

THE
CARTER CENTER



DEMOCRACY INTERNATIONAL

REPORT ON ROUNDTABLE ON VOTE COUNT VERIFICATION THE CARTER CENTER AND DEMOCRACY INTERNATIONAL

On March 26, 2007, Democracy International (DI) and The Carter Center held a roundtable on “Vote Count Verification Strategies and Techniques” at the Ronald Reagan Trade Center in Washington, D.C. This roundtable brought together more than 30 practitioners, academics, and policy makers for a day of discussion, debate and sharing experiences. The event was an important opportunity for donors, policy makers and members of the professional election monitoring community to come together and discuss vote count verification (VCV) issues and techniques.

The meeting opened with welcoming remarks from David Carroll, the director of the Democracy Program at The Carter Center. Mr. Carroll expressed the need for the election monitoring community to come together to develop a set of professional election observation principles. He stressed the need for increased coordination among actors, better follow-up incorporating recommendations and lessons learned into future programs, and adaptation of techniques to address unique demands of electronic voting.

Introduction

DI principal Eric Bjornlund opened the day’s discussion by presenting an overview of VCV Methods: Experience and Challenges. He provided a brief history of the development of “parallel vote tabulations” (PVTs), also known as “quick counts,” starting with the 1986 elections in the Philippines and the 1988 referendum in Chile. These early experiences showed the international community that domestic election monitoring networks could organize credible vote count verification exercises even in some of the most inhospitable of environments, including a vast archipelago nation and in a repressive authoritarian state. After a domestic monitoring coalition in the Philippines independently conducted a comprehensive tabulation of the vote totals from individual polling places, a similar group in Chile adapted the idea by compiling vote counts from a statistically significant random sample of polling locations. In the Philippines the PVT detected falsification of the electoral results by the government and provided the basis for popular and international protests against the Marcos regime. In Chile the PVT findings that the referendum failed to receive enough support preempted the Chilean government from falsifying the official results.

Mr. Bjornlund outlined some major challenges to the PVT process, including questions regarding PVT methodology, the increasing use of alternative VCV processes, and the debate about whether and when to make PVT results public. The 1999 election in Indonesia, for example, brought controversy about the PVT methodology within the international community. Some questioned the theoretical basis of the PVT, in particular the use of random sampling. Others expressed concerns regarding the credibility and capacity of local civil society organizations to carry out the PVT process. Arguments were made for more extensive international involvement in PVTs and comprehensive tabulation of the votes to verify results.

The use of exit polling for purposes of vote count verification in emerging democracies has increased in recent years, and some in the international community appear to see this process as a replacement or alternative to a PVT. Exit polls have become more popular because they are less expensive and easier to implement than PVTs, and Americans tend to be more familiar with the process. But Mr. Bjornlund noted some important limitations of exit polls that need to be considered before exit polling can be thought of as a reasonable alternative to PVTs for verifying vote counts. First, there are serious questions regarding the reliability of exit polls, particularly in transitional or postconflict settings. In such environments, voters may not provide candid information to unfamiliar questioners after exiting the voting place. Second, to be truly effective, exit polls require extensive historical data and the identification of key polling stations. Most countries lack the historical experience to provide this knowledge, thus making the exit polls even more unreliable. Third, the implementation of exit polls may even exacerbate a climate of intimidation that could hurt voter turnout and participation.

Some international actors have also used public opinion polls to assess the credibility of announced election results, but Mr. Bjornlund argued that public opinion polling was generally inappropriate as a VCV technique. Public opinion polling does not provide a basis to legitimately challenge the integrity of official election results. Public opinion polls would be unsuitable to for close elections where the difference between candidates is expected to be within the margin of error, and the wording of questions and other external factors can easily shape polling results. While public opinion polls may provide useful data about trends in the public mood, they are not an appropriate substitute for a full-scale PVT effort to detect and deter electoral fraud.

Panel I: The Perspective of Donors and Policy Makers

The first panel of the day presented the perspectives of donors and policy makers. Participants included Madeline Williams of USAID, Elizabeth Spehar of the Organization of American States (OAS), Denis Kadima of the Electoral Institute of Southern Africa (EISA), and Scott Smith of the United Nations Electoral Administration Division (UNEAD). The purpose of this panel was to review of the perspective of aid agencies and others in the international community about the purposes, uses and limitations of VCV; the considerations that feed into decisions about particular techniques; and the relationship to other development and foreign policy issues.

Madeline Williams spoke briefly about the decision-making process within USAID about whether to perform a VCV program in a country. Ms. Williams stressed that while many de-

cisions go into whether to implement a VCV program for an election, the most important decisions are made at the mission level. When considering a VCV program, the local USAID mission consults with the embassy, local organizations, international organizations, other donors, and the host government. Often the final decisions come down to local circumstances and political considerations. She also stated that an important goal for USAID is to better implement lessons learned from once country to subsequent programs and to facilitate the development of local capacity to perform follow-on VCV activities.

Elizabeth Spehar outlined the experience and interest of the OAS in VCV programs. She explained that the OAS routinely monitors elections in the Americas and provides technical assistance to domestic electoral bodies. The OAS's electoral work focuses on many different types of elections, including intra-party elections. Typically, the OAS performs a quick count using a randomized sampling but only for presidential elections. The OAS uses the quick count method to identify potential manipulation or fraud, reinforce the domestic electoral commission's results, and as an internal tool for verification. The Organization generally has declined to release the results of its quick counts; rather it has privately shared the results with Chief of Mission, the Secretary General of the OAS, and the domestic electoral authorities and left it up to them to determine whether to report on those results. Ms Spehar described some limitations to their quick count process, including that it is principally quantitative and is focused too much on Election Day.

Denis Kadima of EISA expressed as feeling of frustration after 10 years of election observing that the process has remained too qualitative and subjective. EISA has yet to perform a VCV process like the PVT or quick count, but Mr. Kadima sees these processes as providing a more quantitative view of the electoral process that may reduce the subjectivity. He noted, however, that there is still strong resistance to meaningful electoral observation missions and that many countries have legal barriers that limit access and make observation missions difficult to carry out. Furthermore, there would likely be a strong pushback against the PVT methodology in the region in which his organization works. Mr. Kadima also noted that a PVT does not address the status of the voter registration rolls, and the state of these rolls causes serious problems in African elections.

Scott Smith of the UNEAD emphasized that state sovereignty was a major factor affecting the United Nations' electoral assistance programs. The UN typically does not deploy election observation teams because it requires approval by the General Assembly or the Security Council, but UNEAD does provide technical assistance to national electoral management bodies. Mr. Smith's principal concerns about international observer missions and the use of VCV techniques are that these efforts may undermine nascent domestic NGO capacity and electoral agencies and that international actors need to be able to discern honest mistakes and lack of capacity from malicious manipulation and fraud.

Panel II: VCV Methodologies

The second panel focused on explaining the details and comparing various VCV methodologies. The panel included Pat Merloe from the National Democratic Institute for International Affairs; DI principal Glenn Cowan; Alan Wall, an international election expert from Australia and DI Indonesia Program Director, and Walter Mebane of Cornell University. The panel engaged in a detailed discussion of the state of the art for leading VCV techniques, including

consideration of the programmatic, practical, financial and philosophical advantages and disadvantages of particular methods. The panel also presented comparative advantages of and appropriate circumstances for use of particular techniques and included a brief discussion of basic statistical principles and practices underlying PVTs/Quick Counts, Exit Polls, and Opinion Polls.

Pat Merloe began the discussion of VCV methodologies by addressing the issue of Election Day focus. Mr. Merloe identified an overemphasis on Election Day as a major weakness of some VCV processes and election observation missions. He stressed a need to view the electoral process in a larger context that includes the environment in which the electoral campaigns take place and the legal framework that shapes participation. Likewise, Mr. Merloe stressed the danger of an overemphasis on the vote count. An accurate vote count is not always indicative of an honest election. Instances of stuffed ballot boxes that may not be picked up by a PVT, for example, may lead to the certification of a fraudulent election. He emphasized that there is a crucial role for domestic civil society groups to hold governments accountable and that the development of domestic capacity should be a main priority. Mr. Merloe urged that the context of the election must be thoroughly considered before performing a quick count because a faulty VCV process can be misleading or counterproductive.

Glenn Cowan stated that there needs to be a greater emphasis on making sure that the process of the PVT is better understood by the media, government, civil society, and public. Mr. Cowan addressed a range of issues to consider when implementing a PVT program. He pointed out that process does not necessarily address all types of fraud because it depends on what comes out of the ballot boxes, that the process is based on statistics and thus subject to statistical margins of error, and that it is based on actual vote tabulation and requires that observers be able to view vote counting. He also suggested that travel and communication issues can hamper even the best-planned PVTs and argued that communications are critical as PVTs ultimately rely on publicity to communicate their findings.

Alan Wall discussed the use of survey research in emerging democracies. Mr. Wall initially stressed that none of the various VCV methods stands completely alone and that different methods can be mutually reinforcing. He stated that surveys are a blunt instrument; while a survey may give some information, it is only a snapshot of the public mood and can quickly become outdated. Also, if poorly designed or conducted, surveys can paint a disastrously inaccurate picture of public opinion. Mr. Wall noted important factors to consider when using survey research. Media and the public generally have little technical knowledge about surveys, which can lead to misunderstanding of the results or failure to accept that the results are representative. To be done correctly, depending on the country, survey research can be very expensive, and it must be carefully designed to prevent biased or self-fulfilling results. In many countries the technological capacity of the society must be considered; the lack of phones, for example, may mean the traditional technique of telephone polling is unreliable. In addition, in postauthoritarian or postconflict environments, individuals may be hesitant to participate or may give dishonest answers.

Walter Mebane discussed the use of exit polls in transitional elections. He argued that in general exit polling is not an appropriate way to detect fraud. Sampling biases can affect the results of exit polls and provide unreliable results. Professor Mebane noted that exit polls have been unreliable in the US even though they have been used for years. Although they have

serious shortcomings as means of VCV, Professor Mebane did argue that exit polls could provide a lot of useful information about voter motivations and behavior in a given society and could begin to establish trends and identify correlations between votes and other variables such as gender, ethnicity, religion or socio-economic status. .

Panel III: Other VCV Methodologies

Professors Walter Mebane of Cornell University and Peter Ordeshook of the California Institute of Technology discussed new statistical approaches to identifying electoral fraud.

Professor Ordeshook detailed the process of applying statistical analysis of postelection data to identify potential instances of vote manipulation. His approach uses vote count data released by election management bodies or governments to identify possible anomalies in the results. Professor Ordeshook searches for three indicators of potential vote manipulation: turnout aberrations, candidate vote shares, and the flow of votes. The first indicator of turnout aberrations is based on the assumption that there will be a normal bell-shaped curve to the distribution of voter turnout. The addition of extra votes to the results for a specific precinct or region will skew the normal distribution and trigger the need to examine that area more closely. The second indicator of candidate share is based on an assumption of a linear relationship between a candidate's share in the votes and voter turnout levels. The third indicator of vote flow is based on the assumption that certain regions and populations will vote for particular candidates or parties over time. If results show an uncharacteristic winner or vote count for a region, that area may need to be investigated more. Professor Ordeshook stressed that these were not necessarily methods for identifying certain vote manipulation, but that the process could be used after the fact to identify particular cases and instances that merited further investigation.

Professor Ordeshook likened this approach to forensics. During the course of his presentation, he used the 2004 elections in Russia and Ukraine as examples. He noted that in 2004 some precincts in Russia reported a 100 percent turnout and a 100 percent pro-Putin vote. In Ukraine he was able to examine vote tabulations for the second- and third-round elections and detected an irregular vote turnout during the second round, which corresponded with widespread accusations of fraud and vote manipulation. In the third round, widely accepted as being a free election, the distribution of turnout was a normal bell curve.

Professor Walter Mebane next presented his work on a newly developed statistical test that relies on a mathematical principle called Benford's Law, which describes the expected distribution of digits in large groups of numbers, such as vote counts for the precincts in a given constituency. A modification of this principle, called the second-digit Benford's Law (2BL) test, may be able to identify when vote counts deviate from the naturally expected distribution, suggesting the possibility of fraud in the voting or vote counting or some other type of irregularity.

Professor Mebane argued that his approach has positive attributes that may make it appropriate for VCV programs. First, he stated, the strategy can be quickly implemented. Second, the process can be performed using data from the precinct level and is applicable to a number of partisan mixes and district sizes. Professor Mebane stressed that this process was a quantitative approach to identify statistical anomalies, not a test that can determine intent. Any trig-

gers of irregularities picked up by his approach would require additional investigation, but the process may help pinpoint specific locations for additional examination.

Panel IV: Case Studies

In the final panel of the day, Glenn Cowan of Democracy International, Peter Ordeshook of California Institute of Technology, Pat Merloe of NDI, Jennifer McCoy of The Carter Center, and Alex Sokolowski of USAID each presented information about particular case-study elections and countries in order to address particular VCV methodologies or issues. This also enabled them to further address their own experiences and lessons learned from working on VCV projects around the world.

Glenn Cowan described the controversy over PVTs during elections in Indonesia in 1999 and the subsequent experience with what were then called Quick Counts for legislative and presidential elections in Indonesia in 2004. Mr. Cowan stressed that the election monitoring community needed be more responsive to critics of the PVT methodology. The implementers of PVTs, both the national election monitoring groups and their international advisers, need to do a better job explaining to local audiences and international community how the process works and was implemented and what it can and cannot say about the integrity of the process. Accomplishing this would enable the election monitoring community to be more effective and to better manage public expectations.

Professor Ordeshook provided a review of the most recent elections in Russia and Ukraine through his fieldwork and statistical investigation. He argued that the statistical anomalies detected during his investigation were indicators of potential manipulation, especially when multiple indicators point towards fraud. His examination of the second round of voting in the 2004 Ukrainian elections and of the 2005 Russian elections raised multiple flags of potential vote manipulation. However, he stressed the need for a historical understanding of the country to make sense of the aberrations; the identification of statistical anomalies is not necessarily hard proof of fraud but a suggestion of the need for additional qualitative examination.

During an analysis of election monitoring experiences in Nicaragua, Montenegro and the Dominican Republic, Pat Merloe suggested that the international election monitoring community make a renewed effort to improve the implementation of monitoring programs in order to effectively counter the increased use of “rival monitoring” groups sponsored by authoritarian governments. He also suggested that new election monitoring programs focusing on aspects other than the Election Day process may be useful when the electoral procedures or political environment leading up to an election are so flawed that doing a PVT at all might provide unintended legitimacy. He illustrated his point by describing the experience of exposing voter registry fraud in elections in the Dominican Republic in 1994.

Jennifer McCoy described the experience in Venezuela of monitoring a referendum in 2004 and elections in 2006, given the country’s use of automated voting systems. During the electoral process, VCV techniques other than PVTs were used to predict the outcome and verify the official count. Specifically, critics of the official count cited an exit poll predicting a Chavez loss to call into question the official results. Professor McCoy pointed out the lack of transparency throughout the electoral process. A planned 1 percent “hot audit” of the electronic voting machines never took place, increasing speculation that the software was rigged.

In addition, the government denied international election observers access to the voter registry on the grounds that such access would violate laws protecting the privacy of personal information.

Alex Sokolowski of USAID described the use of exit polls as a means of vote count verification in parliamentary elections in Azerbaijan in 2005. Exit polls targeted only 65 of 125 districts, too few to enable rigorous vote count verification. The U.S. Embassy in Baku attempted to assist by providing voter education on the exit polling process, but these efforts were not completely successful. Government-sponsored exit polls conflicted with other exit polls and increased confusion.