

**Australian Institute of International Affairs
Centre for Democratic Institutions**

**Public Forum - Australia's Role in Democracy
Promotion**

Speaking Notes

***The work and activities of the Australian Electoral
Commission in promoting and supporting
democracy abroad***

Michael Maley

**Director
International Services
Australian Electoral Commission**

14 March 2008

Elections and democracy

- The fundamental need for electoral processes in any democracy is reflected in Article 21(3) of the *Universal Declaration of Human Rights*:

“The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.”,

and in article 25, paragraph (b) of the *International Covenant on Civil and Political Rights*:

“Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

...

- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;”.

- There is obviously a great deal more to democracy than just elections. In particular, good elections cannot guarantee that good people will be elected, or that they will govern well. They rather give the people the chance to remove bad representatives/governors in a peaceful way. That basic level of accountability may, in the long run, produce better governance, but it is not guaranteed.
- Having said that, if the situation in a country is precarious, a bad election can make things very much worse, and one cannot just wind the clock back and try again – events are path dependent.

The AEC’s mandate

- Paragraph 7(1)(fa) of the *Commonwealth Electoral Act 1918* makes it a function of the AEC:

“to provide, in cases approved by the Minister for Foreign Affairs and Trade, assistance in matters relating to elections and referendums (including the secondment of personnel and the supply or loan of materiel) to authorities of foreign countries or to foreign organisations;”.

- The AEC’s international work has always had strong bipartisan support. The Senate Standing Committee on Foreign Affairs, Defence and Trade, in its May 1991 Report entitled *United Nations Peacekeeping and Australia*, noted, at paragraph 5.32, that:

“Work done by the Australian Electoral Commission clearly demonstrates that its expertise is second to none. It should be made available, where appropriate, overseas.”.

- The Prime Minister, prior to taking office, expressed strong support for the AEC’s work on a number of occasions. On 27 September 2001, during the debate on the tabling of the Report of the Official Australian Observer

Delegation to the East Timor Constituent Assembly election of August 2001, Mr Rudd observed among other things that:

“The success of the conduct of that election was due in part to the Independent Electoral Commission, supported in large measure through AusAID, but, more particularly, through the agency of AusAID, the Australian Electoral Commission. Very little is known in this country of the role played by the Australian Electoral Commission in the conduct of democratic ballots around the world. They have done it in Cambodia, they have done it most recently in Indonesia and they have now done it in East Timor, and there are many other places around the world where this has occurred. This has given an enormous fillip to Australia's international diplomatic standing over the course of the last decade. I believe it is important that, as we approach the next decade, we see this as part and parcel of Australia's future diplomatic engagement with the rest of the world. We, in this country, have a proud reputation as a robust democracy and as a democracy that runs fair elections. That is a rare reputation to have in the world, and it is through AusAID and the Australian Electoral Commission that we can take that assistance to emerging democracies around the world and do this nation's international standing enormous good.”.

Mr Rudd also discussed the AEC's international work at length in a speech to the House of Representatives on 19 June 2001:

“... ”

Australian Electoral Commission staff have two reputations worldwide. One is that they are regarded worldwide as very practical - that is, they have a capacity to adjust to local circumstances. They do not come in with a preset idea of what particular form or system might be needed in a particular country. They adapt democratic processes to the particular level of sophistication which exists in the particular country to which they have been assigned - unlike, I might say, representatives from those countries that send election observers who are often replete with university qualifications but lacking on-the-ground practical experience in physically conducting a fair ballot. AEC staff and Australian electoral staff are renowned worldwide for that skill.

The second skill they bring to bear is that they do not go into a country into which they have been invited and provide an ongoing moral lecture about the deficiencies of the local electoral system as it exists when they arrive. Unlike other organisations, I dare say particularly from the United States, they see their objective as a very specific and practical one; that is, to put in place a system which will work. Australian Electoral Commission staff are in demand worldwide. They work in conjunction with organisations like IDEA based in Stockholm and IFES, the International Federation of Election Specialists.

The work which they undertake is difficult and dangerous, and it is important that we recognise that the work which is undertaken in the field by these individuals is not something which is a Sunday school picnic; it can require a great amount of courage. The AEC's work in this area should be supported. It requires budgetary support in excess of that which is provided in these appropriations so that its work in pursuit of Australia's long-term foreign policy interests can be guaranteed.”.

Patterns and trends in international electoral support, and the AEC's role

Observation and monitoring

- In the aftermath of the Cold War, the AEC was asked on a number of occasions to deploy significant contingents of staff as election observers or monitors: to Namibia in 1989, Cambodia in 1993, South Africa and Mozambique in 1994. The AEC is still often asked to join what these days are typically smaller observer groups: our State Manager in Tasmania was a member of the Commonwealth Observer Mission to last year's election in Kenya. Our Deputy Electoral Commissioner served as Vice Chair of the Steering Committee of the International Mission for Iraqi Elections.

Technical advice

- In the mid 1990s, the AEC started to be asked to deploy staff as technical advisers, usually funded by AusAID. This continues to be an important activity; in the Solomon Islands and Fiji, for example, AEC advisers provided fundamentally important support for the elections held in those countries in 2006. Critical support was also provided to the UN to enable the 1999 Popular Consultation in East Timor to proceed.

Networking

- Since 1997, the AEC has hosted the Secretariat for the Pacific Islands, Australia and New Zealand Electoral Administrators' Network (PIANZEA). A wide range of capacity-building activities are now undertaken under the auspices of PIANZEA, supported by significant funding from AusAID's Pacific Governance Support Program.

Capacity-building

- The AEC has led the world in electoral capacity-building, most prominently through its development and sponsorship of the *Building Resources in Democracy, Governance and Elections* (BRIDGE) education package, which has become the internationally recognised benchmark in professional development for electoral administrators.
- The AEC is the lead agency in a partnership comprising the United Nations Electoral Assistance Division (UNEAD); the United Nations Development Programme (UNDP); the International Institute for Democracy and Electoral Assistance (IDEA); and IFES (formerly the International Foundation for Election Systems), the leading United States-based provider of electoral assistance.
- Version 2 of BRIDGE is being launched later this month at the UN in New York, and includes 23 modules, prepared by expert writers from a range of cultural and linguistic backgrounds, representing every inhabited continent and region. The materials total over 5000 pages.

- Over 100 BRIDGE courses have now been conducted in some 23 countries, for people from around 90 countries—meaning there are now more than 2000 people who have been participants in BRIDGE courses. There are now over 140 fully accredited BRIDGE facilitators, from every continent. Parts of BRIDGE have been translated into Indonesian, Russian, Georgian, Dari & Pashto, Tetum, Portuguese, Arabic, French, Armenian and Spanish.

AEC strengths

- There is considerable depth, within the organisation, of experience with and knowledge of all elements of electoral processes and electoral assistance, which is readily accessible to AEC officers in the field. This gives the AEC a capacity for rapid reaction, as in East Timor in 1999.
- The AEC's expertise on a wide range of electoral policy and program aspects, including, in particular, the conduct of electoral processes in transitional, post-conflict and peacekeeping environments, is internationally recognised. AEC staff are often invited to participate in work of international organisations which requires special expertise.
- The AEC has a capacity to provide policy advice on electoral matters incorporating lessons learned from Australia's experience both domestically and internationally.
- The organisation has a proven ability to build the capacity of electoral administrators, strengthen electoral management institutions and support the administration of electoral events.
- It maintains well-developed networks with international electoral and democracy agencies and other electoral management bodies in other countries, and extensive networks with individual experts and electoral professionals with highly specific skills and experience.

Some general observations

- In Third World/post-conflict elections, in contrast to elections in consolidated democracies, the following factors often arise and need to be taken into account in planning:
 - elections may determine the long-term political evolution, rather than the short-term government, of a country;
 - the commitment of political players to democratic processes may be shallow;
 - security may be a major problem;
 - there may be a risk that well-armed groups will reject a result which they do not like;
 - political parties may be based on individuals, tribes or groups of combatants, rather than shared philosophies;

- there may be no credible and independent judiciary to deal with election-related disputes;
 - state resources, and especially State-controlled media, may be deployed for the benefit of incumbents;
 - there may be no established or credible election management body;
 - concepts of citizenship, nationality or residence may be ill-defined;
 - there may be a significant refugee/expatriate population in neighbouring countries demanding the opportunity to vote;
 - the broad structures of the State may be in decay;
 - there may be only a rudimentary infrastructure for transport, procurement, communications, banking etc.;
 - the electorate may be poorly educated and/or illiterate;
 - political campaigning is likely to take place face-to-face;
 - there may be a tradition of electoral fraud;
 - there may be significant international involvement in the election process; and
 - resources to run the election are likely to be either over-abundant (if the international community is heavily engaged with the process) or scarce (if it is not).
- Successful elections are not just a product of good election administration. The really critical factor is the existence of a broad societal support for elections as a process, transcending the desires of individuals to see a particular outcome. The presence or absence of such support is one of the key factors distinguishing consolidated from transitional democracies. The question of how to build such a democratic culture is the key one we all face, especially since there are always people with strong interests in maintaining the *status quo*.