey various campaign materials and campaign activities that are not accessible. Election participants typically provide various campaign materials, including posters, billboards, and advertisements in the mass media, which tend to ignore voters with special needs. Likewise, there are various forms of campaign activities such as meetings, parades, speeches, parades, and so on that do not provide various needs for voters with special needs or disabilities.

The inaccessibility of campaigns conducted by election participants is more or less influenced by the absence of an electoral legal framework that does not provide an obligation for election participants to carry out various forms of accessible campaign activities. On the other hand, the dimensions of the availability of campaign finance budgets owned by election participants also affect the absence of various forms of accessible campaign activities.

## **c) Focus of Observation Areas in the Campaign Process**

The focus of observation areas in the campaign stage can be carried out on every form of campaign carried out by election participants and their campaign teams. Specifically, the following are recommended focus areas of campaign observation:

1. Are the meetings between election participants/campaign teams and voters held in places that are accessible or easily accessible to marginalized groups of voters?
2. Does the meeting between election participants/campaign teams and voters provide a variety of accessible information?
3. Do election participants/campaign teams and voters provide various tools for voters with special needs? (Like a sign language translator)
4. Are the various campaign materials prepared by the election participants/campaign teams accessible to marginalized voters? Do the various campaign materials prepared by the election participants/teams provide special features for voters with special needs such as braille for the visually impaired?
5. Are the various campaign materials prepared by election participants/teams distributed to marginalized groups of voters?

## **d) Observation Strategy in the Campaign Process**

The initial strategy needed to observe the campaign process in the election is to assess the rules and campaign methods that are allowed and not allowed by the existing electoral legal framework. This includes mapping the actors involved

in the election campaign process. The following are some things that need to be considered in conducting an initial assessment before observing the campaign process is carried out:

1. Map out the various forms of campaigning methods or activities permitted by the existing electoral legal framework;
2. Identify various prohibitions and sanctions from campaign methods or activities that are contrary to the electoral legal framework;
3. Identify the actors involved in the campaign process, starting from the organizers, the security forces, to the main campaign team;
4. Identify the campaign period and the quiet period.

After conducting the initial assessment, the next step is for observers to witness directly various forms of campaign activities carried out by election participants, for example by shadowing. The presence of observers in every campaign activity carried out by election participants or their campaign teams, in addition to ensuring the campaign process runs freely and fairly, also ensures that the campaign process is accessible to marginalized groups. It is also intended to see the involvement of minority groups such as women and disabilities involved in campaign activities.

There are some possible problems that have to be aware of, regarding the campaign and quiet period observation such as (OSCE/ODIHR, 2010):

1. Forms of campaign violence
2. Detentions of candidates or activists
3. Disruption of, or restrictions on, campaign meeting or rallies, including refusals to grant authorization
4. Reports of intimidation, pressure, or harassment
5. Exclusion of women or minority groups from the political process
6. Systematic efforts to remove or deface campaign posters
7. Placing of unattributed campaign materials

The election observation strategy can also be done indirectly by observing the media. Observers identify various reports in the media, including campaign advertisements in the media. The main focus of attention in observing campaigns in the media is to ensure that various published content published by the media are accessible and friendly to marginalized voters.

There are several possible problems to be aware of regarding the media observation, such as (OSCE/ODIHR, 2010):

1. Obstacles to campaigning by women candidates
2. Discriminatory or unequal treatment of women candidates by the media
3. Reproduction of negative stereotypes about women by public and political figures or institutions, including candidates and media
4. Obstacles to the ability to campaign freely for minority groups

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5. Use of hate speech in the campaign
  6. Lack of access to media for national-minority candidates

### **e) Utilization of Social-Media and Civic Tech in Election Campaigns Observation**

Political parties and other actors target voters using not only data they collect themselves but also the tools of social media platforms provide to infer more data and to expand their reach and target other individuals, for instance through lookalike audiences. Social media platforms share responsibility with political parties and other actors for the way personal data is used to target individuals. Lack of transparency and, more broadly, lack of adequate regulation of online political ads have become a major concern during elections.

Recent initiatives led by the International Institute for Democracy and Electoral Assistance (International IDEA) have sought to fill this lack of regulation by imposing political parties (11 out of 13 parliamentary parties) and Internet platforms (including Facebook, Google, Snapchat and TikTok) to agree on voluntary rules for Dutch parliamentary elections in a Code of Conduct. In the run-up to Dutch legislative elections taking place on 17 March 2021, they have made transparency commitments regarding online political advertisements during election campaigns.

Under the “Netherlands Code of Conduct Transparency Online Political Advertisements”, Dutch political parties and online platforms jointly aim to uphold the integrity of Dutch elections. They do so by recognizing the important role of online political advertisements in preserving the safety and fairness of Dutch elections. Furthermore, through the code of conduct, political parties and online platforms contribute to guaranteeing voter privacy and freedom of expression, and to providing a more level playing field for political parties in election campaigns, without detracting from widely accepted marketing or campaign strategies. These core values are at the basis of the Dutch democratic election process. Signatories believe that online communications by and about political parties and candidates should reflect these values at all times. They want to raise awareness of the wider public through this code. Above all, the signatories underline that, at a time of increasing digitization of election campaigns, they attach great importance to maximizing citizen trust in the election process.

The online platforms agree to acknowledge responsibility in maintaining the integrity of elections and avoid the dissemination of misleading content and messages inciting violence or hate speech on their platforms. They commit to making key data on online political advertising available publicly and help to avoid foreign interference in elections by banning political advertisements from outside the European Union. They commit to putting in place a user-friendly response mechanism to answer questions or solve problems related to the Dutch elections.

A similar social media code of conduct was initiated by a coalition of 11 Indonesia CSOs led by Perludem (the Association for Elections and Democracy) for Indonesia’s local elections in 2020. The coalition, along with industry experts and academics, conducted research on social media risks during Indonesia’s local elections. Based

on this research, a [Social Media Code of Ethics for Local Elections](#) was drafted to fill the regulation gap and combat the social media risks during the elections.

While imperfect, these transparency measures can improve the capacity of independent researchers and civil society organizations to observe the impact of political ads and issue-based ads in election campaigns. Election observers could also benefit from this transparency as they conduct assessments of online engagement prior and during elections.

#### **i. Observing Campaign Finance**

Campaign finance refers to both the funding provided to political parties or candidates for the purpose of the election campaign (either through private donations or public funding) and the spending by parties or candidates on campaign expenses. Political parties and other actors are increasingly using social media platforms and other digital communications means both for targeting potential individual donors (particularly for small donations) and for spending on political advertisement.

Campaign financing is notoriously difficult to observe. Recent and on-going investigations have shown how the traditional rules of campaign financing fail to regulate and shed a light on these new forms of online fundraising and expenditures.

One of the initiatives is [Money Politics](#) led by the Philippine Center for Investigative Journalism (PCIJ) that features data and information from a dozen major public documents and databases with rich and strategic metrics for assessing transparency, accountability, governance, and other public policy issues. Some of these documents date from as far back as the seventies. Through Money Politics, PCIJ hopes to help promote transparency and accountability in government, and the citizen's right to know and to participate in governance.

The data included in the website are:

○ Time-series data on the wealth records or the Statement of Assets, Liabilities, and Net Worth (SALN) of 5,700 elective and appointive public officials from as far back as 1998. These officials include the Presidents, Vice Presidents, Senators, District and Party-List Representatives, Governors, Mayors, and Councilors, as well as the officials of the judiciary, the Constitutional Commissions, the uniformed services, and appointees to major government-owned and -controlled corporations.

- The election-spending records or the Statement of Elections Contributions and Expenditures (SECE) of senior elective public officials, including some dating back to the 1998 elections.
- Data on the business interests and financial connections of elective and appointive public officials.
- The web of relatives in the government and the social network of elective and appointive public officials.
- The registry of the donors of elective officials across election years.

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- The top 500 individual and corporate taxpayers in the Philippines.
  - The registry of graft and corruption cases that have been filed before the Sandiganbayan anti-graft court from 1979 against senior public officials with Salary Grade 27 or higher.
  - Election statistics on the number of voters and the registry of candidates across towns, cities, and provinces, in Philippine elections from 1998.
  - Databases on civil-works contracts and other projects funded with pork-barrel and special-purpose funds from 2001.
  - Data on the national budget of the Philippines from 2001, sorted and organized by sources of revenues and expenditures by sector.
  - Data from the Philippine Statistics Authority (PSA) on the status of population, land, poverty magnitudes, environment and natural resources, and public administration disaggregated for the provinces, towns, and cities of the Philippines.

## **ii. Observing Social Media**

The international election observation community has lagged in its response to new threats to electoral integrity in social media. Challenges from disinformation campaigns, incitement to violence and manipulative public relations campaigns online hardly figure when international election observers report their findings. During the many recent controversies on disinformation in elections, international Election Observation Missions (EOMs) contributed little, because the traditional election observation methodologies did not provide any means to analyze this emerging area of concern.

Some have started introducing expertise to their missions and a few have published initial scoping papers and results. Open Society European Policy Institute mapped 17 initiatives from non-governmental actors in the field of social media observation during elections. They were selected based on desk research on the 28 EU member states and relevant initiatives in the US and other non-European countries (Goldzweig, et al. 2019).

Most of the initiatives covered focus on disinformation. Debunk.eu in Lithuania stands out for its use of AI to automatically spot news articles with a high probability of being disinformation, and the support of a network of volunteers and newsrooms to confirm and debunk them. Beacon Project developed a web crawler that scrapes and sorts predefined sources within a given country. It offers a free tool to partner organizations, one of which is the Prague Security Studies Institute, which will use this platform to observe the 2019 European Parliament elections in the Czech Republic. Another initiative in the Czech Republic is Kremlin Watch, which looks for disinformation supporting Russian interests in around 40 websites in the Czech language and their Facebook pages, not necessarily related to elections. The Ukrainian Election Task Force focused on the March 2019 presidential elections and aims to highlight disinformation to an international audience, rather than to the Ukrainian public.

Lastly, the link between disinformation and paid political or issue ads remains a central aspect when it comes to social media observation.

In regard to platforms, in Europe, non-governmental initiatives have focused on two platforms: Facebook and Twitter. Websites, discussion boards and traditional media are also seen as relevant, mainly in countries that fear Russian interference, given the relative prominence of state-backed Russian media outlets such as Russia Today and Sputnik. Beyond Europe, the fact that WhatsApp and YouTube are hardly observed or analyzed leaves gaps, given the influence both platforms have in shaping political opinion and voter choice. WhatsApp was reported to have been influential in the recent elections in Brazil. The private messaging app is widespread in the country, and actions taken by Facebook and Twitter to fight disinformation networks in their platforms may have prompted campaigners to become more active on WhatsApp, an encrypted platform.

The use of WhatsApp is being observed in the current election campaign in Nigeria. Researchers who analyzed its impact in Sierra Leone indicated that its use is closely related to offline social structures. The mean size of groups in West Africa and Latin America is bigger than the ones in Europe, meaning that the viral aspect of such platform varies from country to country and is related to cultural habits, socioeconomic conditions and the level of connectivity available to users (particularly when it comes to mobile versus fixed broadband access).

The organization in Europe use a variety of tools to observe social media and digital content. They can be complex or easy to operate, free or paid, and off-the-shelf or bespoke solutions, sometimes built in-house. Most tools used are originally designed for business purposes and have been adapted to examine political content. They include:

CrowdTangle, a social media analytics solution bought by Facebook in 2016. It can observe Facebook, Twitter, Instagram and Reddit. However, it is not publicly accessible and only offered by Facebook to select partners.

TalkWalker, a paid, off-the-shelf tool for social media listening, analytics and reporting, used mainly for business purposes, but also useful for observing political and electoral content. However, its access to Facebook data was restricted after a change in the Facebook API. Other off-the-shelf solutions are Sysomos, BrandWatch and Visibrain.

Twitonomy is a platform for listening and analyzing posts on Twitter, which is also useful when looking at the historical behavior of Twitter accounts. Versus is a platform developed by Beacon Project (International Republican Institute) and offered for free for partner organizations. It can scrape content from pre-defined sources, such as websites or Facebook public pages, and organize it automatically, allowing analysts to filter, sort and tag the content.

Fact-a-lyzer is an NDI/Open Election Data Initiative platform that facilitates data collection and analysis of insights for social media observation purposes.

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It was piloted for the Georgia 2018 elections in cooperation with the Georgian NGO ISFED. It facilitates data collection, coding and visualization of publicly available data, and it was specifically designed to observe Facebook in a political context (differently from platforms originally designed for marketing purposes).

There is no one-size-fits-all tool to facilitate and optimize data collection and analysis for political purposes. The adaptation of business intelligence tools demands not only the knowledge to use them, but creativity to combine them with other tools to gather relevant insights in an electoral context. A challenge to overcome is to ensure that organizations and EOMs have access to data from Facebook, with tools for observing this context adapted to elections.

#### **f) Community Discussion Initiatives in the Election Campaign Process**

Community discussions are important in the process of observing campaigns in elections. Community discussions have two main objectives:

1. Build networks with various communities, especially marginalized groups to observe joint election campaigns, and also to share roles and issues in observing campaigns;
2. Produce various publications including media discussions to raise various inaccessible campaign issues and conduct advocacy to encourage an equal and accessible election campaign;

Publish to the public, especially marginalized voters who are disadvantaged by inaccessible campaign process.

### **12) Observation of the Voting Process**

#### **a) The Principle of Inclusiveness in the Voting Process**

The principle of inclusivity in the voting process means that everyone has the right to vote under all conditions and can cast their ballot without obstacles. Voters come from a variety of physical, social and economic conditions. The implementation of inclusive elections will examine the various special barriers experienced by each group of voters and facilitate these special conditions so that each voter has no difficulty in exercising her/his right to vote.

To be able to assess whether a voting process is inclusive, observers can check seven things. First, are there administrative requirements at the polling station or other polling locations that causes the loss of the right to vote for a certain person or group of voters?

Second, whether there are several voting options that voters can choose in relation to the special conditions experienced. The more voting methods that can accommodate the conditions of the voters, the more inclusive the election will be. For example, with postal voting during a pandemic, voters who are self-isolating or who feel safer voting independently at home can vote. Likewise, the facilitation of special polling stations in office areas, plantations, factories, and mining areas, will help workers to vote easily. Facilitation of advance/early voting can also help

protect the voting rights of voters who cannot vote at polling stations on polling day. In Indonesia, voters who move to vote have the potential to lose their voting rights for some types of legislative elections, due to migration related to legislative constituencies. If advance/early voting is implemented, voters can vote at that time and not lose their right to vote for legislative elections.

Third, whether the polling station was established close to residential areas. The distance between people's houses and the location of the polling station can be an obstacle for residents who are economically limited. If the distance between the residents' settlements and the polling station location is far, residents will need to pay for transportation to the polling station. Residents with difficult economic conditions have the potential to be unable to attend the polling station because there is no transportation cost. This is even truer if the location of the polling station is far from public transportation facilities.

Fourth, whether the conditions of polling station are accessible and safe. Observers should check whether polling stations are easily accessible to disabled voters. Polling stations that are set up on terraces or stairs, as well as in rocky places, of course make it difficult for voters with wheelchairs to vote. Likewise, if the polling station is too small so that the wheelchairs of voters are not free and even cannot fit in and out of the polling station. Observers also need to check whether the polling station provides facilities for people with disabilities to be able to vote without the help of others. For voters with visual impairments, did the election organizers prepare braille ballots, or did the e-voting machine come with a disability assistance feature? For voters with hearing impairments, are polling station officers able to provide information at the polling station properly so that voters can cast their ballots easily?

Fifth, whether the voting method is known by the voters and can be done easily by the voters. During the transition from one voting method to another, often the socialization of the new voting method is not carried out evenly so that voters do not know the information. For illiterate voters, some voting methods also make it difficult to vote, such as writing down the candidate's name. An inclusive voting method will make it easier for all voters from different social backgrounds to cast their ballots correctly.

Sixth, what must also be examined is the space for local, international observers, and of course the media to observe the voting process. The voting process that can be witnessed by anyone will open up transparency and accountability of the process.

## **b) Challenges for Marginalized Groups in the Voting Process**

Marginalized groups face special challenges in the voting process. Therefore, it is often necessary to have special facilities or policies for marginalized groups so that they do not have difficulty or are hampered in voting.

In general, from many cases found in various countries, groups of voters with disabilities often face challenges in obtaining voting aids. If there are no special aids, people with disabilities are usually forced to be assisted by other people. People with visual impairments, for example, often have to be assisted by others because

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there are no braille ballots available at polling stations. Voter registration that does not take into account the type of disability at a polling station will indeed cause braille ballots to be unavailable at the polling station.

*In some instance in the Malaysian elections, there were challenges for groups of persons with disabilities to access polling stations.*

Voters with physical disabilities also face obstacles. If the voting method requires voters to cast their ballots with a tool or write, the physically disabled must be assisted in voting.

Mentally disabled people may also face the challenge of harassment of their voting rights on polling day. If the election organizers do not understand well the voting rights for those with mental disabilities, coupled with local residents who question the voting rights of those with mental disabilities, the right to vote for those with mental disabilities has the potential to not be fulfilled.

Another marginalized group that has a challenge to vote is workers. Not all countries have voting day off. In fact, in a country such as Indonesia, which has a voting day closed, cases of employers prohibiting their workers from voting, especially during a pandemic, often occur. Therefore, election observers can observe whether factory, plantation, mining workers, as well as workers in supermarkets can exercise their political rights. This includes whether the company cooperates with election administrators to establish special polling stations or special voting methods in the work area.

In addition, transgender groups also face challenges to be present to vote at polling stations. Transgender physical appearance, which is sometimes different from the name identified for a gender, makes transgender voters more reluctant to come to polling stations or to feel intimidated when voting. Observers can check how each voter is treated by polling officers. Do polling officers protect voter identity by calling voters based on their voting queue number, or mentioning voters' names that might cause embarrassment or discomfort to voters?

Polling station officers also have the responsibility to ensure that religious groups or marginalized community groups who often receive harsh or discriminatory treatment from the majority community can have their voting rights properly facilitated in the voting process. In Indonesia, for example, voters who embrace the Ahmadiyah religion are vulnerable to intimidation from the community so that voters from this group avoid attending activities that bring themselves together with the community. Observers can investigate whether the EMB has provided special facilitation or protection to voters from this group.

Another thing that is also important to observe is whether there are affirmations for pregnant women and parents who vote at polling stations. Pregnant women and the elderly have their own physical challenges, such as not being able to stand for

long. Being in a long line to vote is certainly a challenge for pregnant women and parents. Therefore, if polling station officers give priority to pregnant women and parents to vote, and also provide priority waiting seats, this will be an added value for the inclusivity assessment of election organizers.

### **c) Focus of Observation Areas in the Voting Process**

There are several important observation points to be the focus of observation. First, the area around the polling station. Observers can check the following: (1) What is the distance from residents' houses to the polling station and is there public transportation close to the polling station?; (2) Is the area around the polling station easily accessible to persons with disabilities?; (3) Is there a group of people who intimidate voters not to vote or vote for a particular candidate?; and (4) Are there soldiers whose presence at or around the polling station intimidates voters?

The second observation point is the polling station area. Important things to check are: (1) Are there long queues of voters and are there special seats for pregnant women and the elderly?; (2) During the pandemic, do polling station officers provide hand sanitizers and various cleaning equipment in accordance with health protocols?; (3) Do voters wear masks?; (4) Are there voters who look confused with the voting process at the polling station?; (3) Do many voters or residents see the voting process?; (4) Does the polling station contain information regarding the voter list, candidate list, and the correct way to cast votes?; (5) Do voters know the candidates and how to vote correctly?; (6) Whether there are voters who have difficulty in casting their votes, usually if there is a change in the method of voting; (7) Are there ballot papers with sufficient braille templates for disabled voters?; (8) Is there a cover in the voting booth so that voters can vote in secret?; and (9) Whether candidate witnesses, observers and the media are given a special place to observe the voting process.

In addition, the understanding of election organizers is also important as a point of observation. Polling station officers who do not understand the rules well have the potential to eliminate voters' right to vote.

Some important things to observe from polling station officers are: (1) Whether polling station officers understand well the rules regarding voting so that no voter loses her/his right to vote due to the ignorance of polling station officials; (2) Whether polling station officers offer and provide special assistance to disabled voters, such as asking if they can vote on their own or need help from someone close to them; (3) Whether polling station officers create a safe and comfortable polling station environment for all voters, such as not allowing voters or residents to mock or verbally and physically abuse voters from groups that are discriminated against by the community; and (4) Whether polling station officers provide sufficient space for candidate witnesses, observers and the media to observe the voting process.

The checklist column can be seen as follows:

ASPECTS	QUESTIONS	CHECK-LIST
Area Around Polling Centers	(1) What is the distance from residents' houses to the polling station and is there public transportation close to the polling station?	
	(2) Is the area around the polling station easily accessible to persons with disabilities?	
	(3) Is there a group of people who intimidate voters not to vote or vote for a particular candidate?	
	(4) Are there soldiers whose presence at or around the polling station intimidates voters?	
Polling station area	(1) Are there long queues of voters and are there special seats for pregnant women and the elderly?	
	(2) During the pandemic, do polling station officers provide hand sanitizers and various cleaning equipment in accordance with health protocols?	
	(3) Do voters wear masks?	
	(4) Are there voters who look confused with the voting process at the polling station?	
	(5) Do many voters or residents see the voting process?	
	(6) Does the polling station contain information regarding the voter list, candidate list, and the correct way to cast votes?	
	(7) Do voters know the candidates and how to vote correctly?	
	(8) Whether there are voters who have difficulty in casting their votes, usually if there is a change in the method of voting	
	(7) Are there ballot papers with sufficient braille templates for disabled voters	
Polling Officers	(8) Is there a cover in the voting booth so that voters can vote in secret?	
	(9) Whether candidate witnesses, observers and the media are given a special place to observe the voting process.	
	(1) Whether polling station officers understand well the rules regarding voting so that no voter loses her/his right to vote due to the ignorance of polling station officials	
	(2) Whether polling station officers offer and provide special assistance to disabled voters, such as asking if they can vote on their own or need help from someone close to them	
	(3) Whether polling station officers create a safe and comfortable polling station environment for all voters, such as not allowing voters or residents to mock or verbally and physically abuse voters from groups that are discriminated against by the community	
	(4) Whether polling station officers provide sufficient space for candidate witnesses, observers and the media to observe the voting process	

In countries with organized election management, information about the number of witnesses, observers and the media who will cover the voting process will be shared with the polling officer so that the polling station officer prepares a special place for candidate witnesses, observers, and the media.

#### **d) Observation Strategy in the Voting Process**

To be able to observe smoothly, effectively, and comprehensively, the first thing an observer must do is understand the electoral rules, both laws and technical

rules for voting in the country or region to be observed. This will make it easier for observers to understand the legal and technical context of voting at polling stations or with other methods applied in a country. Observers also need to read the news to find out issues related to suffrage and voting in a country.

For example, in the 2019 Indonesian election, voters with mental disabilities experienced suppression of their right to vote. Observers who are aware of this issue will check whether there is special facilitation of voting rights for voters with mental disabilities on polling day, such as making special polling stations at mental disability rehabilitation centers, as well as whether there is interference with voting rights against voters with disabilities at polling stations, either by candidate witnesses, candidate campaign team members, residents, and polling station supervisors.

Second, know the political context of the country or region being observed. It is very important for observers to read a lot of news about the current situation of electoral politics in a country and the local context in the area being observed. The existence of local conflicts or fierce competition in the regions will put observers in a difficult and insecure position. If an observer observes an area like this, it is better if the observer does not come to the polling station alone, but is accompanied by a local resident.

It is not only the political context that is important to know, but also the local culture. Dressing modestly according to local standards is necessary so that observers are well received by local residents so that residents do not hesitate to provide information to observers.

Third, from the information collected by the observers before going to the polling stations, the observers should make or check a list of observation questions along with the intended informants, such as polling station officers, local residents, disabled voters, female voters, pregnant women, transgender voters, indigenous people voters, young voters, candidate witnesses, media covering, and polling station supervisors if any. Mapping of observation questions and informants will make it easier for observers to find and collect information on the voting process at polling stations.

### **e) Utilization of Social-Media and Civic Tech in Voting Observation**

The rise of ICTs has put crowdsourcing at the service of democracy. NGOs are increasingly using ICTs to document electoral processes, enabling citizens to observe elections and share live observations. Crowd-sourced election observation can be understood as a system in which any individual can register an observation about an election which is pooled with other individuals' observations to create a public depiction of the reality of the election that is offered back to the public and to election officials in real-time on election day (Fung 2011). It can, therefore, enhance election integrity and transparency by unleashing the potential of the 'crowd' to observe misconduct and wrongdoings during elections, and holding electoral bodies and candidates accountable.

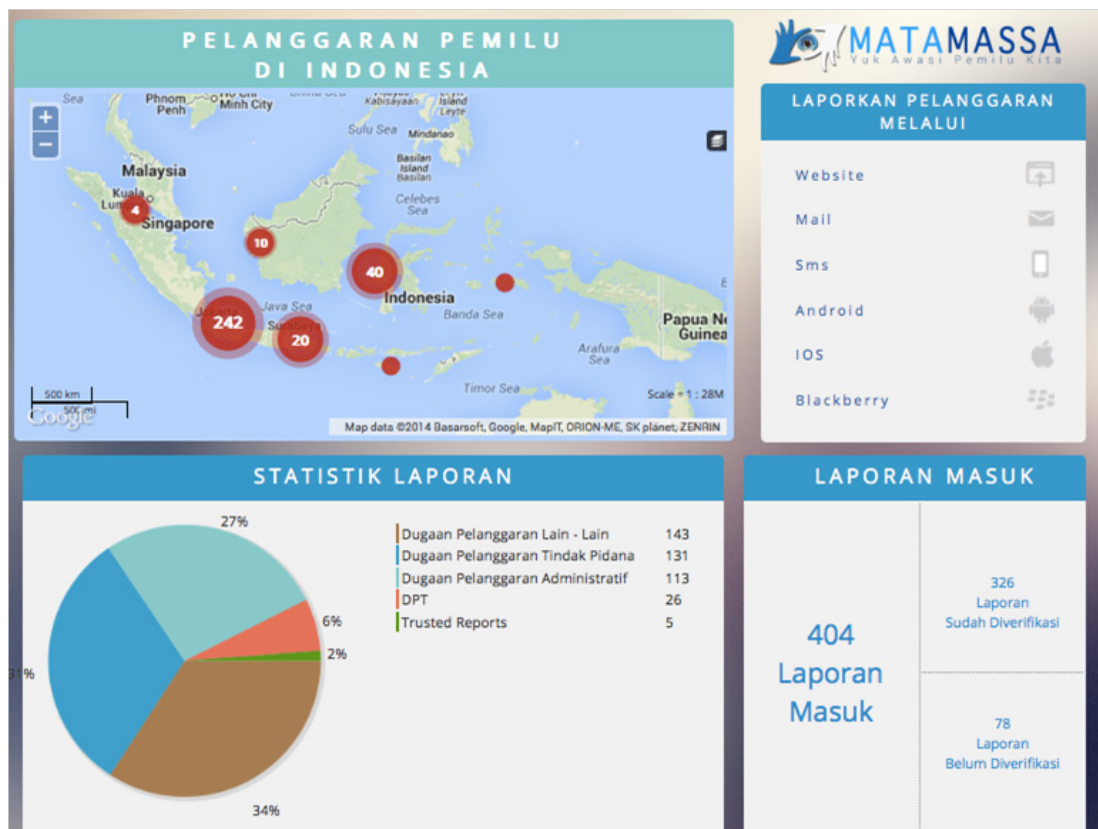
Chances are that some citizens will witness incidents of intimidation or fraud and can provide valuable information on them. In practice, 'open crowdsourcing' means that an open call is placed to the entire populace to report such instances

via email, twitter, social media, phone call, SMS or a combination of channels. The information is then verified by different methods and usually displayed publicly in an online platform, often in the form of a map. Different software solutions exist, but many projects make use of the open source [Ushahidi](#) platform combined with text messaging services.

### f) Crowd-sourced Election Observation

There is a good example to illustrate the involvement of marginalized groups in the voting process. In Indonesia, the Election Supervisory Body, Bawaslu, stated that the shortage of election observers was one of the serious obstacles in strengthening supervision. Therefore, ahead of preparations for the 2024 General Election, Bawaslu signed an M.o.U with the Ministry of Social Affairs to involve disability groups in election supervision (Bawaslu, 2021). However, this agreement is only a discourse and there is no clear mechanism on how to observe and supervise elections by disability groups.

[Mata Massa](#) is an example of crowd-sourced election violation reporting or election observation used to observe Indonesia’s 2014 General Elections. Mata Massa or “Eye of the Masses” allows citizens to have an active role in election observation by sending in reports during electoral periods. Mata Massa is an application that was launched by Aliansi Jurnalis Independen (AJI) or the Independent Journalists Alliance and ICT Laboratory for Social Changes (iLab) in November 2013. This application receives reports of election violations through mobile phone (see Figure 1). Ordinary citizens are allowed to observe the election by reporting election fraud



such as practices of vote buying through this application. Mata Massa deployed 200 key persons to organize the reports submitted by citizens.

During the earlier phase of the legislative election in February 2014, citizens reported 294 cases. The reports consisted of 173 cases reported through a smartphone application and website, followed by 64 cases through text messages and 57 cases through emails. Most of the reports related to administrative violations such as campaign attributes in inappropriate places and vote buying or money politics practices. In total, Mata Massa received around 1,509 reports and it contributed 1,390 out of 8,000 reports received by Bawaslu.

During the Legislative Elections, smartphones and social media have been used by observation bodies to organize themselves better in the field. The largest observation body registered with the General Elections Committee (KPU), the [People's Voter Education Network \(JPPR\)](#), trained their field observers to utilize ICT in overcoming challenges they face. When a field observer faces direct intimidation, it becomes life threatening for them to continue the report on to Bawaslu. Instead, they tactically used ICT to 'mention' allies and members of the Elections Supervisory Body (Bawaslu) on Twitter to, at the very least, raise awareness.

These online social movements during the 2014 elections show that citizens are sharing knowledge, information and expertise, and often form allies with mainstream media and journalists to guard their democracy. The nature of crowdsourcing through collective public scrutiny also protects citizens from direct intimidation, commonly experienced by field observers. By processing the wealth of data submitted voluntarily by internet users, citizens can partner with the government to make sure good policies are in place and upheld. We should thus think about how to extend citizen observation beyond current elections, and how to integrate it into the formal system in order for it to leave irrevocable reforming effects (Rakhmani 2014).

#### **g) Example of Marginalized Group Observation on Voting Process**

There are several discussions that could be initiated by local communities, which election observers could participate in.

Similar discussions can be found by election observers in various Southeast Asian countries. It would be good if election observers could interview figures who initiated discussions or movements against vote buying to get an idea of electoral politics in the areas being observed, and the forms of movements carried out to prevent and deal with vote buying on polling day.

Other initiatives that can be found are discussions and movements initiated by communities that reject a single candidate. For countries whose candidates are paired, this context can be explained by, the candidacy strategy forces the candidates to have no rivals. For instances, several region in Indonesia such as Semarang and Gowa, have only one pair candidate for regional head election 2020. It is due to the high cost of politics, thus discourage people to join the political competition. Some movements were campaigning to vote the empty box as a form of rejection to single pair candidate.

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Other discussions and movements that have the potential to be discovered by observers in the voting process include those initiated by women's groups to guard the votes for women candidates and ensure women voters can vote without obstacles, indigenous peoples groups to guard the votes of candidates from indigenous peoples and ensure voters indigenous peoples can vote without barriers, as well as disability groups, youth, transgender people with similar issues, and religious-based discussions and movements.

The topics related to voting that are important to be discussed with the communities in the observed areas are vote buying, intimidation of voters, inclusiveness, protection of voting rights at polling stations, protection of female candidates' votes, as well as community participation and marginalized groups in the conduct of voting.

#### **h) Community Discussion Initiatives in the Voting Process**

Election observation organizations should start developing their capacities to understand electronic election technologies well before they are introduced into the election system. It is necessary to do this in order to be able to play a role during the initial phases, while the debate on reasons for and against introduction of electronic voting is taking place. In the initial phase, there is no need to staff the organization with IT experts, though should IT experts be available their opinions can be valuable. The principles of transparency and accountability can be properly understood by election observation experts, and the organizations and parties should be in position to advocate for the best public policies concerning use of electronic electoral technologies, including e-voting.

Developing the capacity for evaluation of information technologies that may be introduced and used in the election system will require organizing a small team of experts. Ideally, the team would be led by an election observation expert, who has a good understanding of information technology. The role of the team leader will be to analyze the overall design of the system, to identify what type of expertise is required for detailed evaluation of the proposed voting system technologies and to identify the needed experts. In addition, the role of the team leader will be to design the observation strategy and serve as the main analyst of the observation findings. While the information technology team will vary depending on different technologies, one position is necessary regardless of which technologies are used—a computer security expert.

The last pieces of the puzzle are the Election Day observers. It is not required that the election day observers be IT experts, since their role will not be to analyze the equipment but to evaluate adherence to the procedures, identify problems that may be visible and observe the response of polling official to malfunctions of the equipment and other problems. More than with any other type of voting, it is important that Election Day observers are not simply trained on abstract principles, but that training actually allows them to become familiar with the equipment. This requires trainings to include simulations of the polling procedures that are as close as possible to real situations. While it is unlikely that the observers will obtain the

actual electoral equipment for their training sessions, the trainers for observation groups should design their presentations using as many video and graphic tools as possible to help make them become familiar with the equipment.

Election day observation includes: turnout observation; authentication of voters; setup of the equipment; functionality of the equipment and troubleshooting procedures; security of the equipment; adherence of the polling officials to procedures; handling of the equipment after close of the polls; and polling day testing (Vladimir Pran 2007).

### **1. Turnout Observations**

One activity that observers can do on polling day that could provide an important indicator of one aspect of the integrity of the process is to closely observe the number of individuals who cast their vote at the polling station. That number should at least closely correspond to the number of registered voters. A significant variation would indicate a problem.

### **2. Authentication of voters**

Polling stations equipped with electronic voting machines might also be equipped with an electronic voters list. These voter lists are sometimes called “Electronic Poll Books.” While the basic function of an electronic poll book is similar to the paper voter list, sometimes the electronic poll books have additional functions and abilities. One of the capabilities of the electronic poll book is networking and connection with main voter databases. This enables the “e-book” to have access to updated voters list and to provide information to voters who showed up at the wrong polling station, telling them the location of the correct station where he or she should vote. As in the case of voting equipment, electronic poll books’ design should be understood by observers well in advance, in order to plan observation strategy.

### **3. Setup of the equipment**

Before any election procedure is conducted, the equipment is first “initialized” or “activated.” Initialization is a procedure that enables equipment to perform election functions. Initialization will vary for different equipment, and observers should become familiar with the requirements for the specific equipment to be used. Some of the examples of setup elements are loading the software, calibration of scanners and unlocking the equipment. After initialization, voting equipment usually emulates the “empty ballot box procedure,” meaning polling officials check that there are no recorded votes in the equipment and demonstrating this to observers from observation groups. This is sometimes called “printing of the zero tape” or “setting counters on zero.”

### **4. Functionality of the equipment and troubleshooting procedures**

Machines malfunction and this must be built into plans of the election

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authorities and the observations of polling day procedures. The Election Day observer's role, beyond trying to identify any problems that voters may be experiencing without interfering in the process, is to observe the response of polling officials, contracted technicians and headquarters staff as malfunctions are detected. In order to do that properly, observers should be acquainted with the troubleshooting procedures that polling officials must follow.

#### **5. Security of the equipment**

It is practically impossible for observers to evaluate security of the equipment at the polling station from any set of abstract security principles. Election Day observers must be familiar with specific potential security breaches in order to observe the security aspect of polling. For that reason, they have to be educated concerning the potential, feasible and observable threats to the security of the equipment (i.e., what are the "entry points" and weaknesses of the equipment). In addition, observers from observation groups must be acquainted with organizational security procedures to which polling officials should adhere. The role of observers, however, is not to review security procedures—this should be evaluated before the polling—their role is to observe if the security procedures are respected.

#### **6. Adherence of the polling officials to procedures**

It is not unusual in paper ballot elections for election officials on polling day to sometimes improvise and somewhat deviate from prescribed procedures. Trained Election Day observers should understand the impact of such deviations and whether they corrupt the polling process. With the introduction of electronic equipment, observing incidences of non-adherence to the prescribed procedures is particularly important. Simply said, non-adherence to procedures by the polling officials could jeopardize the security and integrity of equipment in ways that are not detectable. For this reason, it is of great importance that Election Day observers be familiar with prescribed procedures and that they closely observe whether procedures are correctly followed. As with the security procedures, evaluation of all of the procedures themselves should be done well in advance of polling, and observers should simply observe adherence/non-adherence to the procedures.

#### **7. Handling of the equipment after closing of the polls**

Observation of the handling of the equipment after the polls are closed belongs under the security domain. However, it should be noted that the electronic voting equipment is classified as "sensitive election material." This means that even after the polls are closed, the equipment and parts of it must be secured with tamper proof or tamper evident tools and devices. This is necessary to preserve forensic evidence in cases where the equipment is inspected. Security procedures should guarantee that the equipment is stored in the same condition as it was during the voting.

## **8. Polling day testing**

If the election officials conduct testing of the equipment during the polling day, observers from observation groups should have the right to observe it. These kinds of tests are sometimes called “hot audits.” The test is usually done by excluding a machine from the polling process and testing the machine. If hot audits are performed, procedures must ensure that the records and votes on the tested machine are preserved and secured. Hot audits are security-sensitive for two main reasons. If the equipment is reintroduced to the polling process after the testing, procedures should ensure that the equipment’s integrity was not corrupted during the testing (maliciously or by accident). If the election authorities replace the tested equipment with a new unit, the replacement unit should be scrutinized the same way as the other units at the polling station. Any equipment that was used for testing on polling day (and any replacement units) should be treated as sensitive material and should be secured because it was part of the election process.

## **13) Observation of the Vote Counting Process of Election Results**

The vote counting process starts from counting at the polling station level, which is then accumulated at the sub-district or district level. The recapitulation is then continued at the reGENCY/city, provincial and national levels. In recapitulation activities, the electoral management body is the institution authorized and responsible for recapitulating the results of the vote count and determining the winner of the election contestation.

The vote counting process is the final stage of the general election. This stage is used to count the votes that have been cast by the voters in each ballot. This process determines the winner of the election contestation, as well as reflects the level of election participation. Vote counting is also the main basis in determining who represents the constituents and allocates seats in the election of members of the legislature. Therefore, the vote counting process must be transparent, in order to increase public trust. The counting process and results must also be open, so that all parties, such as representatives of political parties, candidates, civil society, and the media, including representatives of marginalized groups, can verify or provide corrections to the voting results based on their observations (Open Election Data Initiative).

There are several examples of transparent vote counting, one of which is the 2014 Mexican election which required the publication of the results of the tally to civil society, party representatives, and the media, in order to provide independent verification of the results of the vote count. In the 2014 South African elections, the results of each polling station were photographed and scanned, then published (Open Election Data Initiative). The scan results were displayed on the election commission website which can be accessed and downloaded easily and freely. However, not all groups have the ability to access the scanned vote results. This is because groups, such as the visually impaired, find it difficult to access these because the scans are inadequate and cannot be read by screen-readers.

### **a) The Principle of Inclusiveness in the Vote Counting Process**

In general, the vote counting process as one of the stages of a democratic election,

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must maintain the principles of being direct, public, free, confidential, honest and fair. The principle of honesty is implemented by ensuring that every regulation that has been established is followed in every counting process. In addition, the principle of honesty is carried out with supervision not only by official institutions, but also election observers who come from civil society, representatives of parties/ election candidates, to all voters. (Surbakti, Supriyanto, & Asy'ari, 2011).

Counting is also carried out fairly by ensuring inclusiveness in every vote counting process. This principle is implemented by ensuring accessibility for everyone, such as those of every gender, disabilities, minorities, and marginalized people. In this way, democratic principles in elections can be realized.

There are five parameters of a democratic election such as legal certainty of regulations at every stage of the election, regulations are formed on the basis of the principle of fairness, regulations and implementation of these guarantee the integrity of the process and results, all legal disputes and disputes over election results are resolved fairly and quickly, and the organizers maintain their independence. (Surbakti, Supriyanto, & Asy'ari, 2011). In the context of the stages of counting election results, it is closely related to election parameters with integrity. Election integrity will be easily guaranteed if the voting process and results adhere to the following (Surbakti, Supriyanto, & Asy'ari, 2011):

1. Held based on the principles of democratic elections, namely direct, public, free, confidential, honest and fair, transparent, inclusive and accountable.
2. Done accurately, free from error and manipulation, so that the results determined are the same as representing the votes cast by the voters.
3. Carried out by the election organizers and the election implementing committee based on the law, election commission regulations, stages, program and time of implementation, as well as the code of ethics for election organizers.
4. Supervised by election participants, election observer institutions, voters, and the mass media.
5. Enforced consistently, impartially, and in a timely manner by various election law enforcement and implementing institutions.

The concept of elections with integrity in the vote counting process must be complemented by the principles of transparency and accountability. This is done by using several protocols, for example the organizer at the polling station reading out the results of checking the ballots, both valid and invalid, and the reasons for this. If there is a counting error and it is known after the recapitulation of the results of the vote, then the vote can be recounted. In addition, ballot papers and other complete documents are guaranteed authenticity through security printing so that they cannot be counterfeited. The counting process also always emphasizes maximum accuracy, so that the recapitulation of the vote results becomes a representation of the voter's vote.

## **b) Challenges for Marginalized Groups in the Vote Counting Process**

Vote counting must be carried out in a fair, honest and open manner in order to ensure the holding of democratic elections. Therefore, the whole process of counting votes, starting from the opening of boxes, counting at the polling station level, tabulating, and consolidating, must be attended by representatives of parties or candidates, as well as election observers and civil society (International IDEA, 2002). This means that all people regardless of gender, religion, ethnicity, race, social status, and other groupings, have equal access in the vote counting process.

However, various problems still surround the accessibility of the vulnerable to elections, including the counting process which makes some groups marginalized. Marginalized groups, according to Perlman, can be seen in four dimensions, namely social, cultural, economic, and political. A crucial dimension in the vote counting process is cultural and political marginality. Cultural marginality is a conversation about the otherness to other groups, usually minorities in terms of religion, ethnicity, race, gender, and physical attributes. Meanwhile, political marginality has become a discourse that often sees the lack of representation and political rights claims from marginalized groups (Perlman, 2010).

Indeed, normatively, many countries have protocols to guarantee the rights of marginalized groups in elections, including the vote counting process. However, empirically, the high number of voter abstentions is a representation of a real lack of guarantees for the marginalized. The high number of abstentions is not only caused by one's political attitude, but also due to the lack of accessibility of marginalized groups. Various limitations have prevented some marginalized groups from exercising their right to vote, let alone attending the vote counting process. This is due to physical conditions that are not possible, do not have access to comprehensive information on general elections, and are prone to persecution for socio-culturally marginalized groups. (Rusin, Sudardja, Hidayat, & Maryani, 2014).

Therefore, political participation for the marginalized, especially in every election process, needs to be guaranteed both by regulation and its implementation in the field. Socialization by the electoral management body needs to be improved, especially for voters with disabilities and other vulnerable groups. It should also be explained that every citizen has the right to be present at the vote counting process, either as a witness for party or candidate representatives, election observers, and civil society. The state also needs to encourage the representation of persons with disabilities and other marginalized groups in the recruitment of witnesses by parties or election participants. In addition, to prevent persecution of minority groups, the civil security apparatus must be educated and informed on these issues.

## **c) Focus of Observation Areas in the Vote Counting Process**

According to the Ace Project, there are several things that must be considered in the vote counting process (Ace Project, 2012). *First*, counting integrity issues that can be resolved by counting procedures that are valid, accurate, and approved by all participants. *Second*, the counting must be completed as soon as possible after the voting process is closed. *Third*, voters' intentions must be considered

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proportionally and become a determinant of choice on the ballot. The voting may be done incorrectly, causing the ballots to be invalid. Therefore, rigid arrangements and lack of discretion from the election committee must be avoided so that many ballots are not wasted. In addition, maximum socialization to voters, both before and during elections, needs to be strengthened.

*Fourth*, the accuracy of the calculations must be guaranteed to the maximum. This is done so that the results of the election vote count become a representation of the actual vote of the voters. In addition, the accuracy of the calculation also has a significant effect on the degree of election representation, which has implications for the quality of the election. *Fifth*, to guarantee the confidentiality of elections, the confidentiality of voters and their choices must be guaranteed. Confidentiality may be jeopardized when counting is done locally, especially when one candidate's vote count is far from that of another.

Regarding the accuracy of vote counting, Ace Project provides several important points to note (Ace Project, 2012):

- Good vote counting management.
- Transparency of calculations should be carried out with strong observation and supervision, by comparing counting results from observers and official counting results.
- There must be clear rules regarding the form of invalid ballots and damaged ballots.
- Damaged and invalid ballots must be separated from valid ballots.
- Disputed ballot papers must also be separated so that they can be specifically reviewed at a higher level.
- All information on the counting form must be recorded such as the number of available ballots, the number of voters (Permanent Voter List), the number of used and unused ballots, the number of disputed ballots, damaged ballots, and invalid ballots.
- When the ballots are marked manually (by voting, ticking, or writing names and numbers), they must be read out loud and clear, while the ballots are also shown to observers.
- Observation must be carried out starting from the initial count up to the determination of the official recapitulation of vote results.
- Observation must also track the count and sign the vote count form (to indicate the observer agrees or disagrees with the counting process).
- The process of filing a lawsuit over the vote count is also required by arrangement through electoral law. This will have an impact on the recount so that the ballots that have been counted must be kept.
- The destruction of ballots, not counting ballots, misreading the ballots on purpose, changing the results of the ballot, and manipulating the results must also be considered because it is an election crime. Therefore, good law enforcement must be guaranteed.

Some of these points need to be considered in every observation activity so that the accuracy of vote counting can be guaranteed. Accuracy will be guaranteed by itself through the application of transparent, open and inclusive principles. These principles need to be guaranteed in every vote counting process in order to represent the true vote of voters, as well as guarantee the degree of election representation, so as to ensure good election quality.

#### **d) Observation Strategy in the Vote Counting Process**

In the context of the strategy for observing vote counting at each polling station and the process at a higher stage, observers must first understand the legal framework and more technical regulations for counting ballots. Observers should be able to identify what kind of counting model was used in the election, because each country has a different counting model. In addition, observers must also understand the design of the ballots used, so that later they can see how the invalid ballots are determined. Provisions regarding who can attend the vote counting process also need to be considered as objects of observation.

Furthermore, observers also need to look at how access to the wider community is in the counting process. It needs to be seen whether the regulations limit people who participate based on the organizer's permission or not. Next, it is also necessary to see whether the organizers also provide easy access for people with disabilities, taking into account the available facilities. For example, there is a guiding block for the visually impaired, or a sign language interpreter is available for the deaf.

Observers also need to understand how the vote counting process is carried out. The stages must be considered starting from the opening of the ballot box, making a table that can be seen clearly by observers, including who is doing the counting. In addition, observers must also look at how the counter takes the ballots, because ballots are prone to being damaged, resulting in invalid ballots. Then it is also necessary to pay attention to the valid or invalid statements of each ballot and how the ballot counting team writes and calculates the results of the vote.

One of the crucial issues in vote counting is how to determine whether ballots are valid or invalid. Observers must understand the regulations governing valid and invalid ballots. In this context, observers must also understand the design of the ballot and how votes are cast, whether by writing numbers and names, voting, or ticking. If the ballot is declared invalid, the observer must ensure that the ballot is clearly shown and the counting team explains in a comprehensive manner the reason the ballot is invalid.

In addition to invalid ballots, observers also need to pay attention to regulations regarding the time limit for counting. In principle, the counting of ballots must be completed as soon as possible, so some countries determine that the counting of ballots must be completed on the same day to avoid fraud. Observers need to remind the counting team to complete the counting as soon as possible and recapitulate the counting results.

After the count has been completed, the observer needs to match the voter list, the voter attendance at the polling station, and the number of ballots used. Usually,

the number of ballots in one polling station is adjusted to the number of voters entitled to vote at that polling station, plus a number of additional ballots. From this, observers can detect fraud early, such as inflated ballots or ballots not being cast by those with the right. Fraud can be detected if it is found that the number of used ballots does not match the number of voters in attendance. In addition to fraud, the accuracy of vote counting can also be guaranteed by these efforts.

### e) Utilization of Social-Media and Civic Tech in Observation of Vote Counting Process

By assessing and verifying election results, observer groups and citizens can hold EMBs accountable for releasing election results that reflect the way citizens actually voted. The popularization of these efforts by independent observer groups began with parallel vote tabulations (PVTs)—or “quick counts”—conducted by the National Citizen’s Movement for Free Elections (NAMFREL) for the 1984 congressional and 1986 “snap” presidential elections in the Philippines. Worried that the Marcos regime would release heavily doctored results regardless of how the people voted, NAMFREL endeavored to independently collect the results forms from every polling station to uncover the true will of the voters. By collecting tally sheets from about 70 percent of the polling stations, NAMFREL was able to show that the results reported by the official Commission on Elections were not credible and thus laid the basis for the ensuing “people power” revolution. NAMFREL’s efforts also highlighted the challenges of attempting to independently collect all polling station results. Most PVTs now use vote tallies from a statistically representative random sample of polling stations.

Election results assessment and verification tools and their implementation have evolved over time. In particular, NGOs are increasingly utilizing information and communication technologies such as smartphones and social media which

Join us together we Escort 2014 election!

Visit our [Facebook Page](#) [Grand 2014 election](#) and help us report the problems to the data! [Twitter](#) 33.7K

Open this page using a browser (browser) modern like [Firefox](#) or [Chrome](#) latest version.  
And do not forget, read the directions for use below. C1 detailed data are available at [here](#).

C1
  DA1
  DB1
  DC1
  Snippet things. 4
  Snippet things. 1
  Snippet things. 2
  Snippet things. 3
  Snippet things. 5

[National](#) - [BALI](#) - [GIANYAR](#) - [Ubud](#) - [Uluwatu](#)

TPS	C1 full scan	Page 4	The value of crowdsourcing
1	<p>If the snippet on the right one, you can see the other pages of the website Commission. <a href="#">Page 1</a> <a href="#">Page 2</a> <a href="#">Page 3</a> <a href="#">Page 4</a> <a href="#">Page 5</a></p>		Prabowo: 87 Jokowi: 349 Valid votes: 436 Invalid: 2 <a href="#">Report an error</a>
	<p>If the snippet on the right one, you can see the other pages.</p>		Prabowo: 96

enable a growing number of citizens to document the electoral process and to share their observations with their peers in near real-time. In a time of increasing mobile telephone and social media use, chances are that some citizens will witness miscounting of votes and spread these observations via Twitter, Facebook, SMS, or one of a growing number of dedicated websites.

In addition, there is a public-facing site that allows citizens to view the data, broken down by polling station and candidate. Visitors can choose to view results for different levels of the tabulation process.

Bergabung bersama kami bersama-sama kita Kawal Pemilu 2014!  
 Kunjungi [Facebook Page Kawal Pemilu 2014](#) dan bantu kami melaporkan masalah pada data! [Tweet](#) [33.7K](#)

Bukalah halaman ini menggunakan peramban (browser) modern seperti [Firefox](#) atau [Chrome](#) versi terkini.  
 Dan jangan lupa, baca petunjuk pakai di bawah. Data C1 terperinci tersedia di [sini](#).

C1  DA1  DB1  DC1  Snippet hal. 4  Snippet hal. 1  Snippet hal. 2  Snippet hal. 3  Snippet hal. 5

Nasional

No	Tempat	Prabowo-Hatta (C1)		Prabowo-Hatta (DC1)		Jokowi-JK (C1)		Jokowi-JK (DC1)		Suara sah	Tidak sah	TPS Error	TPS
TOTAL		61.627.150	46,99%	62.576.585	46,85%	69.535.322	53,01%	70.997.607	53,15%	131.162.864 (+302)	1.364.151	1,19%	99,76%
1	ACEH	1.026.671	55,21%	1.009.290 (+62.619)	54,39% (-0,81%)	833.002	44,79%	913.309 (+80.307)	45,61% (+0,81%)	1.859.667 (+6)	1.364.151	1,19%	100,00%
2	SUMATERA UTARA	2.814.953	44,73%	2.831.514 (+16.561)	44,76% (+0,03%)	3.478.032	55,27%	3.494.835 (+16.803)	55,24% (-0,03%)	6.292.884 (-101)	31.041	0,61%	100,00%
3	SUMATERA BARAT	1.791.495	76,97%	1.797.505 (+6.010)	76,92% (-0,05%)	535.979	23,03%	535.308 (-6.671)	23,00% (-0,03%)	2.327.474	17.669	0,54%	100,00%
4	RIAU	1.341.459	50,15%	1.349.338 (+7.879)	50,12% (-0,03%)	1.333.426	49,85%	1.342.817 (+9.391)	49,88% (+0,03%)	2.674.894 (+9)	18.545	0,75%	100,00%
5	JAMBI	869.264	49,27%	871.316 (+2.052)	49,25% (-0,02%)	895.056	50,73%	897.787 (+2.731)	50,75% (+0,02%)	1.764.320	13.891	0,73%	100,00%
6	SUMATERA SELATAN	2.125.022	51,27%	2.132.163 (+7.141)	51,26% (-0,01%)	2.019.376	48,73%	2.027.049 (+7.673)	48,74% (+0,01%)	4.144.398	31.770	0,53%	100,00%
7	BENGKULU	433.063	45,27%	433.173 (+110)	45,27% (0,00%)	523.611	54,73%	523.669 (+58)	54,73% (0,00%)	956.878 (+4)	7.811	0,12%	100,00%
8	LAMPUNG	2.026.396	46,93%	2.033.924 (+7.528)	46,93% (0,00%)	2.291.229	53,07%	2.299.889 (+8.660)	53,07% (0,00%)	4.317.637 (-12)	29.967	0,73%	100,00%
9	KEPULAUAN BANGKA BELITUNG	200.315	32,73%	200.706 (+391)	32,74% (+0,01%)	411.752	67,27%	412.359 (+607)	67,26% (-0,00%)	612.143 (-76)	6.110	0,22%	100,00%
10	KEPULAUAN RIAU	330.653	40,36%	332.908 (+2.255)	40,37% (0,00%)	488.572	59,64%	491.819 (+3.247)	59,63% (-0,00%)	819.225	5.614	0,64%	100,00%
11	DKI JAKARTA	2.521.412	46,92%	2.528.064 (+6.652)	46,92% (0,00%)	2.852.843	53,08%	2.859.894 (+7.051)	53,08% (0,00%)	5.373.828 (+27)	53.634	0,65%	100,00%
12	JAWA BARAT	14.072.239	59,77%	14.167.381 (+95.142)	59,76% (-0,01%)	9.471.518	40,23%	9.530.315 (+58.797)	40,22% (-0,01%)	23.543.812 (+55)	298.185	1,02%	99,42%

The underlying data for the Kawal Pemilu site from Indonesia’s 2014 Presidential Election featured above was generated from Indonesian Election Commission data through a network of volunteers spread across the globe. Volunteers were recruited through a closed, secret Facebook group, which ensured that only trusted people were included. To start the process of recruiting volunteers, each founder chose 10 trustworthy friends, each of whom was asked to recruit 10 more, and each of those was also asked to recruit another 10 friends—and so on. Over 700 volunteers were recruited in this way in just three days. Volunteer names and identities were initially kept hidden, to prevent any efforts at bribing or intimidation. Each recruit received a secret link to the non-public component of the website, where scanned election results in polling stations were presented with an accompanying form for the volunteer to fill in with extracted data. The form also allowed for the reporting of errors. The results of this work were posted every 10 minutes to the public-facing website, which was read-only. In addition to allowing citizens to observe election results in near real-time, this data also allowed them to compare vote tallies listed on the site to official numbers released by polling stations.

**f) Community Discussion Initiatives in the Vote Counting Process**

Socialization is the main obstacle in the involvement of vulnerable groups in participating in every stage of the election, including the vote counting process.

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Therefore, socialization is needed to increase the participation of each vulnerable group in the vote counting process. Thus, the task of socialization is no longer only borne by the electoral management bodies, but also by the entire public who have concerns about elections and vulnerable groups. Socialization must also be packaged as well as possible in a more participatory form, not two-way socialization, so that the message is more likely to be understood and internalized.

Therefore, the socialization must take the form of a discussion, not a two-way seminar. Discussions in the context of increasing citizen participation, especially vulnerable groups in elections, should formulate topics that are important and have a broad impact. In the process of counting the votes, here are some of these topics:

1. The crucial point of the vote counting process in elections
2. The importance of each element's participation in vote counting
3. Stages of counting votes
4. The role of civil observers and party representatives in vote counting
5. Effective ways of observing the vote counting process

These five topics are important for discussion in increasing the participation of vulnerable groups in the vote counting process. The five of them form a discussion series on the vote counting process with the aim of every citizen understanding the role of the very crucial stages of vote counting in elections. In addition, vulnerable groups will better understand the importance of their role in every vote counting process and how to carry out observation to ensure that there is no fraud in the process. However, for the record, the discussion themes are not limited to these five topics and can be adapted to the needs of each community.

Each discussion activity should also pay attention to the participation of each element, especially vulnerable groups. There are several marginalized groups in the election such as women, indigenous peoples, youth, people with disabilities, minority groups, and the urban poor. Some of these groups must be guaranteed participation in the discussion in order to produce diverse perspectives. Involvement should be increased by making representatives of each element as a speaker. In addition, the discussion format should be made like a group discussion forum so that all participants have the opportunity to express their opinions.

It is also necessary to pay attention to the location of the discussion. Discussions should be carried out within vulnerable communities so that access for vulnerable people to information can be improved. Therefore, the organizers of the discussion must consider several places, such as slum areas to ensure the participation of the urban poor, customary areas, and minority community areas. Discussions can also be held in collaboration with youth, women's and disability organizations with the aim of increasing the participation of vulnerable groups. In addition, in some countries with strong religious communities, organizers can work together with officials from a religious community to hold discussions in places of worship.

## CLOSING

This module on protecting the marginalized voter right. This module is an effort to realize the universal principles of election, justice and honesty. In addition, this module also to fulfill the principle of accessibility in the administration of elections. It is hoped that this module can be used not only in ASEAN countries, but also in other countries that give full attention to marginalized right groups in elections.

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