PROVISION FOR POST PROJECT EVALUATIONS FOR THE UNITED NATIONS DEMOCRACY FUND
Contract NO.PD:C0110/10

EVALUATION REPORT

UDF-RAF-08-217 – Electoral Justice Principles for Trust in the Electoral Process in Ghana, Kenya, Sierra Leone

Date: 7 August 2013

Table of Contents

I. Executive Summary

(i) Project Data

The *Electoral Justice Principles for Trust in the Electoral Process* project sought to raise the integrity standard of the electoral processes in Africa by addressing the relations between the key electoral justice institutions and their relevance and accessibility to the electorate. Its main objectives were to: 1) produce a set of electoral justice principles drafted by a group of chief justices and senior electoral and political leaders from Africa and other continents; and 2) support the implementation of these principles in two African countries. Its intended outcomes were to increase trust in electoral justice authorities; reduce violence related to electoral dispute settlements, and to have political parties, candidates and civil society organizations (CSOs) in the pilot implementation country able to claim, advocate and defend rights for public integrity consultations.

This was a two-year 250,000 USD project with a one year no-cost time extension (1 October 2009 - 30 September 2012). Of this 25,000 USD was retained by UNDEF for monitoring and evaluation. The project was implemented by Integrity Action (formerly Tiri-Making Integrity Work). Its intended partners were: the Judicial Integrity Group (JIG), Cambridge Group of Electoral Commissioners (CGEC), Centre for Governance and Development in Kenya and the Liberia Democratic Institute. Its intended activities were to:

- Undertake a review of electoral rules, integrity standards and their effectiveness;
- Host a preparatory meeting of experts in Ghana and adopt a statement of international integrity principles (the *Accra Principles for Electoral Justice, or Accra Principles)* along with guidance for their implementation at country levels;
- Host a regional strategic resolution meeting in Kenya to bring together major African actors in electoral management to endorse the principles and agree on a coordinated plan to pilot their implementation;
- Publish and disseminate the principles and implementation mechanism;
- Network with local partners in two African countries to advocate, facilitate and monitor local implementation of the principles; and,
- Document the lessons learned and fundraise to extend the project to other countries.

(ii) Evaluation Findings

The objectives of the project were extremely **relevant** in the African context. Despite progress made in the technical administration of elections, the freeness and fairness of the process still remains an issue in many African countries as well as elsewhere. The selection of Sierra Leone as a pilot country was also extremely relevant as it is still transitioning from its post-conflict and polarized political environment. Trust in the country's justice system and electoral process has been low since its return to multi-party democracy in 1996, and ensuring a credible process with constructive opposition participation was a priority for the 2012 elections. The need to develop a new set of norms is questionable given the amount of existing materials and conventions. Integrity Action believes its norms fill a gap on "electoral justice" but the principles themselves are not specific to electoral justice and reflect basic election integrity values. The Accra Principles for Electoral Justice Steering Committee in Sierra Leone (APEJ-SL) also stated that they worked on "electoral integrity" and the judiciary was not included in its membership. It also did not include the Political Party Registration Commission (PPRC) which is the electoral management body (EMB) that deals with parties

or the parties themselves.[1] This limited the relevance and effectiveness of APEJ-SL and the pilot.

The approach used by the project, to develop, discuss, adopt and launch the principles using a small group of individuals and then seek endorsement from the UN and other international bodies was not **effective**. The project undertook minimal consultations with the large and dynamic electoral assistance sector and missed opportunities to tap its experience, explore collaboration and develop synergies with other efforts, such as the Global Commission on Elections, Democracy and Security that promote the integrity of elections.[2] The stand alone nature of implementation was also reflected in the pilot in Sierra Leone. Although the Steering Committee included some of the key stakeholders, it did not include some of the main actors in issues related to electoral justice. It also worked separately from the large number of working groups, including the primary multi-stakeholder election coordination meeting chaired by the Ministry of Finance and Trade that included the National Elections Commission (NEC), judiciary, political parties, civil society, police, Office of National Security (ONS) and donors.

The APEJ Steering Group itself was enthusiastic and felt its consultations had improved member institutions standards and practices and increased trust in the process, but its reach appeared limited and its function was unclear. At times it characterized itself as a standards bearer, voter educator, coordination mechanism, election monitor and peer reviewer. It used an integrity index based on the 11 values of the APEJ to monitor a by-election in January 2012, but did not continue with its use as the group reportedly felt the tool was too subjective and felt uncomfortable doing this type of peer review.

The project was done within budget but required a one-year time extension to complete. It also held a drafting conference in Bali with UNDEF concurrence instead of its dissemination conference in Kenya, and did only one pilot instead of the anticipated two. According to Integrity Action, the principles were adopted too late for Liberia, the elections commission in Kenya felt its 2012 elections were not the time to start something new, and in Ghana, the elections commission did not pursue the pilot as it allegedly did not agree with a multi-stakeholder approach.[3] Most of the project efforts and funding focused on developing and launching of the principles and guidelines and only a minimal amount was spent on the pilot.[4] In hindsight, Integrity Action considers it might have been more **efficient** had the project used existing standards and focused its attention more of the development of the application mechanisms. The evaluators concur. The project appeared to obtain the pro-bono participation of most of the participants of its Electoral Integrity Group (EIG) in exchange for covering their conference-related costs, which allowed the project to tap the vast amount of experience of these senior electoral and judicial officials. Integrity Action was also able to obtain USD 85,000 in counterpart funds from the Open Society Institute which were used for some administrative costs. The NEC in Sierra Leone also hosted and paid for much of the APEJ-SL efforts.

The **impact** of the project is difficult to assess. The norms themselves were not disseminated as planned so awareness of them is extremely limited and they were not endorsed by any international organization as anticipated. Most of those interviewed felt the principles needed wider consultations and did not have the weight required to make significant changes. Integrity Action expected the application of the principles to generate increased levels of trust

---

[1] It did include the All Political Parties Youth Association, a multi-party youth organization. There was no representation from opposition parties.
[2] A joint initiative by International IDEA and the Kofi Annan Foundation.
[3] The evaluators are unable to corroborate this as the chair of the Ghana Elections Commission did not respond to their request for information.
[4] USD 5,000 grant for the functioning of the Steering Committee plus the costs of the project manager's May 2012 monitoring visit and test of the peer/self review questionnaires.

and decreased levels of elections-related violence which would be measured through before and after self and peer reviews, as well as by the Afrobarometer surveys. A before review was done by the Integrity Action project manager in Sierra Leone, but the post-review has yet to be done.[5] Even if positive changes were noted in this or in other surveys, attributing change to the pilot would be difficult as these project activities in Sierra Leone were a minute part of the overall electoral assistance effort. In addition, some of the institutions that participated in the peer/self review process felt the questions were too generic, and the sampling process flawed, for the results to be useful.

In terms of **sustainability,** the pilot in Sierra Leone did continue beyond the end of the project. This was due to the commitment of the NEC chairperson who hosted the meetings, funded many of its activities, and ensured its continuation for its intended 18 month duration. Integrity Action also says it has indications of interest in piloting the project in Asia if funding can be found. However, the evaluation found ownership of the principles limited to Integrity Action and the representatives that participated in the APEJ Steering Committee. There was no evidence of plans for institutionalization of the principles within the organizations. As it was a generally positive experience for the NEC and its Chair felt had "planted seeds," it is possible that the NEC may recreate a committee for the next general elections, although this is probably dependent on the nature of the leadership at that time.

(iii) *Conclusions*

The objectives of the project were *relevant and important* given the state of multi-party elections in Africa. However, the project was *not Africa-specific* and African involvement was limited primarily to the launch in Ghana and the APEJ-SL. The principles and guidelines were global in scope, and were not tailored to Sierra Leone for the pilot. It also *focused on general electoral integrity issues* and lacked a clear focus on electoral justice and how specifically this could be achieved through the creation of a steering committee.

The *selection of Sierra Leone* to test the principles *was appropriate*. The timing was right to cover its 2012 electoral process, the opposition had low levels of trust in the NEC, and the justice sector institutions, and it had the commitment of the NEC chair which was the principle reason why this pilot was implemented.

The project could have used *existing norms* and principles that were already well accepted, defined and tested to achieve its objectives, and focused its efforts instead on how best to ensure application of standards during problematic elections. This remains a critical issue for all stakeholders interested in a free and fair process. The *stand-alone nature* of the project *is not sustainable and limited its potential impact.* This affected the development of the principles and the implementation of the pilot and resulted in their *limited ownership*.

The *application guidelines* are *useful starting points for discussions* in organizations interested in holding free and fair elections, but need to be more specific and carry more weight to result in behavioral or structural changes in institutions; without this, they will be hampered by other constraints that are beyond their control. The test effort in Sierra Leone was *a positive endeavor* even if direct effects of its work are not visible.

---

[5] This was anticipated under the project but the elections took place after the project ended. Integrity Action is currently looking for funding to undertake this review.

(iv) Recommendations

For similar projects in the future, the evaluators recommend that:

Projects with a regional focus **use more participants from the region** and ensure their products **are tailored for** the problems and contexts within **that region**. These would still need to be adapted to each specific country context and reflect universal standards. The purpose for country level efforts should be **clearly defined** with **well-specified implementation guidelines** for partners. The APEJ-SL index should be considered for use as an integral part of the APEJ toolkit as groups could use it to give structure to their work and a tool to measure results.

Future activities should **use existing norms and standards** for electoral integrity that are already accepted and defined, and activities instead should **focus on refining the application guidelines** so that they are more specific in nature and reflect the specific electoral problems within the context where they are being applied. These activities should be **integrated into the mainstream electoral assistance efforts** and processes at the global, regional and country levels and also be a part of the capacity development for electoral justice. The **peer/self review mechanism should be adapted** to the country contexts before administration, done on a more frequent basis and administered by the steering committee itself rather than by project management. The lessons from Sierra Leone should be incorporated into this process.

For this project, Integrity Action should **complete the post-review process in Sierra Leone.** This is needed for the APEJ-SL to consider its work completed and to maintain the credibility of the pilot effort within participating institutions.

II.   Introduction and development context

(i) The project and evaluation objectives

The Electoral Justice Principles for Trust in the Electoral Process project was a two-year USD 250,000 project implemented by Integrity Action (formerly Tiri- Making Integrity Work). USD 25,000 of this was retained by UNDEF for monitoring and evaluation purposes. The project ran from 1 October 2009 to 30 September 2012 which included a one-year no-cost time extension. Its main objectives were to: 1) produce a set of electoral justice principles drafted by a group of chief justices and senior electoral and political leaders from Africa and other continents; and, 2) support the implementation of these principles in selected African countries on a pilot basis. With these, it intended to build trust in the electoral processes by improving the performance of key electoral justice institutions and their relationships with their political stakeholders and constituents. This was expected to increase the credibility of these processes and result in reduced elections- related disputes and violence.

The evaluation of this project is part of the larger evaluation of the Round 2 and 3 UNDEF-funded projects. Its purpose is to "contribute towards a better understanding of what constitutes a successful project which will in turn help UNDEF to develop future project strategies. Evaluations are also to assist stakeholders to determine whether projects have been implemented in accordance with the project document and whether anticipated project outputs have been achieved".[6]

(ii) Evaluation methodology

The evaluation took place in March 2013 with field work done in the pilot implementation country of Sierra Leone from 26 - 29 March 2013. The evaluation was conducted by Sue Nelson and Andrew Lavali, both experts in democratic governance and electoral processes. The UNDEF Round 2 and 3 evaluations are more qualitative than quantitative in nature and follow a standard set of evaluation questions that focus on the project's relevance, effectiveness, efficiency, impact, sustainability and any value added from UNDEF-funding (Annex 3). This is to allow meta-analysis for cluster evaluations at a later stage. This report follows that structure. The evaluators reviewed available documentation on the project and on the standards of electoral justice and integrity (Annex 4).

The evaluation was held in two phases. The first comprised virtual interviews done by Skype, e-mail and phone with the project participants based outside of the pilot country and others working on the issues of electoral integrity. This included the implementer, Integrity Action, and participants in the Cambridge, Bali and Accra meetings (described below). Additional information was collected on the issue of electoral justice and the project's product (Accra Principles) through a short internet-based survey. This survey was distributed through the networks of participating organizations in the project and through some professional electoral associations (Linked-In International Elections Experts Group, ACE Practitioner's Network and its regional networks in Africa). One hundred respondents working in more than 40 countries responded. A copy of the survey questions and its results are provided in Annex 2.

The second phase of the evaluation was field work done in Sierra Leone, which included interviews with the National Electoral Network (NEW) which Integrity Action said was its partner CSO in Sierra Leone, and whose representative chaired the APEJ Steering Committee, and with the other members of the Committee which included the NEC, ONS (security office, police, armed forces), CSOs, the All Youth Political Party Association (AYPPA), and the Independent Media Commission (IMC). The evaluators also spoke to the

---

[6] Operational Manual for the UNDEF-funded project evaluations, p. 6.

UN Development Programme (UNDP) which managed the large electoral support basket fund, representatives of the two main political parties (the All Peoples Congress or APC and the Sierra Leone People's Party or SLPP), the Registrar of the Judiciary and others working in the sector and/or that observed the 2012 elections. The list of persons interviewed is provided in Annex 5.

During the preparatory work, the evaluators identified several issues which they followed up on during their interviews and in the survey. These included:

- **Need to develop electoral justice norms for Africa** due to the number of existing international and regional documents and agreements with principles for free, fair and genuine electoral processes (which included the concepts of electoral justice).
- **Value of a norms-based approach** as the project focused on the development of principles and applying them in the electoral context, and assessing the results in Sierra Leone.
- **Level of ownership by Africans** as the project document had an African regional focus and funding.

In addition, UNDEF asked the evaluation to look at the following:

- **Quality of the cohort adopting and accepting the principles** as some of the original group of participants appeared to have changed during implementation.
- **Application of the electoral justice principles** as the project intended to apply the principles in pilot cases as well as adopt them in principle.
- **Lessons learned from the application of these norms** on building trust and reducing violence.
- **Value of a regional project for norm entrepreneurship** and to assess whether the project helped to build a regional set of norms for election integrity in Africa, and if so, the value of having regional norms for credible elections.

(iii) Development context

Free, fair and genuine elections are the cornerstone of a democratic system of governance. They are the means by which people choose their representatives, hold them accountable for their actions, and decide on issues. The basic standards for free and fair elections are provided in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. These affirm that the will of the people is the basis of government authority and that every eligible citizen has the right to vote and for their vote to be counted equally.

These rights are also affirmed in other documents, including the African Union's (AU) African Charter on Democracy, Elections and Governance. This Charter

> **African Charter on Democracy, Elections and Governance (2007)**
>
> State Parties shall:
> 1. Establish and strengthen independent and impartial national electoral bodies responsible for the management of elections.
> 2. Establish and strengthen national mechanisms that redress election-related disputes in a timely manner.
> 3. Ensure fair and equitable access by contesting parties and candidates to ensure state controlled media during elections.
> 4. Ensure that there is a binding code of conduct governing legally recognized political stakeholders, government and other political actors prior, during and after elections. The code shall include a commitment by political stakeholders to accept the results of the election or challenge them tin through exclusively legal channels.
>
> Article 17

"*seeks to entrench in the Continent a political culture of change of power based on the holding of regular, free, fair and transparent elections conducted by competent, independent and impartial national electoral bodies.*"[7]

African countries have undergone an important democratic transition in the past twenty years with the introduction of multiparty political systems and the holding of regular elections for presidential and legislative offices. However the transition is still underway. As noted in the Figure 1, many electoral processes are still marred by irregularities, lack of fairness and in some cases election-related violence.[8]

Figure 1
African democracy ratings
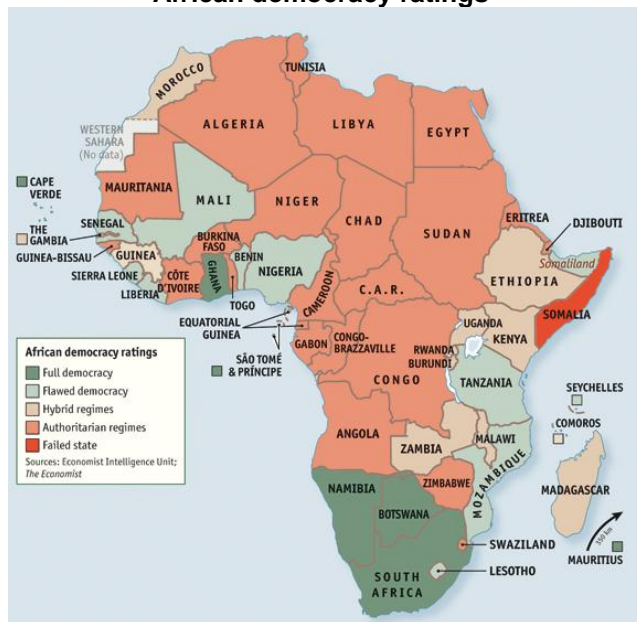
Regular elections are important democratic mechanisms that confer the legitimacy on governments that is needed for them to effectively govern. However, at the same time, these elections must be perceived as free and fair or the electoral process itself can undermine and destroy the same legitimacy that they are intended to provide.

An Afrobarometer study of 18 African countries identified several factors that contributed to free and fair elections.[9] These included the integrity and quality of the legal framework, the nature of the electoral system, the technical efficiency of the Elections Management Body (EMB), the relative autonomy of EMB, and the degree of insulation of the process and decision making from manipulation, corruption and violence. Electoral issues can also be a reflection of wider socio-economic and political factors, and the election is only one part of the democratization process. An African Development Bank Group article noted that these other factors include: economic performance, level of education, degree of ethnic and religious fractionalization, strength of the opposition and the multi-party system, and level of natural resources in the country. It also noted that social factors appeared to dominate over other factors (such as higher education levels led to better understanding of the democratic system); however ethnic issues still played an important role in some countries.[10]

The Afrobarometer study also found the level of trust in the quality of the elections was a key factor for the extent of citizen trust in its political institutions. For example, 40 percent of those who said they had no trust in their president, 35 percent of those who did not trust parliament and 44 percent of those without trust in the EMB also thought their last elections were was not free or fair. There was also a correlation found between the citizens' level of satisfaction with the elections and their perception of democracy. Of those who said they were "not at all satisfied" with their state of democracy, almost half (47.9 percent) felt that the elections were not free and fair.[11]

---

[7] AU, *African Charter on Democracy, Elections and Governance*, Preamble
[8] A recent EISA study (*When elections become a curse)* noted that between 2005 and 2008 there was violent election-related conflict in Kenya, Zimbabwe, Nigeria, Lesotho, the Democratic Republic of Congo, Togo, Zanzibar and Guinea Bissau.
[9] Afrobarometer, *Quality of Elections, Satisfaction with Democracy and Political Trust in Africa,* 2007
[10] African Development Bank Group, *Political Elections and Democratic Fragility in Africa,* 2013
[11] Afrobarometer, OpCit p 7

In Sierra Leone, the country where the Accra Principles were piloted, the November 2012 elections were the third national elections following the 1999 Lome Peace Agreement and subsequent deployment of a UN peacekeeping mission (UNAMSIL). Although the last national elections in 2007 resulted in the peaceful transfer of power from the SLPP to the APC, that electoral process was tense and marked with incidents. Partisan media reported rumours as fact which fuelled suspicions and there were violent clashes in the presidential run-off between SLPP and APC supporters.[12]

These tensions continued after the APC took power, and there was widespread concern about the continuing political polarization, potential political violence and an uneven playing field where the ruling party had a major incumbency advantage. However, the November 2012 elections were held without major incident and most national and international observer groups felt the process had been generally peaceful and met the standards for a credible election. The NEC was seen to have acted in an independent and impartial manner, with freedom of assembly/speech/movement generally respected. The EU observers noted that although these elections were conducive overall to the consolidation of democracy, further progress is dependent on the will of national institutions to address the shortcomings found in the process.[13] The SLPP challenged the conduct of the presidential elections in the Supreme Court on 30 November 2012. Although it later issued a joint statement with the APC stating that the presidency of Ernest Koroma was not in contention, it is still awaiting the hearing and questioning the validity of the elections results and conduct of the NEC.[14]

III.   Project strategy

(i)   Project approach and strategy

Integrity Action intended to improve the integrity performance and stakeholder/constituency relationships of key electoral justice institutions by developing a key set of principles on electoral justice, and supporting its implementation in two African countries. One of the co-founders of Integrity Action had implemented a similar effort in the justice sector starting in 2000 with the creation of a Judicial Integrity Group (JIG). This group of senior judges and judiciary heads developed principles for judicial conduct they named the Bangalore Principles. This JIG subsequently adopted *Measures for the Effective Implementation of the Bangalore Principles* at its sixth meeting in 2010.[15] Integrity Action intended to partner with them, and the Cambridge Group of Electoral Commissioners -- a group of current and former Commonwealth electoral commissioners who met annually -- to develop similar principles for the electoral sector.

These electoral justice principles were intended to be aspirational and used by civil society and citizens to "*claim and defend the right to an electoral justice system of quality.*"[16] The project ultimately expected these principles to be reflected in national legislation and codes of conduct, as well as in the practices in the electoral process. This then would improve the integrity of the national electoral processes, increase stakeholder trust and reduce election related violence

---

[12] Information from the EU/EUOM observer reports for 2007 and 2012.
[13] EU Election Observation Mission- Sierra Leone 2012, p 7
[14] UN Security Council, Tenth report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone, p 3
[15] JIG: http://www.judicialintegritygroup.org/index.php/jig-principles/jig-implementation
[16] UDF-RAF-08-217, Electoral Justice Principles for Trust in the Electoral Process, Projet Document, p 4

The project intended to start this process by reviewing existing electoral rules and integrity standards and their effectives. It would have this document peer reviewed before developing and adopting a statement of electoral justice integrity principles at a preparatory meeting of experts in Ghana. These standards were to be named the *Accra Principles for Electoral Justice*, or *Accra Principles.* This meeting would also adopt guidance for their implementation at country levels. The Accra Principles were then expected to be endorsed by major African electoral management actors at a second meeting in Kenya, and who would also agree on a coordinated plan to pilot their implementation. The principles were to be translated, published and disseminated widely while Integrity Action would seek international organization endorsement of the principles to increase their use and value.

The project intended to pilot the implementation of the principles in two African countries that had suffered from electoral violence. The implementation mechanism to apply the principles was intended to be one of the major outputs of the review study. This mechanism would also be informed by the engagement of the JIG, the CGEC and by discussions at the conference in Ghana and Kenya. National stakeholders would also be invited to comment on the principles, implementation guide, and the approach to capacity development, coalition building and advocacy campaigning.

The pilots were expected to be done through partnering with a CSO in each country. The project would work to empower the CSO partner to build and strengthen CSO electoral networks in-country to educate on and advocate for the implementation of the standards stated within the Principles and their integration into a national agenda. To help support this implementation, Integrity Action, also intended to enlist the interest and support of regional organizations in the field of electoral governance.

Liberia and Kenya were identified in the project document as the two pilot countries. However, by the time the principles were drafted, the pilot countries had shifted to Kenya, Sierra Leone and Ghana. The pilots were to be evaluated at the end and the lessons learned incorporated into the Accra Principles. The main CSO in each country was to be given a contract to deliver the implementation activities and outputs. A part time programme manager was to be provided in each pilot country along with a regional programme manager who would oversee the programme. Technical support was to be provided by the JIG, with added input from the CGEC. Before it ended, the project intended to lay the groundwork for future expansion of the principles into an additional four or five countries by identifying these potential countries in Africa and elsewhere, and by raising funds for their activities.

Integrity Action intended to minimize the political risks of the principles being used for partisan purposes in countries by not including political parties in the organization of the project, avoiding contributions from those with ideological aims, stressing the ideological neutrality of the project, and communicating the non-partisan, cross-cutting intended impact of the project. It felt that success of the principles could be measured by:
- the degree of commitment and endorsement of national authorities in the pilots;
- the number of favorable peer reviews of the review study report;
- the endorsement of relevant regional organizations (at least one African and one Asian);
- significant references of the Accra Principles in electoral judgments, media and CSO statements; and,
- increased levels of trust in electoral justice authorities, reduced levels of violence related to electoral disputes, and best practices project management.

(ii) *Logical framework*

Project activities	Intended outcomes	Medium-term impacts	Long-term development objective
PRODUCING A SET OF ELECTORAL JUSTICE PRINCIPLES			
• **Review study on electoral rules/standards**	• Provide a basis for development of shared principles for electoral justice	Improved understanding of international norm framework for electoral justice	Improved electoral justice standards
• **Host meeting on principles in Accra**	• Finalize and adopt principles by participants (Accra Principles)	Improved trust in EMBs and electoral justice authorities	More credible and peaceful elections in Africa Improved trust in democratic processes in Africa
• **Publication and dissemination of Accra Principles and implementation guidelines**	• Expanded use of principles beyond conference participants • 3 international organizations endorse principles	Increased awareness and use of the principles in Africa and beyond	Improved trust in electoral justice institutions and reduced election-related violence Strengthened democratic processes globally
• **Translation of principles**	• Broader use of principles within and beyond Africa	Increase awareness and use of principles within and beyond Africa	Improved trust in electoral justice institutions and reduced election-related violence globally Strengthened democratic processes globally
SUPPORTING IMPLMENTATION OF THESE PRINCIPLES			
• **Host regional strategic resolution meeting of EMB actors to endorse principles**	• Widespread endorsement of principles in Africa • Agreement on plan to pilot their implementation	Increased awareness and application of electoral justice principles regionally	Strengthened electoral and democratic processes in Africa
• **Network with local partners on implementation of Accra Principles**	• Pilot implementation of Accra Principles in two African countries • Strengthened stakeholder ability to claim, advocate, defend rights for public consultations of integrity	Improved trust in electoral justice authorities More credible elections Reduced violence related to electoral dispute process	Strengthened democratic processes More independent electoral justice authorities and EMBs Increased accountability of elected leaders
• **Document lessons learned**	• Improved principles and more relevant/effective implementation guidelines	Increase use of principles to build trust in EMBs and decease electoral dispute violence	Improved democratic processes Increased accountability of elected leaders
• **Fundraising for extension of project activities**	• Addition of four to five pilot projects beyond two anticipated	Increased application of electoral justice principles by electoral stakeholders	Improved trust in electoral justice authorities Reduced levels of election-related violence Strengthened democratic process and accountability mechanisms

IV.   Evaluation findings

(i)   Relevance

The project's objectives to strengthen electoral justice, build trust in the electoral process and reduce elections-related violence were appropriate and relevant to the electoral context in Africa. Although there has been significant progress in the continent on the technical administration of the elections, the democratic quality of the elections has lagged behind. The selection of Sierra Leone as a pilot country was also extremely relevant as it is still a nation in transition from its long and polarizing civil war. There was election-related violence in its last general elections in 2007 with opposition claims of electoral fraud and bias by the NEC and lack of trust in the justice system.

The need for the project to develop a new set of norms for electoral justice is questionable. Integrity Action states its norms fill a gap on "*electoral justice*" and address the relations between election administration and the justice sector. Most practitioners interviewed and who responded to the survey agreed that there is a large gap between the fast-paced nature of elections administration and the slower machinery of the judicial sector and judicial reform, but felt that there was already a large and well defined body of principles that applied to the issue, but which were not labeled as "electoral justice."

> **The Accra Guiding Principles Values:**
>
> Integrity
> Participation
> Lawfulness (Rule of Law)
> Impartiality and fairness
> Professionalism
> Independence
> Transparency
> Timeliness
> Non-violence (Freedom from Threats and Violence)
> Regularity
> Acceptance
>
> Each value has a principle as shown in the textbox on Regularity. Annex 1 contains the complete list of principles.

Key among these were General Comment 25 on the International Covenant on Civil and Political Rights done by the UN High Commissioner of Human Rights on the *"Right to participate in public affairs, voting rights and the right of equal access to public service*" and the more recent *African Charter on Democracy, Elections and Governance*. Non-binding works on the issue also noted included International IDEA's *Electoral Justice Handbook* (2010), IDEA's *Code of Conduct for the Ethical and Professional Administration of Elections* (1996), and the International Foundation for Electoral System (IFES)'s work on promoting credible elections and its electoral integrity assessment methodology.

Although the Accra Principles are labeled as electoral justice norms, their content is not electoral justice specific. This more general focus was noted by the Chair of the NEC and the members of the APEJ-SL who characterized them in evaluation interviews as general election integrity norms. This more general focus was also reflected in the composition of the group, which did not include representatives from the judicial branch. It did have a representative from the National Law Reform Commission (NLRC) and three representatives from the security sector, which the NEC chair felt represented the justice sector. However, these offices are part of

> **Accra Principles**
> **Principle of Regularity**
>
> *Value*: Regularity.
> *Principle:* Elections must be conducted periodically, and at more or less regular intervals. Such intervals, as well as any variations, must be clearly set out in the law.

the executive branch. Both the judiciary and the EMB that deals with political parties, the National Party Registration Commission (NPRC), said they had asked the NEC to be included in the APEJ Steering Committee when it had first started but were told to wait. Their absence also limited the pilot's relevance and effectiveness to the issue of electoral justice and to building trust with parties.

A number of persons interviewed, including some of the participants in the Bali and Ghana conferences, questioned the relevance of the group of individuals that Integrity Action referred to as the "Electoral Integrity Group" (EIG). They felt the association of these individuals, who were senior current and former election commissioners and justice, gave weight to the effort, but that more than

Launch of the Accra Principles in Ghana 2011

'big names' were needed for this type of an effort. In addition, they questioned why some prominent Africans associated with electoral justice were not included, such as Justice Johann Kriegler who led the panel of experts investigating Kenya's disputed 2007 presidential elections.[17]

Some of the EIG participants also did not realize that their participation in the conferences constituted membership in a group. They reported meeting more in their individual capacity than as representatives of institutions that would then support the application of these principles. The exception was Dr. Thorpe from the NEC in Sierra Leone who offered to host the pilot, and who ensured NEC support. She reportedly felt the issue of electoral justice would fit in well with the process in Sierra Leone and was said to be the type of person who ensured follow-through.

The respected head of the Ghanaian EMB also offered to host a pilot in Ghana but this did not take place. According to Integrity Action, this was because they wanted the application done through a multi-stakeholder process, with civil society leading the process, while the Ghanaian elections commission wanted to implement it directly.[18]

(ii)   Effectiveness

The project completed its main outputs which were to develop the principles and pilot them in an African country, but it was only partially implemented as planned. The project hired consultants to draft the principles instead of using the JIG, held a drafting conference in Bali instead of holding the dissemination conference in Kenya, and undertook one pilot application in Africa instead of two. This diluted its African focus and limited the awareness of the principles espoused by the project. It also limited the experience of applying the standards in another African context which might have provided some useful lessons for similar circumstances. The Bali conference brought in participants from that region who might not have participated otherwise. This piqued some Asian interest as potential future trial cases, but limited its relevance and effectiveness in the African context. Integrity Action did see its project as global in scope with application in Africa which it stated was accomplished.

---

[17] Justice Kriegler was a Justice on South Africa's Constitutional Court as well as a former Chairman of its Independent Electoral Commission.
[18] Dr. Afari-Gyan did not respond to the evaluation's inquiry so the evaluators were unable to confirm this information.

The strategy adopted by the project to develop, discuss, adopt and launch the principles using a small group of individuals and then seek endorsement from the UN and other international bodies was not effective. Although the project made efforts at different points in the process to consult with other actors, most of the work was done by small groups of individuals in isolation from the mainstream electoral assistance efforts. Integrity Action considered its EIG to represent a vibrant and diverse group of electoral/justice institutions and interests. However, as noted, most participated in their individual capacity and this participation did not imply institutional buy-in or endorsement of the principles.

International IDEA did arrange for a side meeting for Integrity Action at the Global Electoral Conference (GEO) held in Botswana in March 2011.[19] Meeting participants recommended that Integrity Action undertake wider consultations and to test its principles at its then three intended pilots (Sierra Leone, Kenya and Ghana), before going further. As a result, Integrity Action labeled its principles as "*Towards an international statement of the principles of*

electoral justice. The Accra Guiding Principles" at its launch in Ghana in September 2011. It also did not disseminate them or hold the intended conference in Kenya to discuss their application. It did however, still translate the APEJ into three languages (Spanish, French and Arabic) and used them at its non-project related summer training sessions held with other organizations in Europe in May and June 2012. The principles are also available on the Integrity Action website.
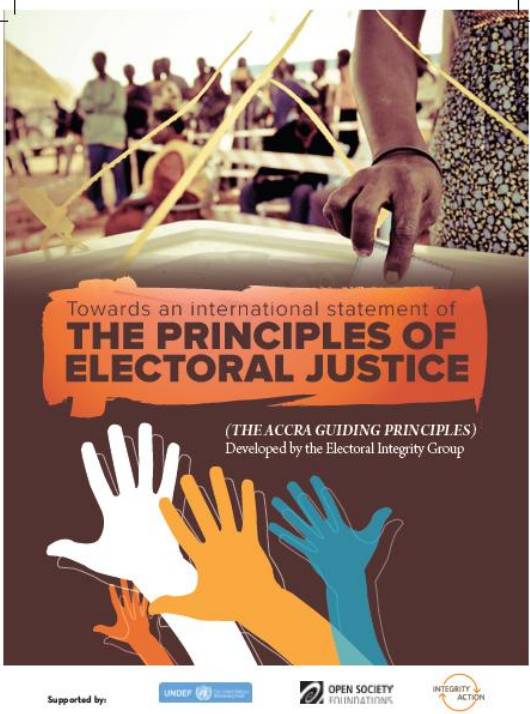
The pilot was implemented in Sierra Leone where Dr. Thorpe organized the creation of the APEJ Steering Committee for an 18 month period (October 2011-March 2013). The NEC hosted the group and paid for its initial meetings, monitoring work and activities. This was subsequently assisted by a project grant of USD 5,000.

The Steering Committee met regularly and undertook a range of advocacy and monitoring activities. This included travel to different regions in Sierra Leone to first monitor, and then to advocate for first time voters and non-violent elections. They also traveled to southern areas that had had problems in 2007 to advocate for peaceful acceptance of the election results. They saw the Committee as serving an important coordination function by sharing information among members of the group on what each institution was doing. They said they had also met with the different member institutions to discuss issues and felt the institutions had made changes as a result, in particular the police who stayed outside of EMB polling locations, and the IMC which had addressed a media issue after it was raised with the group during their discussions with the parties. They felt that their work had increased stakeholder awareness that resulted in increased adherence to ethical standards and the electoral regulations. This was hard to judge in interviews after the fact. Most member institutions noted the group's coordination efforts with a few saying they had looked at their own operations as a result of issues raised with them, but these were general comments and

---

[19] GEO is a conference held every five years of electoral officials, international organizations and electoral practitioners and is labeled as one of the biggest democracy forum. The 2011 GEO Conference focused on "Credible Elections for Democracy" and had more than 300 participants.

lacked specifics. Calls to participants in the up-country meetings showed limited memory of the visits, which were not distinguishable from other voter education efforts.

It was important that this group started early in the process and met continually from October 2011 through the elections in November 2012 as this ensured coverage of the elections as a process and not just as an event. The longer time frame is also needed for a committee whose intention is to build trust, time to establish its bona fides and develop a relationship with stakeholders. The NEC and project funding also gave the group some funds to cover its meeting and activity costs. The Committee members themselves were enthusiastic, but the effectiveness of the effort is uncertain. A key reason for this is that the group seemed to lack a specific focus and purpose. Depending on the discussion, the group saw itself as a coordination body, as election monitors, as advocates, as voter educators, as peer reviewers and peer educators.

The APEJ SL did develop and test a monitoring index in the 14 January 2012 by-elections in Ward 369. Each of the members monitored another member and/or the political parties competing in that election. They scored each on the index from 1-5 (poor to excellent) that was based on the 11 values of the Principles, and their report included useful recommendations to each institution based on the findings. Scores were rather favorable with most scores at average or above, except for the NEC and PPRC who received low scores for "some procedures and regulations" that were "ineffective and prone to support violence."[20] The problematic procedures were not identified which would have been needed for the EMBs to take action, as well as for observers who should be following up on these types of reports, although the APEJ-SL said it only distributed its reports to its member institutions.

This monitoring effort seemed to give their activities structure. However, Integrity Action saw this as duplicating the work of other stakeholders, and in particular the NEW domestic observation effort. The project director recommended during his May 2012 visit, that the APEJ-SL focus instead on "*promoting inclusive collaboration of key stakeholders, and if invited, support them in better focusing their work in line with the Principles and toward achieving Electoral Justice.*[21] This is a vague mandate, and very difficult for a group that did not contain all of the actors and have their institutional commitment to participate fully in an exercise of this nature, or that did not have a national mandate to do so. Integrity Action explained that this is a voluntary effort that is not meant to be confrontational, and the group can build trust by bringing people together to raise and solve issues. It saw the application of the principles in country done by committee led by civil society that would develop its own ways of working in line with its particular context, but more specific guidelines to the committee on its specific role and how it was expected to implement this role would have improved its focus and effectiveness in regards to the project's purpose.

One of the project's intended outcomes was to have *"political parties, candidates and civil society organizations in countries of implementation capable to claim, advocate and defend rights for public consultation of integrity"*[22]. However, neither the PPRC nor the parties were members of the group. According to interviews, the NEC wanted a small committee for the initial effort for easier management which is why they said the parties were not included. The two main political parties indicated their interest to evaluators in participating in such an endeavor. Both parties noted that they were in Ghana with three other members of the NEC

---

[20] APEJ Steering Committee *Report on Pilot Monitoring*, p 10. In this case, it is notable that while the NEC and PPRC scored so low, the parties themselves were rated as good to excellent in terms of non-violence. The Committee said this was because the problems were a result of those regulations and not because of the violent conduct of competing parties.
[21] Integrity Action, May 2012 Monitoring Report, Section V.
[22] UDF-RAF-08-217 Project Document, p 8

at the time of the Ghana conference and would have participated in the launch if invited.[23] The Ghana conference did have a representative of the New Patriotic Party of Ghana, but only Dr Thorpe attended from Sierra Leone. Had these other Sierra Leonean's participated in the launch, it is likely that these groups would have been more active in their application in country which would have increased its reach, broadened its ownership and improved its effectiveness.

There was also a large group of stakeholders and different efforts active in supporting the electoral process in which the APEJ-SL was not integrated. This included the main election group chaired by the Ministry of Finance and Trade with the same members as the APEJ-SL plus the judiciary, civil society, political parties, and the international community. They shared information, coordinated activities, discussed problems and strategized about ways to respond to problems in the process. The NEC also had a regular working group with the security sector and the PPRC with the parties.

There were other efforts that this project could have coordinated with. For example, the UN Peacebuilding Fund supported a non-state actors project which worked with wide range of groups to build consensus for political tolerance and non-violence, including civil society. There was also the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) which provided support for the National Commission for Democracy. This issued the Declaration of 18 May 2012 which defined the specific roles and responsibilities of the major stakeholders in the process. UNIPSIL also supported the National Council of Paramount Chiefs and the Interreligious Council for Sierra Leone to hold discussions with police and the EMBs to address their concerns such as the neutrality of the security sector and paramount chiefs during the process.[24]

(iii)   Efficiency

The project was done within budget but required a one year no-cost time extension. Even within this time extension, the pilot activities in Sierra Leone were not completed. The elections there were held two months after the end of the project and the anticipated end of the Steering Committee was 31 March 2013. .

The implementing partners in the project document (JIG and the CSOs in Kenya and Liberia) were not used. Instead Integrity Action implemented the project directly, hiring consultants to do some of the work and using a few of the members from the JIG and CEGEC to form what it initially called as the "Accra Group" and then the "Election Integrity Group." There was a falling out with the head of the JIG at some point, with each citing different reasons. Integrity Action states that the JIG wanted more money to do the work than was available, because the UNDEF grant was USD 50,000 less than what was requested in its proposal. For its part, the JIG felt its name had been used without intention of it actually serving as a project partner.

Integrity Action cited this as the reason for the delay in project implementation and for needing the one-year time extension. The evaluators were unable to corroborate this from interviews. The project start date was 1 October 2009. The review of existing actors and standards was commissioned in January 2010 and had an end date of March (20 days work). The draft review report has July 2010 submission date on it. The initial drafter of the principles (15 days) submitted a substantial inception report on the proposed content, and a shorter note on their application in June 2010. The draft principles were discussed at the

---

[23] Integrity Action said they were aware of the IDEA conference in Ghana (12-13 September 2011) that was held right before their launch (14-15 September 2011) and had briefed that group on their project, but were unaware that others from Sierra Leone were present.
[24] UN Security Council, Tenth Report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone, p 4

annual conference of the CGEC in July 2010, where the Integrity Action executive director was a member. A contract was issued in October 2010 to the Integrity Action former executive director to incorporate their comments, revise the document, share the document with a small reference group, and finalize the draft (5 days) for the January 2011 conference in Bali. At that time, the conference in Ghana was expected by April 2011[25], but was not held until September 2011 which was the original end date for the project.

Integrity Action was able to find and use experienced electoral and judicial sector experts, mostly for the cost of their expenses-- primarily through its connections with members of the JIG and CEG. This was an excellent use of resources as these are senior level persons whose expertise is extremely valuable. For the conference in Bali, Integrity Action provided a contract with Kemitraan (Partnership), an experienced and respected Indonesia non-governmental organization (NGO) working in the field of good governance to organize the conference. This seemed to be a good partnership as Kemitraan has worked directly with the Indonesian electoral commission.

Integrity Action was able to obtain USD 85,000 from the Open Society to cover some of its administrative costs for this project, and says that UNDEF costs were used for programmatic purposes only. The financial reporting provided to the evaluators did not have enough of a breakdown beyond the major line items to be able to verify this. The vast majority of the funds were used to develop the Principles, while probably only one to two percent of the budget was used on their application in Sierra Leone.[26]

Starting the project with a review of existing standards and actors working on electoral justice seemed to be an efficient approach to avoid duplication and identify needs. However, the terms of reference were unrealistic for the time frame and the "*Draft Research Report on the Principles and Standards of Electoral Justice*"[27] contained some factual errors and incomplete information on the actors active in this field and on the large array of standards, guidelines, initiatives and projects relating to election integrity.[28] Integrity Action did due diligence and sent the review to some relevant organizations for comment. It received comments in return but the document was not revised or published as the consultant's time had already been depleted.

The Steering Committee in Sierra Leone seemed to work efficiently. The NEC subsidized most of the group's effort. The project grant was given in mid-effort after Integrity Action met with two members of the Steering Committee that it sent to its integrity course in Budapest. It used that opportunity to discuss the APEJ-SL's work and need for funding. It also issued the grant to the NEC rather than to NEW, which Integrity Action considered as its partner in this effort, as the NEC had the administrative systems needed to manage the administration of the fund. This helped to ensure the appropriate use of the funds as well as increased the NEC's institutional engagement with the APEJ Committee.

(iv) Impact

It is difficult to assess the impact of this project. The Accra Principles were not disseminated as planned so awareness of them is extremely limited. Those who were aware of them felt their weight was not enough to make an impact, even with the association of some of the

---

[25] According to the timeline in the consultant's contract.
[26] Integrity Action did not provide the estimated amount spent on the pilot, but the work itself was decentralized and funded primarily by the NEC. The project costs were USD 5,000 for the grant to the NEC, plus the cost of the monitoring trip by the project director in May 2012 plus intermittent communication, monitoring and time costs for his related work from his office in Nairobi.
[27] This is also labeled as the "Final Tiri Report" in the footer.
[28] For example, it lists the Election Commission of India and Creative Associates (a private sector development firm as partners in ACE the Electoral Knowledge Network which is not accurate. It also did not list other integrity efforts underway such as International IDEA's efforts with the Kofi Annan Foundation.

well-known persons in the EIG. Most felt that soft norms could serve as benchmarks but that hard norms, such as the African Charter, carried the weight needed to result in substantive change. Acceptance of these principles as the standards to use in an election was not present. Within Sierra Leone, most felt the national election law and the different institutional codes of conducts already covered the norms' main concepts.

The project intended to measure the results of its work in several ways. One was the number of times the Accra Principles and pilots were mentioned in the press. The evaluators did an internet search as well as reviewed the clippings sent by Integrity Action. The press covered the launches of the principles in Ghana and the APEJ-SL, and there were a few articles over time in both countries where the principles were mentioned-- in Ghana by the NPP that had attended the Accra launch that lamented the lack of application of the principles in Ghana during its 2012 elections, and in Sierra Leone, primarily by the police department referring to it in a press release or by the NEC Chair in an occasional speech. The annual NEC report for 2012 had a brief note that APEJ-SL meetings were held "that included civil society" and that it issued ten domestic observation credentials to it. There was no mention of the APEJ or the steering committee in the long term EU observation mission report, or the other international observer reports available as of the date of the evaluation.[29] The NEW 2013 report mentions the Accra Principles as one of the reference documents for election observation but did not mention the APEJ-SL initiative or its work. Outside of this, the APEJ was reportedly distributed at an October 2011 conference in Entebbe on the *role of the judiciary in electoral processes* by the Chief Justice from Uganda who was also member of the EIG and a short-term consultant under the project.[30] The accreditation of the APEJ observers was referenced in a document on the Namibian electoral law.[31]

Integrity Action also intended to use survey data to measure the increase in the level of trust and the reduction in the number of incidents in the elections to measure results, but given the small scale nature of the application in Sierra Leone in comparison with the overall effort, attributing any of these changes to the project is highly unlikely, even if reliable data were available.

The initial monitoring effort done by the Steering Committee with its index could have served as a baseline to measure changes in perception related to the 11 values of the Principles, and perhaps the results of their efforts, despite its subjective nature, if it had been repeated periodically. However, this was only done once.

APEJ -SL Findings: 2012 Ward By-Election
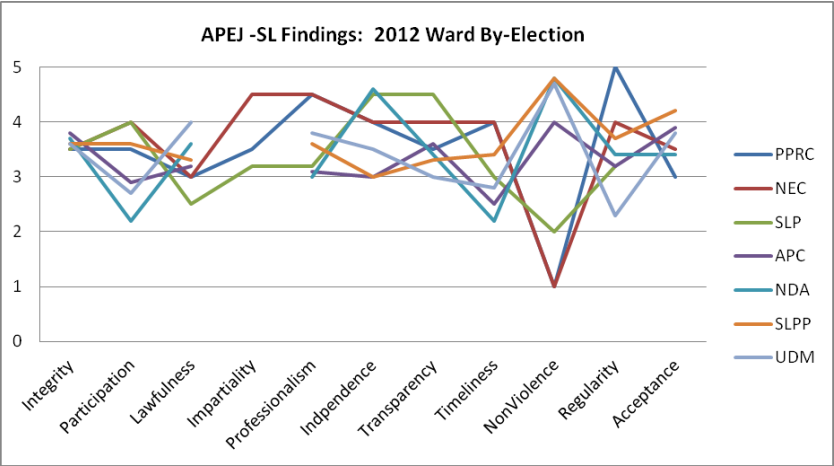
The test of the self assessment questionnaire and peer review by the project manger could also serve as a baseline if it is repeated. This was administered through six focus group discussions with the NEC, PPRC, APPYA, CSOs, IMC and the security sector. They graded

---

[29] The EU Report did note the universal standards and legal framework that had a bearing on the elections in Sierra Leone. This included five international standards and four regional ones (including the African Charter on Democracy, Elections and Governance) that were binding on Sierra Leone, plus three non-binding regional commitments.
[30] Speech by the Hon Chief justice of Uganda, Justice Benjamin J Odoki at the Opening of the 9th Conference of EAMJA on 11 October 2011. Justice Odoki was contracted for seven days to comment on the draft principles. .
[31] Revision and Reform of the Namibian Electoral Act (Act 24 of 1992) Report.

these same institutions plus the judiciary, traditional authorities, security forces, NEW, media and donors. It found an average trust level in the 2012 elections of 3.47 (using a 1-5 scale with 5 as best) and compared it to the level in the 2007 elections which was lower. But attributing the 2012 levels to the APEJ is not possible there were too many other contributing factors.

The presentation of these findings was done by the remaining members of the APEJ-SL to the NEC chairperson and another commissioner during the evaluation field work. Integrity Action said it had long since sent the report to the NEC and the APEJ so that they were aware of its findings and its recommendations before the elections. However, the Steering Committee members indicated it had come late in the process and they had not had an earlier opportunity to present it to the NEC as the commissioners had taken leave after the elections. The group did present all of the findings and recommendations, but kept a distance characterizing it as "*the consultant's report*." They were quick to reassure the NEC for critical comments, such as "be much more tolerant," saying that the respondents had either not correctly understood what the NEC had been doing or that the NEC had already addressed that issue. The recommendations were general in nature, such as "*improve on consultations before taking decisions*" or "*review its laws and sensitize the public on decisions reached*" which did not provide much specific guidance for the NEC on what consultations needed to be improved or what laws needed the review. The NEC did thank the group for its efforts and promised to use the recommendations as it moved forward. The group was still expecting the end survey to be undertaken and the result so the two surveys compared to show the impact of their work.[32]

The reliability and usefulness of this survey was questioned by several of those interviewed outside of this steering group. They felt the focus groups were not representative, the questions too generic to be useful, and that it was not adapted to the national context. In particular, the ONS remarked that the security sector is made up of five separate institutions-- the police, the armed forces, prisons, Fire Force and Native Administration security, all of which are coordinated by the ONS. However, the survey treated them as one group, which was not appropriate and led to a biased assessment. The PPRC thought the value of the peer review depended on the level of information that others have, and stated that they did not want to review other institutions- only themselves. However, they said they accepted the report's recommendations and findings.

(v)   Sustainability

The pilot in Sierra Leone did continue beyond the end of the project. This was due to the decentralized nature of the effort and the continued NEC support. The group tried actively to get funding from donors in-country to implement more activities and increase their independence from the NEC but was unsuccessful. They felt this was because the APEJ-SL was not a registered group. However, the NEW received substantial levels of funding from donors for domestic observation during the elections, and this project had channeled its funding through the NEC, so the donors could have found a way to fund this effort had there been interest. There were still six representatives present when the evaluators attended the APEJ-SL's last meeting. The group's formal end was on March 31, 2013.

The APEJ principles themselves were not picked up or endorsed by any international organization, and their use beyond Integrity Action's future activities is doubtful. The APEJ-SL was a generally positive experience for participants, and the idea of creating a multi-stakeholder mechanism that focuses on the principles of an election with stakeholders is one that might be repeated in Sierra Leone. Although the evaluators did not find any local

---

[32] The project manager stated that the APEJ-SL had told him that they would do the final surveys themselves. However, there was no APEJ-SL ownership of this effort evident in discussions in country.

ownership of the principles beyond the individuals in the group, the participating institutions, as well as the PPRC and justice sector, still felt this type of an effort could serve a useful purpose. Its replication is likely to depend on the type of NEC leadership at the time. Dr. Thorpe is said to retire shortly, and the NEC's participation in this effort was primarily limited to herself and the NEC's Chief of External Relations who represented the NEC on the committee.

For Sierra Leone in general, changes made in electoral laws, procedures and systems that improved the integrity of the process are likely to be sustained for the next electoral process. There was also some improvement in the general level of trust for the NEC's technical competence in managing elections. Although not attributable to this project, it is likely that this will remain as long as the NEC continues to operate in the same fashion. The SLPP opposition is continuing its court case challenging the election results and alleged NEC bias against the opposition in evaluation interviews. Their case had still not been heard by the courts, prompting some of the CSO members interviewed to comment that there had been no improvement in electoral justice, which was seen to favor the ruling party. Participants also noted the systemic problems in the justice sector, and felt that for sustainable change, an effort such as this one needed to be integrated into the efforts to reform the justice sector and constitution.

Integrity Action is currently looking for funding to expand the project to Nepal, East Timor and perhaps Cote d'Ivoire. It also is looking for funding to complete the review process in Sierra Leone.

V.   Conclusions

Based on the evaluation findings, the team concludes:

(i)   The project's objectives were relevant and important given the state of multiparty elections in Africa, some of which still have issues related to the freeness and fairness aspects of the process and elections-related violence*. This conclusion follows from findings (i) and (ii).

(ii)   The project was universal in scope and lacked the African focus present in the project document. Although it named its principles in deference to the electoral advances made in Kenya and tested them in Sierra Leone, the norms and the application toolkit were not adapted to the African context and African involvement was limited. This inhibited the potential development of an African network that could have become engaged in developing and applying the principles. This decreased its particular relevance and effectiveness to the continent. This conclusion follows from findings (i), (ii), and (iii).

(iii) The selection of Sierra Leone as a pilot test of the principles was appropriate. The timing was right to cover the entire 2012 electoral process, and the perception of trust in the EMB and in electoral justice by the main opposition party was low at the outset of the pilot. It also had the commitment of the chair of the NEC who ensured it happened. This conclusion follows from findings (i), (ii) and (iii).

(iv) The project lacked a clear focus on electoral justice as described in the project document, and specificity in *how this justice could be achieved by the actions of a steering committee.* Both the principles and the steering committee addressed general election integrity issues and the APEJ-SL efforts were dispersed in the absence of specific guidelines on how a committee of this nature, composition and mandate was supposed to operate, apply norms and build trust-- and how this was different from the other on-going activities being undertaken in the sector. This affected all aspects of its work. This conclusion follows from findings (i), (ii) (iii), (iv), and (v).

(v) Existing norms and standards could have been used by the project to accomplish its objective as these contained the same points made by the Principles and were already widely accepted, defined and tested. This would have allowed the project to focus on how to best apply these types of standards and effect change in a problematic election. This conclusion follows from findings (i), (ii), (iii) and (iv).

(vi) The stand alone nature of the project was not sustainable and limited its ability to make a difference. Efforts to make contact were not sustained and the project missed opportunities to benefit from the considerable body of international experience in the topic area and the large scale multi-stakeholder efforts supporting the electoral process in Sierra Leone which could have increased its impact. It also resulted in limited ownership for the project and its product (APEJ). This conclusion follows from findings (i), (ii), (iii), (iv) and (v)

(vii) The application guidelines are useful starting points for discussion in organizations interested in holding free and fair elections, but need to be more specific and carry more weight to result in behavioral or systems change in institutions without this will, or that are hampered by other constraints that are beyond their control. This conclusion follows from findings (ii) and (iii).

(viii) The test effort in Sierra Leone was a positive endeavor even if direct results were not visible. The committee was dedicated and reiterating the principles for free and fair elections and electoral justice and reminding institutions of their obligations contributes to the overall strengthening of the democratic processes within a fragile state and transitional context. The work of the APEJ-SL though is not considered complete until the post-election peer/self review is undertaken by Integrity Action. This is needed to retain the credibility of this group's efforts. This conclusion follows from findings (iii) and (v).

VI.   Recommendations

To strengthen similar projects in the future, the team recommends:

(i)   Projects with a regional focus use more participants from the region and ensure their products are tailored for the region. These would still need to be adapted to each specific country context and reflect universal standards, but draw more on regional instruments, networks and experts. This recommendation follows from conclusions (i) and (ii).

(ii) Integrate similar projects with mainstream efforts to support elections integrity and justice. Integrity Action should explore collaboration and synergies with the different groups and efforts active in the sector, such as International IDEA's electoral justice efforts, and others such as UNDP, EU, IFES and the Carter Center. This recommendation follows conclusions (v) and (vi).

(iii) Integrate similar project activities at the country level with the key electoral support and democratic governance strengthening efforts that work to support free and fair electoral processes. A committee of this nature should be visible and active in the main multi-stakeholder coordination and information sharing groups and develop synergies with on-going assistance efforts that support domestic observation, technical assistance, voter/civic education, peace and reconciliation, independent watchdogs, media and political party development. This recommendation follows from conclusions (iv), (v) and (vi).

(iv) Ensure the purpose of the project is clearly defined and that activities directly focus on achieving that purpose, and that implementing partners have clear and *well-specified implementation guidelines* and timelines for their activities. If a project is to focus on electoral justice, the judiciary needs to be included in the effort as well as election administrators. This recommendation follows from conclusions (iv), and (vi).

(v) Use the APEJ Index created by the APEJ-SL as an integral part of the APEJ toolkit. If the groups were trained on the use of this type of an index, it could effectively be used as a regular tool by a group of this nature to advocate for improved performance by the different stakeholders as well as to measure progress towards achievement of the key values of the principles. This could help focus the work of these committees and the content of their discussions with stakeholders. This recommendation follows from conclusions (iv) and (viii).

(vi) Use existing norms that already are accepted, and have the range of definitions and specifics needed for their application. The APEJ values could be adapted for use as benchmarks to measure the achievement of the hard standards subscribed to by member states and that reflect the electoral justice values of the project. *Focus efforts on refining the application guidelines* so that they are more specific in nature and reflect the specific electoral problems found within the context where they are being applied. The lessons from Sierra Leone should be integrated into these guidelines. This recommendation follows from conclusions (ii), (iv), (v), (vi), (vii) and (viii).

(vii) Adapt the peer review mechanism to a country context and make it more specific to those issues to increase its usefulness. These should be done at frequent intervals to be useful and be institutionalized within the member organizations. These reviews should be done by the steering groups and/or institutions themselves rather than project staff or a consultant to increase their relevance, build national capacity and ownership of the effort. This recommendation follows from conclusions (vii) and (viii).

(viii) Gain commitment at the highest levels of participating institutions for application of principles. Adherence to norms requires an institutional commitment that starts at the top. The leadership of most institutions were only marginally involved in these efforts (with the exception of the NEC and IMC), and gaining their active commitment could have resulted in a more substantial role for the Committee. This recommendation follows from conclusions (iv), (vi), and (vii)

(ix) Integrate the promotion of electoral justice into the electoral cycle with key performance indicators owned and implemented by the judiciary, including related institutions, such as the EMBs and police, especially in countries with weak justice institutions. Capacity building for free and fair elections should cover issues such as developing the justice sector's ability to handle electoral cases democratically and the fair management of competing interests. This recommendation stems from conclusions (vii) and (viii).

(x) Integrity Action should complete the post-review process in Sierra Leone. This will complete the cycle of activities for the APEJ Steering Committee and is needed for the APEJ steering committee to consider its work completed, and to maintain the credibility of the pilot effort within participating institutions. This recommendation follows from conclusion (viii).

VII. Overall assessment and closing thoughts

The issue of electoral justice or electoral integrity is a difficult one. There is common agreement on what constitutes the fundamental standards for a free, fair and meaningful process which have been subscribed to by most member states and organizations working in the field. The critical issue is how to ensure these standards are applied in the real-world context where there may be no political will for a just process or a zero sum game where there is no space for the losing party. Making changes in these contexts takes a multi-faceted and integrated approach that addresses not only the issues of trust, but the root causes for the problems and the incentive systems that perpetuate them.

This project had the best intentions, seeking to build trust in the electoral process around stakeholder commitment to a common set of principles, and in doing so increase electoral justice and decrease elections-related violence. It used some of the well known names in the sector to get input into its principles and to give them credibility. But it was not realistic to expect that it could do this with norms that were known only to the project participants and done in relative isolation from the other significant efforts underway to strengthen the electoral and democratic processes on a global basis or within specific regions or countries.[33]

In hindsight, Integrity Action noted it would have probably focused its efforts on developing the mechanisms to apply the norms, rather than developing new ones. This remains the most difficult issue for elections assistance-- how to ensure the application of standards so that the elections can be free, fair and credible and embody the principles of electoral justice espoused by this project.

---

[33] As an example, the *Declaration of Principles for International Election Observation and Code of Conduct for International Observers* (2005) that are endorsed by the United Nations and used widely by international observation missions were started by the National Democratic Institute and the UN Electoral Assistance Division. These went through a four year consultative process with more than 20 organizations working in the field, including the African Union, Commonwealth Secretariat, Council of Europe, European Commission, International IDEA, IFES, Inter-Parliamentary Union, Organization of American States, Southern Africa Development Community Parliamentary Forum (SADC-PF), and the United Nations Secretariat.

VIII. ANNEXES

Annex 1: The Accra Guiding Principles

Value: Integrity:
Principle: Integrity is a vital element that contributes to the legitimacy of, and must be a key element in, every aspect of the electoral process. Honesty and accountability on the part of all involved in any aspect of the electoral process is an essential quality and an imperative requirement to uphold electoral justice.

Value: Participation.
Principle: The voice of the people must be heard, respected and represented in the context of a free, fair and genuine contest. Citizens are the core of the representative democracy as it is they who chose by secret ballot those who represent and govern them. Elections provide a way for all to decide on the decisions makers in a way that ensures that all voters have a fair and equal opportunity to participate in the election process. Full Participation and diversity are manifested when arrangements facilitate the involvement of all, including first-time voters, women and disadvantaged groups.

Value: Lawfulness (Rule of Law).
Principle: The lawfulness of every electoral act and the likely consequences of violations must be firmly established within the valid legal framework of a community. The laws themselves must comply with relevant international norms and their implementation should reflect the principles of Electoral Justice and appropriate sanctions must be defined.

Value: Impartiality and fairness.
Principle: The principle of impartiality and fairness guarantees the equal treatment of voters and contestants. It also guarantees the equal application of the rules of the game. Impartiality and fairness on the part of the election management bodies and all administrative and security authorities must be extended to voters, candidates, political parties, the media, civil society and other stakeholders, and in so doing contributes to the electoral concept of providing a 'level playing field' for all electoral contestants. Whether before or after the poll, dispute resolutions must be fair, accessible, efficient and timely.

Value: Professionalism.
Principle: Managing the electoral process requires technical knowledge of electoral issues and competent delivery of the process. Beyond the professionalism of EMBS, it is also important that Election Dispute Resolution Bodies (EDRB) should be professionally competent. Professionalism in the management and oversight of all stages of the electoral process must be demonstrated in the planning, operation and the conclusion of elections including the pre-electoral, electoral and post-electoral periods of elections. Key indicators of professionalism include experience, expertise, objectivity, efficiency, accuracy, commitment and effectiveness.

Value: Independence.
Principle: The independence of all those authorities that are legitimately engaged in the electoral process and the resolution of electoral grievances and disputes must be respected and guaranteed by law. There must be no interference by any outside interest.

Value: Transparency.
Principle: Transparency is a core element that involves openness at all stages of election organization, which must include access to relevant information on a timely basis, a readiness to provide justification for decisions and a frank admission and swift correction of any mistakes or oversights so as to inspire confidence and credibility in the system in the minds of all stakeholders.

Value: Timeliness.
Principle: Timeliness must be demonstrated in a manner consistent with the other principles before, during and after the poll and at all stages in electoral management, including resolution of disputes as this is an integral element in Electoral Justice. The element of time in the administration of justice cannot be ignored, because justice is a time-bound concept.

Value: Non-violence (Freedom from Threats and Violence).
Principle: All stages of the electoral process must be conducted without violence, intimidation, coercion, corruption, or other conduct that can interfere with the free conduct of the elections in accordance with the values of Electoral Justice.

Value: Regularity.
Principle: Elections must be conducted periodically, and at more or less regular intervals. Such intervals, as well as any variations, must be clearly set out in the law.

Value: Acceptance.
Principle: Where the foregoing principles of Electoral Justice have been substantially observed, the electoral processes reflect the will of the people. It is then an overriding principle of Electoral Justice that everyone must abide by the outcome; that the outcome must be given effect by the institutions of government; and that the legitimacy of the result be acknowledged by the international community.

Annex 2: Survey Findings

The survey was open to anyone interested in the topic and who saw the link on the ACE or Linked In networks, or though the project. It collected answers from 18 March to 3 April 2013. It is not meant to be representative and only presents a snapshot of the views and opinions of those working in the sector who responded to the survey.

A. Survey respondents
100 respondents working in more than 40 countries. This broke down to:
- Africa: 34%
- Arab World: 5%
- Asia: 15%
- Europe: 13%
- Latin America: 3%
- North America: 6%
- Oceania: 3%
- Global: 21%

Fifty-one percent of these were nationals of the country where they worked.

They were from 10 different types of institutions. These were:
- EMBs: 17.5%
- Parliamentarian, elected official or staff: 1%
- Government official or staff: 6.2%
- Independent consultant: 24.7%
- Bilateral or multilateral organization or political mission: 19.6%
- International NGO or consulting firm: 9.3%
- National NGO or CSO: 9.3%
- Academic: 5.2%
- Journalist or media professional: 1%
- Other: 6.2% (1 did not understand question, 1 political activist, 1 nurse, 1 intergovernmental organization and 1 retired supreme court judge).

B. Awareness of Project
- Yes: 16.7%
- No: 69.8%
- Not sure: 13.5%

For those who were aware of project:
- 38.5% were workshop participants
- 7.7% participated in the APEJ-SL
- 23.1% were project staff or consultants
- 23.1% were non paid project affiliates
- 38.5% were "other"

6.7% were JIG members
20% were CGEC members
33% were EIG members
60% were 'none of these'

C. Overall impression of the project

8. What was your overall impression of the project?	Very good	Good	OK	Not very good	Very poor	Don't know/NA	Rating Count
Overall impression?	30.8% (4)	38.5% (5)	15.4% (2)	7.7% (1)	0.0% (0)	7.7% (1)	13
Relevance of project to needs for electoral integrity in general?	36.4% (4)	36.4% (4)	9.1% (1)	9.1% (1)	0.0% (0)	9.1% (1)	11
Relevance to the situation in Africa?	50.0% (6)	16.7% (2)	0.0% (0)	16.7% (2)	0.0% (0)	16.7% (2)	12
Effectiveness of the project in applying its electoral integrity norms?	16.7% (2)	41.7% (5)	16.7% (2)	8.3% (1)	8.3% (1)	8.3% (1)	12
Efficiency of the project in developing the Accra Principles?	16.7% (2)	50.0% (6)	16.7% (2)	8.3% (1)	0.0% (0)	8.3% (1)	12
Ability of a project of this nature to make a difference?	41.7% (5)	16.7% (2)	16.7% (2)	16.7% (2)	0.0% (0)	8.3% (1)	12
						answered question	13

Comments submitted (4):

- As a set of norms many folks are not so aware of it and if they are it has no binding nature. On the African continent it is difficult enough to get folks to abide by their legal obligations so a set of norms will have limited impact.
- Since then there are calls for Open Government, the integrity norms and Accra principles are very useful tools to guide the implementation of good governance. Therefore, these principles can be applied in so many aspect of policy implementation and will support the prevention of corruption/mal administration
- The effectiveness of the Accra Principles will depend upon follow-up. The model is the Judicial Integrity Group, now supported by UNODC. It will be desirable to have a similar institutional support for the Electoral Integrity Group
- It is perhaps too early in the life of the project to property assess some aspects of its relevance and effectiveness, for example, relevance to the situation in Africa and some other new democracies.

D. Awareness of Accra Principles:
Yes: 6.1%   Not sure: 48.6%   No: 15.3%

E. Respondents description of the Accra Principles
Of the 26 respondents who said they were aware of the Principles, 19 provided a description of them. Most of the descriptions pertained to the APEJ.

Sample of the descriptions received:

- A set of professional principles developed by practitioners for practitioners
- Free and Fair Election
- THEY ARE ALL ENCOMPASSING- going beyond the legal provisions required for conducting elections
- They allow to conceptualize and implement donor country assistance according to recipients' needs and expectations.
- Accra Principles are the principles to conduct better conduct of election and also can be applied in governance sectors that is aimed at integrity and good governance
- The Accra Principles have the potential to enhance electoral frameworks and the application of the values underpinning major processes in election organization, such as registration of voters, registration of political parties, and the polling and counting of votes.
- They are well put together and are important in achieving electoral justice. They also ensure that elections and the electoral process is implemented in a free and fair manner.
- Integrity, Participation, equality before the law, impartiality, fairness, independence, professionalism, transparency, timeliness,
- The Paris Declaration on Aid Effectiveness is a wonderful idea as concerns the improvement on the MDG as well as Democracy, but it will never be realised if not headed by a UN worker and not by any Government official or Office.
- Good - though there are a lot of documents of this type
- Accra principles having been formulated after detailed discussion by a panel of experienced and well informed experts are ideal for ensuring free and fair elections especially for emerging democracies. While it may not be possible to implement all the principles at the beginning, it is desirable that these principles are accepted as goals to be implemented within a reasonable time-frame.

F. Need for principles such as the Accra Principles
These are responses from those who knew of the Accra Principles (22 answers).
For Africa: 100%   For Asia: 94.7%   For other locations: 94.7%

G. Knowledge of any implementation of the APEJ outside of Sierra Leone
These are the response from those who knew of the Accra Principles (21 answers).

Yes: 19%	No: 61.9%	Don't know: 19%

Information provided by respondents on where this was done:
- In Zimbabwe, we have them as values for the Electoral Management Body and they include transparency, independence, impartiality, integrity, professionalism, commitment and teamwork. These values form the imaginary boundary of all electoral processes executed by the EMB. [Evaluators Note: This was checked with the IFES office in Zimbabwe and they confirmed that the EMB had done a retreat several years ago to develop norms, but it was their own norms, and not related to the APEJ].
- Indonesia also applying these principle in election by having a free, fair, public, direct, secrecy, honest, justice
- Because of the involvement of a number of professional electoral commissioners, I have no doubt that the principles have been utilised in a number of countries. I am unaware of the precise details.
- Zambia and Liberia
- I was given the impression that the Accra principles have been accepted to be implemented like Ghana. I am not aware of the latest position.

F. Respondents who participated in the pilot in Sierra Leone
Only 1 person. This person:

- **Agreed strongly with:** the APEJ were used by most stakeholders throughout the process, helped to improve the integrity of the process, helped to improve acceptance of the results and that this should be done again in the next election.

- *Agreed with:* they helped to reduce election-related violence in the country, they helped to build trust in the process, they helped to develop multi-stakeholder dialogue on the fairness of the elections, all groups subscribed to the process and they were only mentioned once or twice.

This person's comment was: A lesson most countries would love to emulate.

G. Question for all respondents on norms for free and fair elections;

10. In your opinion	Yes	No	Partially	Not sure	Rating Count
Are there adequate norms and standards for free, fair and genuine elections?	49.3% (37)	13.3% (10)	36.0% (27)	1.3% (1)	75
Do these standards include norms for electoral justice?	52.0% (39)	12.0% (9)	29.3% (22)	6.7% (5)	75
Are these types of standards generally applied to elections?	35.6% (26)	17.8% (13)	**42.5% (31)**	4.1% (3)	73
Is there a need for different standards for different countries or continents?	47.3% (35)	29.7% (22)	13.5% (10)	9.5% (7)	74
			Please use this space to explain any of your answers. Show Responses		32
			answered question		75

Sample of the 32 comments provided:
- There are appropriate laws and acts but they are violated by a very sycophantic judiciary and electoral commission, Almost 6 months after Sierra Leone's disputed elections, the polling station results are yet to be

released. Similarly Kenya had their elections after Sierra Leone and their dispute has been adjudicated whilst Sierra Leone's is still yet to be heard.

- Developing countries are still grappling with issues of traditional authorities, tribalism and factionalism. These sensitivities must be taken into account as they impact on the way people vote as well as the work of the EMB. These tribal authorities can help or hinder the efforts of an EMB.
- Standards should be universal and same for all electoral processes, although some standards may have to have a "local adaptation" in order to be understood by voters.
- I am replying for my own country. This said, we know that the meaning of fairness for instance is very much context-dependent. That why international norms should have a local declination to take into account local idiosyncrasies
- My country started to organise free elections in 1993 but just after the winner was killed and we went through a decade of civil war. So, we are now in period of strengthening peace, we organised democratic elections in 2005 and 2010, that it means we are learning and we are still in need of enhancing democratic culture.

- There is no need for different standards- Human beings are all entitled to free, fair and humane treatment. Additionally, human beings behave the same if put in similar circumstances
- It is a pity that IIDEA and IFES didn't collaborate and - with the UN - develop joint normative principles and best practice on electoral dispute resolution. Now there are two quite similar documents on EDR, and now with 'electoral justice' there is different terminology occupying effectively the same space.
- It is very important to support the justice project for electoral. For example we need to train the lawyers on electoral disputes and give thé founds in the order to provide materials to justice institution. In DRC "cour d'Appel de justice, Tribunaux de Grande Instance and tribunaux de Paix need a big support (Outreach, equipment etc.).
- "Electoral Justice" is, to some extent, the "final frontier". More attention is being paid to the subject, but that does not mean that electoral justice has become a reality for billions of voters around the world.

H. Question for all respondents on the biggest constraint to applying standards.
Sample of the 32 answers received:
.

- Corruption and fear for rebellion.
- Quite simple, the will of the incumbent(s).
- The biggest constraint is the leadership in a particular country and the will to let democracy work.
- The lack of independence in the work of the electoral commission or EMB
- Greed and power hungry.
- Ruling government corrupt and insincere.
- Extreme capitalism and a rogue incumbency
- The EMB cannot control the socio-economic and political environment in which elections are held.
- Resistance of public authorities to the principle of transfer of power to the opposition through elections.
- The mode of appointment of members of the EMB….. [and] incumbent government easily uses funding of electoral activities to twist the arms of

EMBs especially in emerging democracies in Africa.
- Differing understanding/s of what democracy means.
- Corruption and limited pressure groups like strong CSOs locally and donor community internationally
- The social distrust
- Political actors who only aimed at winning..so they are trying to manipulate the process in any means
- Political culture and tradition
- … incompetence and partisanship of election management bodies (EMBs).
- Poverty and use of money muscle and mafia in winning elections.
- Calling them standards, rather than international and regional obligations and commitments.
- Loyalty of the electoral body to the government in power.

- Lack of political will among current office holders, who must legislate any necessary changes.
- The biggest constraint especially in my country Cameroon, and what I noticed in some African countries, is the fact that, our leaders don't want to accept that they are over aged and have to leave the younger generation to better do the jobs they did while they were young.
- non-partisan judiciary, competent judiciary

I. Responses from all respondents on if there is value of having regional norms.

Yes: 73.3%,   No: 13.3%

Sample of the 36 comments:
- It should be Universal
- I think a set of rules and regulations, operations and legal framework can serve as a check-and-balance to ensure that the national norms are not manipulated particularly coming from the incumbencies.
- .Yes because is a global activity and therefore the need for acceptable standard across regions cannot be over emphasised. Norms serves as benchmarks for measuring the success or otherwise of an election. This also allows for weak elections mangers to have some strength in their undertakings.
- Electoral principles although universal should be understood by voters, this implies local adaptation UNTIL voters have received enough civic education to understand international standards
- There is a great value in having regional norms because each country is evaluated by the peers and each country get involved in improving its procedures
- Constraints for example, can be very different in Afghanistan where polling centers are in the chief of village home, and Burkina Faso where exist a strong democratic culture
- Regional norms stand better chances of being observed
- The countries are different
- I favour universal norms. I do not favour regional exceptionalism. That tends to pander to the assertion of local autocrats who see elections and democracy as a nuisance to their unlimited and nepotistic rule. I served as *** in Cambodia and saw close-up the undesirability of perpetual autocracy [Evaluators' note, position withheld to ensure confidentiality]
- There is certainly value in having countries in the same region agreeing on norms that should be sought in each country in the region. Many times these countries have many other regional relationships on a number of sectors, including trade with a number if treaties and conventions between them and they usually tread carefully not to breach their neighbors' trust in any way. Peer reviews have also been found to be effective for just these reasons.
- Home-grown norms and standards, that are developed by practitioners in the region and applied by governments in the region, often have more legitimacy and specificity for the context that generic norms and standards. A regional approach can also remove the argument of 'imposed' or 'Western' standards that are alien to the local context.
- There should be universal norms as there are universal valid rights
- Country leaders often seem to follow the lead of others on their continent
- Having norms that fit in with the regions political or cultural context would be very beneficial
- There are already a number of regional norms in place, eg SADC principles, AU principles etc that provide a framework for the assessment of those countries within the region. This allows for a common framework to be applied by observation missions and allow for an assessment of countries in that region as to how they measure and are progressing

J. Responses from all on if hard norms are more effective than soft norms.
Yes; 36.1%   No: 9.8%   Depends on context: 47.5   Doesn't matter which one: 3.3%
Don't Know: 3.3%

Sample of the 31 comments received on this issue:

- No need to force anyone, once they realize the best, they will come.
- IT DOESN'T MATTER WHICH ONE BECAUSE THEY ARE DEFINED BY THE MEMBER STATES
- "Hard" norms are important in order to underline the importance of the principles and standards, but they lose their effectiveness when states and parties are not committed to them.
- I believe that since politicians always want to cheat any norm to be complied to voluntarily may have problems so i prefer formal commitments but the issues of hard norms depends on the region since some of the norms may work others may not work in different regions.
- It depends on the context based on the will of leaders
- you can rely on voluntarity, it's open door to fraud
- I do not believe that hard and soft norms are mutually inconsistent. Often things start as declarations and move on, in due course, to binding treaties and local law. The Universal Declaration of Human Rights is a well-known example.
- Unless there is an effective monitoring and sanction regime in place monitoring member state commitment would not be possible and 'soft norms' are more like to be followed by EMBs.
- Political good will is essential to implement any hard norms.
- Commitment gives the member states a sense of urgency since it is bestowed upon them to deliver

- Hard norms are not feasible in some countries. It is necessary to be flexible and adaptive some times.
- They are enforceable through treaty bodies or courts
- Because of thé results of elections.
- If the people does not value the norms, then it does not work, whether hard or soft.
- Laws have to be enforced
- History has proven the effectiveness of Hard Laws!
- Generally speaking, where there is a will to manipulate the outcome of an election, a way will be found to do so, whatever commitments the government may have signed up to. Voluntary compliance with norms by a government that is committed to democratic principles, beats externally imposed conditionality that is only grudgingly accepted any day.
- Soft norms are often ignored and there are no sanctions for non-compliance
- Having hard norms produces a systemic universal system which is crucial for a fair, free and transparent electoral process
- Many countries globally are signatories to a broad range of protocols yet do not apply them in their own country. The political will to perform well is a greater incentive and needs to be supported and encouraged

K. Responses from all respondents on what they think is the most pressing issue that needs to be addressed to achieve electoral justice and reduce elections related violence in Africa and elsewhere.

Most of the respondents referred to the lack of political will, lack of education and understanding, the lack of separation of powers and an independent EMB and justice system. Several also mentioned the issue of poverty.

Sample of the 53 responses:
- The corruption and the tendency to help buddies.

- The involvement of political parties in these discussions so that it moves beyond election practitioners
- Training to the election dispute resolution.
- Minority protection systems
- Civic education will allow citizens to be aware of their rights among them participating in free and fair elections
- Corrective action if injustice is proved for example international and domestic observation to categorically state whether the elections were free and fair rather than using the proviso ("under the circumstance, the elections were free and fair")
- Civil education and training.
- This question has two distinct parts that require different approaches. Addressing electoral justice in AU Member States requires an overhaul of the legal framework in most of the Member States and backed by an effective electoral compliance and enforcement regime in each country. Election-related violence as is practiced in some countries can only be reduced by re-educating political parties and candidates, as often they actively aid and even fund the perpetrators of election violence.
- Poverty needs to be eradicated and an educated….population would have a basic understanding of the rules surrounding elections and would be less likely to be manipulated by politicians for their selfish ends. However we also need to ensure that electoral rules do not favor the people in government or the elite groups or some other sectors or tribes in society.
- A two-pronged approach -- working on the larger political system to ensure power is better balanced and shared ….. and reinforcing the independence (real and popularly perceived) of the

- judiciary and other institutions entrusted with electoral justice.
- Even handed and effective prosecution of election offenses.
- The nomination of electoral dispute lawyer must be a neutral commission.
- Africa needs to improve their education systems in order to educate people. …. People don't even understand what is politics and how politics works. Why on earth everybody interested in elections which is only one SMALL facet of democracy. Do you really think elections can help? With free and fair elections you can elect one of several evil politicians. Educate people and they will find their best way of ruling themselves.
- Lack of political will on the part of sitting legislators
- Retirement ages should be respected, and old retired leaders should be treated as those in Developed countries.
- The Independent justice office such as Constitutional or Supreme Courts are important. Also to ensure that the different rights are preserved allowing the actors to express their feeling. The security also is one of the important chapter to take into consideration;
- Separation of powers, in particular, the judicial from the executive. Moreover, it´s paramount to finish with the impunity in those countries.
- Trust in people running the elections; political party building

Annex 3: Evaluation questions:

DAC criterion	Evaluation Question	Related sub-questions
Relevance	To what extent was the project, as designed and implemented, suited to context and needs at the beneficiary, local, and national levels?	▪ Were the objectives of the project in line with the needs and priorities for democratic development, given the context? ▪ Should another project strategy have been preferred rather than the one implemented to better reflect those needs, priorities, and context? Why? ▪ Were risks appropriately identified by the projects? How appropriate are/were the strategies developed to deal with identified risks? Was the project overly risk-averse?
Effectiveness	To what extent was the project, as implemented, able to achieve objectives and goals?	▪ To what extent have the project's objectives been reached? ▪ To what extent was the project implemented as envisaged by the project document? If not, why not? ▪ Were the project activities adequate to make progress towards the project objectives? ▪ What has the project achieved? Where it failed to meet the outputs identified in the project document, why was this?
Efficiency	To what extent was there a reasonable relationship between resources expended and project impacts?	▪ Was there a reasonable relationship between project inputs and project outputs? ▪ Did institutional arrangements promote cost-effectiveness and accountability? ▪ Was the budget designed, and then implemented, in a way that enabled the project to meet its objectives?
Impact	To what extent has the project put in place processes and procedures supporting the role of civil society in contributing to democratization, or to direct promotion of democracy?	▪ To what extent has/have the realization of the project objective(s) and project outcomes had an impact on the specific problem the project aimed to address? ▪ Have the targeted beneficiaries experienced tangible impacts? Which were positive; which were negative? ▪ To what extent has the project caused changes and effects, positive and negative, foreseen and unforeseen, on democratization? ▪ Is the project likely to have a catalytic effect? How? Why? Examples?
Sustainability	To what extent has the project, as designed and implemented, created what is likely to be a continuing impetus towards democratic development?	▪ To what extent has the project established processes and systems that are likely to support continued impact? ▪ Are the involved parties willing and able to continue the project activities on their own (where applicable)?
UNDEF value added	To what extent was UNDEF able to take advantage of its unique position and comparative advantage to achieve results that could not have been achieved had support come from other donors?	▪ What was UNDEF able to accomplish, through the project, that could not as well have been achieved by alternative projects, other donors, or other stakeholders (Government, NGOs, etc). ▪ Did project design and implementing modalities exploit UNDEF's comparative advantage in the form of an explicit mandate to focus on democratization issues?

Annex 4: Documents Reviewed:

ACE Knowledge Network, *Elections Today*, "Experts Gather in Ghana to Discuss Improved Standards for Africa, 2009", http://aceproject.org/today/feature-articles/experts-gather-in-ghana-to-develop-improved/?searchterm=accra principles

African Development Bank Group, *Democratic Elections in Africa - Opportunities and Risks,* 2012

African Development Bank Group, *Political Elections and Democratic Fragility in Africa,* 2013

African Union, *African Charter on Democracy, Elections and Governance, 2007*

African Union, Declaration on the Principles Governing Democratic Elections In Africa, AGH/Decl. 1, (XXXVIII), 2002

African Union, *African Peer Review Mechanism, Africa's Self Assessment for Improved Governance*, http://aprm-au.org/about-aprm

Afrobarometer, *Working Paper No. 84, Quality of Elections, Satisfaction with Democracy and Political Trust in Africa,* 2007

APEJ-SL, Meeting reports, including: *Meeting with Political Parties October 2012, 13 April 2012 Meeting, 9 February 2012, 2 February 2012 Meeting, 30 November 2011 Meeting*

APEJ-SL, *Monitoring of BVR March 2012,* 2012

APEJ-SL, *Report on Pilot Monitoring, Local Government Bye-election in Ward Constituency 104,* February 2012,

Awareness Times Newspaper, "Sierra Leone Chief Justice Launches Electoral Offenses Court," by Arjuna Turay, 20 July 2012, http://news.sl/drwebsite/publish/article_200520730.shtml

Bangalore Principles of Judicial Conduct, http://www.judicialintegritygroup.org/index.php/jig-principles

Daily Guide (Ghana), "Chief Justice pledges electoral justice", http://citifmonline.com/mobile/index.php?id=1.566808

EISA, *When Elections Become a Curse, Redressing Electoral Violence in Africa*, EISA Policy Brief Series Number 1, March 2010

Electoral Justice - *Accra Principles*, on the Integrity Action website: http://www.integrityaction.org/electoral-justice-accra-principles

European Union, Election Observation Mission - *Sierra Leone 2012, Presidential, Parliamentary and Local Council Elections, Final Report* 2012, http://www.eueom.eu/files/pressreleases/english/eueom-sierra-leone-final-report_en.pdf

Inspector General of Police, Sierra Leone, *Press Release: Sierra Leone Lifts Ban on Political Street Processions and Public Gatherings*, 12 December 2012, http://news.sl/drwebsite/exec/view.cgi?archive=7&num=19362&printer=1

Integrity Action, *Towards an International Statement of the Principles of Electoral Justice, The Accra Guiding Principles*, 2011

Ghana News Agency, "Electoral Justice, key to instill electoral discipline", 19 September 2011, http://www.modernghana.com/news/351496/1/electoral-justice-key-to-instill-electoral-discipl.html

Ghana News Agency, "Stop using violence to resolve electoral disputes", 20 November 2012 http://ghananewsagency.org/politics/stop-using-violence-to-resolve-electoral-disputes-cj-53127

Government of Ghana, Guiding *Principles for Electoral Justice Launched in Accra*, 16 September 2011, http://www.ghana.gov.gh/index.php/news/general-news/7510-guiding-principles-for-electoral-justice-launched-in-accra

Judicial Integrity Group website: http://www.judicialintegritygroup.org/

National Democratic Institute, *Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers.* 2005

National Electoral Commission, Sierra Leone, *Accra Principles of Electoral Justice Launched in Sierra Leone,* http://www.nec-sierraleone.org/Bulletin.html

National Electoral Commission Sierra Leone, *Annual Report,* 2012

New Patriotic Party (Ghana), "NPP fears EC disaster in biometric registration", http://akufoaddo2012.com/live/index.php/publications/199-npp-fears-ec-disaster-in-biometric-registration

Odoki, Benjamin, Hon Chief Justice of Uganda, *Speech at the Opening of the 9th Conference of EAMJA,* Uganda on 11 October 2011

Thorpe, Dr. Christiana, Chief Electoral Commissioner/Chairperson, National Electoral Commission, Sierra Leone, *Keynote address at the launch of WANEP's Election Dispute Management Practice Guide for West Africa*, 14 February 2012, Accra, Ghana

Tiri- Making Integrity Work, *Report on the Meeting of the Electoral Integrity Group on The Accra Principles for Electoral Justice,* Accra, Ghana, 14-15 September 2011

Tiri- Making Integrity Work, *Report on the 2nd Drafting Meeting of the Electoral Integrity Group on The Accra Principles for Electoral Justice, Bali, Indonesia 10-11 January 2011,* 2011

Tiri- Making Integrity Work, *Report on the Informal Consultation of the Electoral Integrity Group, The Accra Principles for Electoral Justice during the 5th Global Electoral Organization conference, 7-9 March 2011*

Tiri- Making Integrity Work, *Field visit to a pilot implementation country; Sierra Leone, 7 - 11 May 2012 Report,* 2012

Tiri- Making Integrity Work, *Report on the London Implementation Meeting of the Electoral Integrity Group, The Pilot Implementation of Accra Principles for Electoral Justice, 7-8, 13 September 2011*

Totemeyer, Prof. Gerhard K.H., *Revision and Reform of the Namibian Electoral Act (Act 24 of 1992) Report,* http://www.nid.org.na/pdf/publications/Report%20-%20Recommendations%20for%20Electoral%20Law%20Reform.pdf

UDF-RAF-08-217, *Electoral Justice Principles for Trust in the Electoral Process, Launch Note,* Undated

UDF-RAF-08-217*, Electoral Justice Principles for Trust in the Electoral Process, Project Document,* August 2009

UDF-RAF-08-217, *Electoral Justice Principles for Trust in the Electoral Process, Mid-Term Report,*

UDF-RAF-08-217, *Electoral Justice Principles for Trust in the Electoral Process, Final Project Narrative Report,* 15 December 2012

UDF-RAF-08-217, *Electoral Justice Principles for Trust in the Electoral Process, Outline of Principles and Implementation Mechanisms, Electoral Justice Principles*, by Carl W. Dundas, Lead Drafter, June 2010

UDF-RAF-08-217, *Electoral Justice Principles for Trust in the Electoral Process, Electoral Justice Principles, Strategic Document*, Undated

UDF-RAF-08-217, *Milestone Verification Report No. 2,* 2011

United Nations Security Council, *Tenth report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone, S/2013/118.* 27 February 2013

Annex 5: Persons Interviewed

13-20 March 2013	
Virtual interviews	
Dr. Patrick Rafolisy (skype)	Project Director, Integrity Action Nairobi
Pat Merlow (phone)	Director of Electoral Programs, National Democratic Institute, Washington, DC. Present at the GEO
Ronald Gould (phone)	Member Cambridge Electoral Group and Electoral Integrity Group
Fredrik Galtung (skype)	Executive Director, Integrity Action
Rushdi Nackerdien (skype)	Former IDEA Regional Director for Africa, contributor to IDEA handbook on Electoral Justice, present the GEO
Joan Mudindi (skype)	Project Manager, Integrity Action Nairobi
Nihal Jayawickrama (e-mail)	Judicial Integrity Group
Adhy Aman (e-mail)	International IDEA, Senior Programme Office, Electoral Processes, Political Representation and Participant. Arranged for the GEO meeting and attended the Bali conference.
All members of Electoral Integrity Group	E-mail request to complete survey and send comments to evaluators
Brief e-mail exchanges with:	
Linda Maguire	Former UNDP BDP responsible for elections assistance. Present at GEO, but not at project sidebar
Aleida Ferreyra	Officer-in-Charge, UNDP BDP for elections. Present at GEO, but not at project sidebar.
Staffan Darnlof	Chief of Party, IFES Zimbabwe, Present at GEO sidebar
Koki Mull	Project consultant (Review)
26 March 2013	
Arrival of international consultant in Sierra Leone	
Meeting of international and national consultants	
Adama Kamara	Chair, Accra Principles Steering Committee and former NEW member
Ambrose James	Country Director, Search for Common Ground, and Manager for the National Elections Watch
27 March 2013	
Ammir A Arain	Chief Technical Adviser, Support to Electoral Cycle 2011-2014, UNDP Sierra Leone
Dr. Christine Thorpe	Chair, National Elections Commission
Mohamed Infa Laie Conter	Commissioner North, National Elections Commissioner
Albert Massaquoi	Chief of External Relations, National Elections Commission
Augustine Garmor	Commissioner Independent Media Commission and Deputy Chair of the APEJ-SL
Issata Koneh	Monitoring and Evaluation Officer, Office of National Security, and ONS representative on the APEJ-SL

Emmanual Lavali	Electoral Officer, National Elections Commission
Peter T. Mansaray	Youth Representative, All Political Parties Youth Association
Clarence Amoako-Adusei	Legal Consultant, Law Officers Department
Adama Kamara	Chair, APEJ-SL
Clarence Adjusie	Drafter at Law Officers, Ministry of Justice and Legal Adviser to the NEC
Marian Jusu	CSO Member APEJ-SL
28 March 2013	
Abraham John	Executive Secretary, Political Party Registration Committee
Suliaman Banja Tejan-SIe	National Secretary General, Sierra Leon People's Party
Francis K Lamin	Director, Research and Planning, Office of the National Security, Office of the President
Julia Sakodi Mensa	Master and Registrar, Judiciary of Sierra Leone
Victor Foh	Secretary General, All People's Congress (by phone)
Francis Langoba Keli	Officer Monitoring and Oversight Division, Office of National Security
Ibrahim Tommy	Director, Center for Accountability and Rule of Law
29 March 2013	
Departure of International Consultant	
Phone interviews with up-country participants:	
Samuel Bullie	Office of National Security - Kabala, Koinadugu, Former Sierra Leone Police representative on APEJ-SL
Francis J Songu	Sierra Leone Police, Police Focal point for APEJ-SL, Currently Support Officer-
Mustapha Kambeh	Deputy Assistant Inspector General of Police, Western Area, OSD HQ
Patrick Adu	Movement for Restoration of Democracy – Kenema
MA Stevens	Senior State Council and Principle Magistrate, Kenema
Mustapha Kamara	Headman, Goderich Community
PC Prince Boima III	Paramount Chief, Bo Town Kakua Chiefdom
David Said Koroma	Chief Superintendent of Police, LUC Kenema
Hawa Conteh	Chair, Women's Security Committee - Koinadugu

Annex 6 : Acronyms

APPYA	All Political Parties Youth Association
APEJ	Accra Principles for Electoral Justice
APEJ-SL	Accra Principles for Electoral Justice activities in Sierra Leone
AU	African Union
CGEC	Cambridge Group of Electoral Commissioners
CSO	Civil Society Organization
EIG	Electoral Integrity Group
EMB	Electoral Management Body
EU	European Union
GEO	Global Electoral Conference
IFES	International Foundation for Electoral Systems
IMC	Independent Media Commission
JIG	Judicial Integrity Group
NDI	National Democratic Institute
NEC	National Elections Commission
NEW	National Elections Watch
NGO	Non-Governmental Organization
NLRC	National Law Review Commission
ONS	Office of National Security
PPRC	Political Party Registration Commission
SLPP	Sierra Leone Peoples Party
UNAMSIL	United Nations Mission in Sierra Leone
UNIPSIL	United Nations Integrated Peacebuilding Office in Sierra Leone
UNDP	United Nations Development Programme
UNDEF	United Nations Democracy Fund
USD	U.S. Dollar