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ONE CENTURY AND A HALF OF ELECTORAL OBSERVATION: A NARRATIVE FROM REFERENDUMS TO SOVEREIGN STATES

Paula Gomes Moreira[1]

Resumo

O Monitoramento Eleitoral Internacional é uma norma democrática que surgiu no início dos anos 1990, mas tem origens mais profundas. Para avançar na compreensão de sua história, este artigo, através do rastreamento de processos, segue uma narrativa baseada nos principais eventos que deram origem ao que hoje é uma prática aceita verbalmente. Ele começa mostrando os primeiros plebiscitos e referendos territoriais monitorados que aconteceram logo após a Grande Guerra até as primeiras missões de observação em nações independentes. A Terceira Onda de Democratização é introduzida como um aspecto fundamental deste processo, pois impulsionou o estabelecimento da prática em países soberanos americanos, antes que outras regiões a adotassem. Ao final, mostra-se como a observação é hoje um instrumento institucionalizado na promoção das democracias.

Palavras-chave: Democratização; Norma; Promoção da Democracia; Observação Eleitoral Internacional.

Abstract

International Election Monitoring is a democratic norm that emerged in the beginning of the 1990s but has more profound origins. To advance in the comprehension of its history, this article through process tracing, follow a narrative based on the main events that gave rise to what is now a practice wordily accepted. It starts showing the first monitored territorial plebiscites and referendums that took place right after the Great War until the first observation missions in independent nations. The Third Wave of Democratization is introduced as a fundamental aspect of this process, as it pushed forward the establishment of the practice in sovereign American countries, before other regions adopted it. At the end, it is shown how observation is nowadays an institutionalized instrument for the advance of democracies.

Keywords: Democracy Promotion; Democratization; International Election Monitoring; Norm.

INTRODUÇÃO

International election observation is an activity of multilateral assistance to democratization, which has been gradually recognized by the international community since the 1990s. International election observation involves key points, included, above all, that of 'election', 'democracy' and the concept of 'democratization process'. First, the principle of democracy has been at the center of international concerns since the end of World War II, as illustrated by the creation of the United Nations (UN), the collapse of the communist bloc and the end of the Cold War in the early 1990s.

Democracy is a polysemic concept. It is constantly evolving and is an ideal to be sought, which has so far only been achieved to some extent: no country or state can really be regarded as fully democratic. However, there is a consensus between academics who recognize the presence of certain fundamental components of democracy. The main criterion for judging the democratic character of a State, as reflected in the prevailing contemporary practice, is the holding of elections. This is mainly

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because, suffrages consent the gradual democratization of countries. And democratization is a factor of peace both at the national level, as it allows the stability of the State and at the international level since it enables cooperation between countries and the reduction of inequalities in the long term. The promotion of democracy and respect for human rights are therefore not objective in themselves: they are indispensable for long-term human development and for the building of lasting peace.

International aid initiatives, including electoral assistance and observation, are essential for the establishment of democratic regimes. As mentioned above, democracy requires free and fair elections. The democratization processes initiated by holding elections, according to international requirements, lead to peacebuilding. International election observation missions (EOMs) are at the heart of this virtuous constituency, as they make it possible to monitor the good conduct of these elections. The presence of international election observers has as its mission to monitor the conduct of elections to ensure that they meet the requirements of freedom, justice, and honesty, in accordance with international human rights standards (NORRIS, 2013; KELLEY, 2008). The end of the Cold War marked a shift for the international community from establishing international human rights standards for a more active implementation of these democratic standards and principles. Election missions reflect this new approach.

However, what are the origins of international election observation? How has democratization led to an increase in the phenomenon of election observation in countries? What are the processes by which external and independent election observation assists democracies? These topics concern the chain of events that link democratization to the adhering to the norm of international election observation (HYDE, 2011). A useful approach to answering such questions is process tracing, which means that the author analyzes a sequence of events to discover the causal chain between decision making and results (KING; KEOHANE; VERBA, 1994). Thus, the article applies process tracing to the events that led to the development of international election observation, from the first surveillance experiences in Europe in the nineteenth century, to the referendums held in German-occupied territories, through the struggle for self-determination, the creation of the League of Nations, them the UN, until the sovereign states started inviting missions. Data collection was carried out by consulting primary and secondary sources of international reach.

THE END OF THE GREAT WAR: FORMER ELECTION MONITORING EXPERIENCES

It is common to trace the origins of election observation until 1857. At that time, a European commission composed of Austrian, British, French, Russian and Turkish representatives, established by

the Treaty of Paris (1856), visited the disputed territories of Moldova and Wallachia (the latter is now a Romanian province) during the elections, after the Crimean War (1853-1856). It was a diplomatic mission to ensure the implementation of the treaties and this event represented the first experience of electoral consultation under international monitoring. In brief, the Russian defeat in the war weakened the balance of power in Europe. Due to its strategic position at the mouth of the Danube, a vital passage for European traffic, the status of Moldova and the Duchy of Wallachia became an important theme at the Paris Conference (1856).

Wallachia and Moldova were still under Ottoman suzerainty, but after the Paris Congress, they were placed under collective guarantee from the Great Powers who signed the Treaty of Paris – more specifically Russia, Prussia, Austria, Great Britain, France, Sardinia, and the Ottoman Empire. According to the very text of the Treaty: "no kind of protection should be exercised on them by any of the great powers. There should be no interference in their domestic affairs" (art. 22).

The solution to the question of the principalities of the Danube came from Russia in 1855. The Russian proposal was incorporated into the Paris Treaty of 1856, in which it was established that the union or maintenance of the division between the principalities should be carried out through assemblies, with limited and indirect suffrage of delegates, under the supervision of a European Commission (WANBAUGH, 1920). With the assembly meeting there were elections in Moldova and then in Wallachia. In 1859, after the votes were determined, the union of the principalities was established, under the command of the same prince. Then, the vote was overseen by an international commission. Although this episode marks the first international monitoring experience of an electoral process, it was not representative of a larger movement.

In 1919, with the signing of the Treaty of Versailles, began the international observation of the plebiscites from the German possessions, that had lost the war. The plebiscites in Schleswig (1920); Allesntein (1920); Marienwerder (1920); Carinthia (1920); Upper Silesia (1921) and Sopron (1921), were monitored by an interallied commission. After that, an international commission was formed to monitor the plebiscite in North Schleswig (BEIGBEDER, 1994). This model of electoral observation began to change in 1935 when the League of Nations (1920) emerged as an intergovernmental organization interested in the peaceful territorial rearrangement of peoples. The case Vilna and Saar is emblematic because there was direct involvement of the League in the organization and holding of those plebiscites. The plebiscite in the Vilna District was held to allow the people to speak for themselves about their nationality preferences and sovereignty over the territory. The Council of the League appointed an International Plebiscite Commission that had the task of guaranteeing the freedom of

voting, with the support of an international police force, in a model forerunner of the UN peace-keeping operations. The territory was annexed to Poland as a result of the popular choice (KOHN, 1924).

Saar was under the control of the League of Nations for fifteen years (1919-1935). After this period, the League prepared a plebiscite, which would decide whether its inhabitants wished to be part of Germany again, or whether they would remain separated. Communists and social democrats formed a coalition in favor of the permanence of control of the League of Nations. On the other hand, the Germans, determined to reclaim the region, formed a coalition with the Catholics, to boycott popular consultation, even threatening to invade the Saar. In the end, under the observation of representatives of the League, the plebiscite was declared free and genuine, with a majority of votes in favor of returning the territory to Germany (WANBAUGH, 1920). Plebiscites were not the main form of border conflict resolution, but rather a marginal practice of establishing state borders. However, they had become a central element of international relations, as a legitimate way of determining matters relating to sovereignty (SANTA-CRUZ, 2013).

Also, the principle known as self-determination, became an important guide for the League of Nations in resolving territorial disputes following the Great War. It had become an *ad hoc* principle for those ethnic groups that had mobilized at the national level during the 19th century under the Austro-Hungarian, German, Ottoman, and Russian empires. The League of Nations, the first universal international organization, was imagined as an entity that could include all sovereign states. The creation of this federation or community of democratic states would be sustained by the principle of self-determination. In other words, democracy was planned to exist not only domestically, but also in the international arena. Although the League of Nations did not achieve its main goal, which was to replace the balance of power system with that of collective security, it left two important contributions. The first was the emergence of independence struggles in several states, which included gaining recognition in the international system through plebiscites, referendums, and elections. Thus, the monitoring of such consultation processes, as a guarantee that the principle of self-determination had been respected, was in the eyes of the citizens who carried out the election, or even before the international community. Among the most recurrent examples of popular choice monitored internationally were those of the European populations previously discussed, who wished to connect or separate from another State, in addition to the colonies that sought to become independent (DALTON, 2011).

The second contribution is about the change in the perceptions of self-determination and democracy, which began to include human rights in a more incisive way.

The concept of free determination of the peoples began to encompass not only the inhabitants of the colonies and those in situation of colonial emancipation, but also extended to all peoples. It is the

transformation of the concept, which was previously more restricted to a value attributable to all peoples, that allowed international observation of elections in sovereign countries years later. As so, self-determination was the cornerstone in creating a right of peoples to democracy, serving as the basis on which several new states were created in the international system (DALTON, 2011). International monitoring of elections would intensify immediately after World War II (1939-1945), with the increase in decolonization movements and the emergence of several multilateral and interregional organizations.

POST-WORLD WAR II: ELECTORAL PRACTICES IN NEWLY INDEPENDENT COUNTRIES

With the failure of the League of Nations, the Allies found themselves with the task of rebuilding the world order. This post war international order would only be accomplished by replacing the power of the sum, for the force of individual states. In this context, a new proposal for a collective security system, elaborated during World War II, resulted of an agreement between the Soviet Union, the United States, China, and the United Kingdom. The countries agreed on the need for a universal organization, based on the principle of equality between sovereign states, in which they would be prevented from participating: Germany, Italy, Japan and Spain. The basic text proposing the creation of a universal multilateral organization was analyzed at the San Francisco Conference (1945), when the UN was created. In the same year, with the ratification of its Charter by most of its members, the UN came into existence officially (HERZ; HOFFMANN, 2004).

The international intergovernmental organization began to deal with the maintenance of peace in the world through the creation of norms and acting as an international actor, assuming positions and producing ideas about the administration of the proposed collective security. The very concept of self-determination has changed with the creation of the new organization. It came to have three main meanings. First, self-determination can be defined as the collective right of a linguistic, ethnic, cultural, and religious community to create and administer its own State. Second, it can refer to the right of a population to determine the format of its own political, economic, and social institutions. Finally, the concept has been associated with populations that challenged the role and influence of external actors in their governments and structures (CRONIN, 2011). After the creation of the UN, the principle of self-determination of peoples was formalized internationally, through its inclusion in its Constitutive Charter. Simultaneously, colonialism had begun to collapse (HERZ; HOFFMANN, 2004; BEIGBEDER, 2011).

There were conflicting trends regarding the positioning of countries towards the application of the principle of self-determination. For the socialist group, self-government represented an anti-

colonialist weapon. On the other hand, the western countries defended self-determination as the right of people to freely choose their political regime and rulers. Even the opposition of the western bloc countries were not sufficient to block a series of plebiscites, referendums and electoral processes that took place, with UN support (BEIGBEDER, 1994). Thus, soon after its creation, the UN was called to observe electoral processes, above all, in divided countries; in protected territories and in those without self-government, poignant to independence (SANTA-CRUZ, 2013).

The UN played a prominent role in conducting observations in self-determination plebiscites, with the formation of the first generation of observers to monitor electoral processes around the world. Its mandate was "to ensure that the transfer of power from colonial rulers to national leaders was carried out freely and fairly" (LAPPIN, 2009, p. 87). The UN supervision of electoral processes in the context of decolonization operations aimed not only to certify the outcome of the elections, but also to confirm the validity of crucial aspects to the electoral process, such as popular participation and the validity of votes. With the mandate of promoting self-government in colonial territories, the UN General Assembly approved the Resolution 742 (VIII) (1953), stablishing "a series of alternatives to colonial status – which should be chosen through democratic means by the population of the territories in question" (SANTA-CRUZ, 2013, p. 1733). As so, Table 1 shows the processes of popular choice carried out in territories under the tutelage of the UN and those without self-government, beneath the principle of self-determination and with UN supervision, in the immediate years after the Second World War.

Table 1 - Processes of popular choice carried out in Non-Self-Governing Territories under the tutelage of the UN, after the Second World War

Year	Territory	Mandate	Type
1956	Togoland	UN Plebiscite Commissioner for the Trust Territory of Togoland under British Administration (UNPCT)	Plebiscite
1959	British Cameroon	UN Visiting Missions to Trust Territories - Republic of Cameroon	Plebiscite
1961	Western Samoa	UN Visiting Mission to the Trust Territory of Western Samoa	Plebiscite
1961	Rwanda-Urundi	UN Visiting Mission to Rwanda-Urundi	Referendum & Election
1961	Northern Mariana Islands	UN Visiting Mission Visiting Mission to Observe the Plebiscite in the Northern Mariana Islands	Plebiscite
1965	Cook Islands	UN Representative for the Supervision of Elections in the Cook Islands	Election
1967	Aden	UN Special Mission on Aden	Election
1968	Equatorial Guinea	UN Mission for the supervision of the Referendum and the Elections in Equatorial Guinea	Referendum & Elections
1972	Papua New Guinea	UN Visiting Mission to observe the elections to the Papua New Guinea	Election
1974	Niue	UN Special Mission to observe the act of self-determination in Niue	Referendum
1974	The Gilbert and Ellis Islands	UN Visiting Mission to the Gilbert and Ellis Islands	Referendum

Source: UN (2022).

Plebiscites or referendums monitored by international organizations were not a general rule in the period between wars and most of the colonial powers remained in control of the electoral processes that led to independence, without requesting UN involvement. Even so, the UN supervised votes in territories under guardianship and in self-government (SANTA-CRUZ, 2013).

As so, free, periodic, and universal elections, with egalitarian suffrage and secret voting, were therefore decisive in defining whether a democracy had been established or renewed. In territories struggling to become independent, through plebiscites or referendums of self-determination, there was a risk that such electoral processes would be organized by colonial power, making it hard to achieve such parameter.

Consequently, international monitoring emerged as one of several conflict resolution strategies of such dilemma and had become an important part of the UN peace keeping agreements and peacekeeping operations (SEBUDUBUDU, 2011). The process of including electoral assistance and monitoring throughout UN Peace Operations mandates dates back from the beginning of the Cold War, until their consolidation with the advent of hybrid missions, in the 21st Century, as exemplified by Table 2.

Table 2 – Generations of UN Peace Operations (1948-)

Generation	Scope	Mandate
1º - Traditional Peacekeeping	Cold War	Chapter VI: consisted of sending of small military contingents to assist in peacebuilding in countries that were in conflict due to disputes over the possession of territories.
2º - Civilian Tasks	End of the Cold War	Chapters VI & VII: involved activities such as organizing elections, promoting human rights, and assisting refugees.
3º - Peace Enforcement	Mid-90's	Chapters VII: was focused on the imposition of peace, with little difference from the activities they performed in the second generation, but with greater permission for the use of force.
4º - Peacebuilding	Beginning of the 21st century	Chapter VIII: joint efforts to consolidate and solidify peace, avoiding the recurrence of conflicts.
5º - Hybrid Missions	2000's	The "New Horizon" Report: missions are more specialized than the others and have tasks, ranging from aid to the reconstruction of countries, to peacekeeping in environments of violence escalation. Democracy began to operate as an international imperative and went hand in hand with the implementation of electoral assistance and observation missions.

Source: Kenkel (2013).

Also, date from this time another systemic phenomenon would also have great prominence in the historical process of emergence of EOMs: the growth in the number of Intergovernmental Organizations (OIGs) and Non-Governmental Organizations (NGOs) with international range.

They were the result of a political process that began in the immediate post-Second World War, as an important instrument for the maintenance of collective security at the regional level, as

contemplated by the Chapter VIII, of the UN Charter. Also, after the end of World War II began the Second Wave of Democratization, which peaked in 1962, when 36 countries began to be democratically governed (HUNTINGTON, 1994), pushing for the beginning of international election observation practices in countries other than those protected by the UN.

THIRD WAVE OF DEMOCRATIZATION: THE ADVANCE OF ELECTORAL ASSISTANCE

In addition to the action of the UN towards the advance of democracy, another important feature of the date is the increase in the number of international organizations that have also started to monitor elections. These pioneering missions consisted of sending one or two observers to the capitals, to see the process taking place there. As the Third Wave advanced, democratization became a recognized phenomenon in international politics, "the media paid more attention to it and the elections became increasingly the subject of international monitoring" (HUNTINGTON, 1994, p. 184).

In Latin America, the beginning of the Third Wave was marked by the holding of foundational elections. The OAS started to send multilateral delegations of diplomatic observers intensifying this practice in the 1980s, when authoritarian regimes began liberalization. The observation missions changed their character, moving from a diplomatic nature to a more focused one on electoral assistance (HUNTINGTON, 1994). In 1962, international monitoring became in fact practiced in the Americas, when three delegates from the OAS observed the Costa Rican elections (LEAN, 2007). Costa Rica's general elections were the first publicized case of an international mission in a sovereign country. The mission sent to the country was characterized as an electoral assistance mission but consisted of monitoring the elections (HYDE, 2006; 2011).

The so-called first phase of international monitoring of elections in the Americas (1962 to 1977), was predominantly marked by the opposition of the rulers to the performance of observation missions, because they believed that they could be detrimental to the sovereignty of the countries, since the elections, were a strictly domestic issue (SANTA-CRUZ, 2007; 2013; MCCOY, 1998). Between 1978 and 1989, with the insertion of new actors in the international scenario, especially international OIGs and NGOs, a second phase of international monitoring of elections in Latin America began, marked by the transformation in the way countries of the region understood the concept of sovereignty in the composition of the missions, making them much more structured. The size of the missions increased, as did the work they performed, because the work of the teams was much more exhaustive than that carried out by the delegation's characteristic of the first phase. Many of these new organizations were based on the practices that preceded them, such as of those from the OAS missions (SANTA-CRUZ, 2005).

Four are the arguments used by those who defend the right to democratic governance, by justifying the international monitoring of elections in sovereign countries. They are: (1) the concept of sovereignty is itself subject to change, as responses to new conditions, placed both in the external scenario and in the domestic scenario; (2) electoral monitoring reinforces the domestic legitimacy of a government and strengthens its sovereignty externally; (3) true sovereignty lies in citizens, not in the State, so, since observers seek to strengthen individuals, their activities are consistent with sovereignty and; finally, (4) States are not free agents, but subject to limitations derived from the natural right of their citizens, as well as legal limitations, contracted by him under a series of international human rights treaties, which include rights such as free elections (CHAND, 1997).

The literature grounded their argument on the first proposition of the defenders of good democratic governance, emphasizing that the greater communication between national and international actors caused traditional concepts of sovereignty, marked by the opposition between the domestic and the international, to be challenged. This is because, increasingly, these actors were united around close problems, such as the defense of human rights and the promotion of common democratic values (SANTA-CRUZ, 2007; 2013). In turn, others argue that "the transnationalization of election monitoring was an important step in changing the dynamics of election monitoring, which went from external intervention to a form of international validation" (LEAN, 2007, p. 162). In the 80's "the emergence and dissemination of the phenomenon of the foreign observer was a great development (…) and significantly increased the importance of elections in the democratization process" (HUNTINGTON, 1994, p. 184). The authoritarian rulers had no choice but to hold elections. If they tried to manipulate the electoral game, they would lose legitimacy and, even if they tried to manipulate it, they would have to do so in an extreme way, which would also not guarantee them many advantages, since the opposition gained strength every day. Moreover, "authoritarian rulers can only legitimize their regime when they are withdrawn through elections" (HUNTINGTON, 1994, p. 185), any other situation would lead to unexpected results.

Thus, from 1989 on, began the third phase of the development of international election monitoring in the Americas, with the sending of one of the largest and newly structured missions to a sovereign country, namely Nicaragua. The Sandinista government invited the UN, the OAS, the Carter Center, and others to monitor the electoral process that would take place in 1989, becoming the first sovereign country to accept this model of monitoring (PASTOR, 2002; HYDE, 2006). Unlike the first missions, which had a delegation of only one or three observers throughout election day, as the promotion of democracy became a fundamental part of the foreign policy agenda of many Western countries and, as many leaders of countries in transition were encouraged to prove their commitment to

democracy. Thus, since 1990, numerous international organizations began to offer electoral assistance, with the sending of technical observation, by magistrates and/or officials of electoral bodies in the region.

Table 3 – Prominent organizations providing Electoral Assistance during the Third Wave of Democratization in the Americas

Nature	Organization	Normative Framework
Intergovernmental Organization	UN: Electoral Assistance Division (UNEAD)	Secretary-General's report A/49/675, under Annex III & A/76/266
	OAS: Secretariat for Strengthening Democracy (SSD)	Resolution 1080 (1991) Washington Protocol (1992) Inter-American Democratic Charter (IADC) (2001)
	Inter-American Union of Electoral Bodies (Uniore): Center for Electoral Advisory and Promotion (Capel)	Tikal Protocol (1985) Quito Protocol (1989)
	The Commonwealth: The Commonwealth Secretariat	The Harare Declaration (1991) The Commonwealth Charter (2013)
International, Non-Profit Organization	International Foundation for Electoral Systems (Ifes)	The Universal Declaration of Human Rights (1948) American Declaration of the Rights and Duties of Man (1948) International Covenant on Civil and Political Rights (1966) American Convention on Human Rights (1969)
Non-Profit, Non-Partisan, Non-Governmental Organization	National Democratic Institute (NDI)	
Non-Profit, Non-Governmental Organization	Carter Center	
Nonpartisan, Nongovernmental Organization	International Republican Institute (IRI)	
Private, Nonprofit Foundation	National Endowment for Democracy (NED)	

Source: Self elaboration.

The countries of the region have themselves taken initiatives to promote electoral assistance. This was the case in Canada with respect to the creation of a specific unit dedicated to the topic within the OAS. After its establishment and until the mid-1980s, the OAS operated as a military alliance with little focus on economic or governance concerns. In the early 1990s, the OAS acquired its role in assisting the new democracies from the membership of Canada, which reformed it (POAST; URPELAINEN, 2018). One of the first actions the Canadian government took as a new member was to propose a specific instance for democracy promotion, currently the Secretariat for Strengthening Democracy (SFD) (POAST; URPELAINEN, 2018). The Organization has established "top-down" and "bottom-up" democracy assistance strategies (CAROTHERS, 1997). The former is those that create state institutions with a view to strengthening democratic governance. Examples are technical assistance for elections, training of electoral authorities, and support for the national human rights ombudsperson. Followed by strategies based on the idea that democratic government depends on the existence of a civil society and civil organizations that defend it against its detractors. They include actions to assist the media, support non-governmental organizations, and civic education.

Also, democracy promotion became a priority in the United States during the 1980s because of the anti-communist focus of policy at the time, particularly with respect to Latin America and Asia. This evolution in policy paved the way for the creation of programs to assist elections, the administration of justice, and other key areas in the new wave of democracy assistance that unfolded. The first initiatives were privately funded by entities such as the Center for International Private Enterprise (CIPE) and the American Center for International Labour Solidarity. They focused efforts on promoting democratic processes in other countries through programs to promote free and fair elections, strengthen political parties, develop civic education, and strengthen parliaments. This was the seed that would later give rise to NED.

In the mid-1990s, monitoring increased in the Americas, expanded to Asia, Africa, Eastern Europe, and the Caribbean, as part of electoral assistance and through specific democracy promotion programs developed for each of these regions. Since then, it is a norm present across all regions of the world and is now separate from electoral assistance.

END OF THE COLD WAR: EXPANDING THE NORM

As the Third Wave advanced, elections grew in number and importance, where observation has become central, as part of the electoral processes of many countries around the world, especially emerging democracies (SEBUDUBUDU, 2011). The typification of an electoral process as free and fair has been carried out, in most cases, by international monitoring organizations with less experience. Organizations that already have a long tradition in the task tend to avoid this categorization due to the difficulty in defining what would be free and fair elections, preferring to issue notes in which they attest that the electoral process complied with the necessary requirements with international democratic standards. Compared to the first missions, the observation now began to cover more tasks. These have become more sophisticated, and their scope has also changed. The role of the media, political parties and electoral bodies has become more cautiously monitored and more systemic. Voting lists, voter credentials and electoral records grew in importance, under the eyes of observers, and so did election laws and campaign rules.

This change happened on account, first, of the need to hinder any kind of fraud by authoritarian leaders, forcing them to make their practices more sophisticated if they wished to influence the outcome of the elections. Then, due to the resistance or reemergence of patrimonial regimes, in which many rulers seek to increase their permanence in power through questionable means. In other words, leaders of non-democratic regimes through democratic elections that try, through electoral manipulation, to

extend their mandates (HARTLYN; MCCOY, 2006). International observation brings greater integrity to the process because it increases the confidence of voters, the greater the recognition and importance of the organization that sends them and, also, due to their credibility as bearers of values of international democratic governance (SEBUDUBUDU, 2011). However, the effects generated by international observation vary according to the geopolitical importance of countries, because "in weaker countries geopolitically, the advertising generated by international observers is relatively less important, simply because interference in these countries is less controversial" (DONNO, 2013, p. 603). Similarly, foundational elections or those that are held after long periods of conflict, such as civil wars, are generally less criticized, while elections in countries receiving large volumes of international funding are heavily monitored (MCCOY, 1998; HARTLYN; MCCOY, 2006).

There is criticism about the boom in the number of organizations that have devoted themselves to observation in recent years, stating that many of them have curious and ill-prepared observers, “embarrassingly unprofessional and paternalistic”. Similarly, “they make hasty post-election statements that divert attention from more important reports issued by organizations with more experience and greater presence” (CAROTHERS, 1997, p. 22). However, although there is this competitiveness between different organizations, the multiplicity of observers favors its influence on the domestic environment, "because the consensus among them can enhance their individual legitimacy, as well as the legitimacy of the international norms they emphasize" (KELLEY, 2008, p. 63).

In 2005, with a view to improving the performance and direction of the actions of observers on mission, the UN promoted an assembly in which the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers were adopted. At the time there were already more than 20 organizations specialized in the subject, from all regions, and that signed the declaration. That number is still higher every day. And many organizations follow these principles in addition to their own guidelines. In fact, the greatest challenge to observers lies not in the international coordination of all organizations, but rather lies in their own performance. For the authors, the most challenging for observers is to “determine the extent to which irregularities resulted from lack of competence, resources or training, more than an attempt at electoral fraud, while identifying whether fraud was localized and sporadic, and not centralized” (HARTLYN; MCCOY, 2006, p. 47).

For example, the OAS promoted and developed an electoral standard, based on ISO 9001. The ISO/TS 17582 or ISO electoral standard was created by the OAS in conjunction with election experts and approved by the International Organization for Standardization (ISO) on February 15, 2014. It is an international electoral system management standard, which provides a complete guide to assessing the

quality of an election to members of electoral bodies, through an effective management model of electoral processes.

To fit the norm, electoral organizations must demonstrate their ability to manage a secret ballot election by providing reliable, transparent, free, and fair results that meet electoral requirements before, during and after polling day, and throughout the election cycle (KELLEY, 2008). ISO/TS 17852 aims to increase the confidence of citizens, candidates, political organizations, and other stakeholders in electoral processes through the effective implementation of an electoral quality management system, including recommendations for continuous improvement. Through the standard, electoral bodies can demonstrate their commitment to a series of international democratic norms, in addition to ensuring greater integrity to the electoral process. The role of international observation under the prescribed standard consists "in the construction of international accountability through which rulers receive a 'quality seal' that legitimizes them" (CAROTHERS, 1997). Despite efforts to standardize electoral practices, the OAS has turned its role in the electoral area to the greater institutionalization of EOMs. It corresponded to the desire of the region's rulers to maintain the tradition of a democratic electoral political culture, founded on the rule of law, which lasted even during the authoritarian periods and, which is currently ratified in international instruments, like the Charter.

In this sense, not only the OAS, but other international monitoring organizations have turned their efforts to the design of new electoral systems, with the enhancement of media access to information about electoral processes, the participation of women (through gender quotas), indigenous groups, the resources available to voters with special needs, electronic voting, and care for sensitive materials.

It is with this scope that the observation missions of the Union of South American Nations (UNASUR) began. Despite not signing the UN Declaration on International Election Observation, the Organization sent its first mission to monitor Venezuela's presidential election in 2012. The experience was important because it demonstrated a difference between its performance and those of other organizations in the region. The Union sends observers to monitor the electoral processes, but not to observe them, i.e., governments request a mission to UNASUR, but do not expect observers to assess the political environment preceding polling day or the very conduct of the election and then publicly disclose them. They hope that comments will be made on election day and then forwarded to the country's own electoral body in the form of recommendations. Other examples of regional organizations with similar mandate are the Andean Parliament, from the Andean Community and the Caribbean Community (CARICOM). Together they represent the state of the art of electoral observation in the Americas.

SOVEREIGN COUNTRIES: OBSERVATION AND ITS CONSTRAINTS

It is important to differentiate the observation from the electoral follow-up. The purpose of the observation would be to build national and international confidence in the integrity of the elections, or to document and expose the way in which the process occurred, whether it was as expected or not, while the follow-up, would deal only with the testimony of the vote, after an invitation from the countries that hold the election. In this case, there would be no reporting or public disclosure of observations on the elections held and, if there were observations, they would be known and disseminated only internally between governments and foreign organizations invited (PASTOR, 1995). The follow-up implies only a symbolic presence on the part of foreign visitors, whose main function is to strengthen the role of the electoral body, as a committed person, but without any judgment on the quality of the elections, focusing mainly on the procedures related to election day (MCCOY; MCCONNEL; MCCARTHY, 2015).

Venezuela and, more recently, Nicaragua, have distanced themselves from the international norm of electoral monitoring to avoid international observation and have opted, in their place, for a follow up. Although the government of these countries had a good relationship with the observation, having invited major international missions to their electoral processes (four presidential elections in Nicaragua between 1990 and 2006, and six in Venezuela, between 1998 and 2006, received observers), the electoral bodies operated a major change in the following elections, limiting the function of international groups, assigning them a new role of electoral monitoring.

If, on the one hand, there is Venezuela and Nicaragua as countries that challenge the growing standard of observation, on the other hand, there are countries that have long adopted it. The international election monitoring model, as it currently exists, has had its development tied to the emergence of international democratic norms, especially in Latin American countries (HYDE, 2006, 2011; SANTA-CRUZ, 2007-2013). More specifically, the international monitoring standard spread, initially in Latin American countries, and then reached the former territories of the Soviet Union, and beyond. After the first observation in a sovereign country, namely Costa Rica, in 1962, other countries began to mimetize the same behavior. In other words, observation became a more common practice, since even authoritarian leaders saw interesting benefits in inviting foreigners to the presence of foreigners in their electoral processes.

Similarly, as monitoring became an international norm, countries that began to hold elections, without the presence of observers, came to be seen as undemocratic (KELLEY, 2008). On the other hand, if there was no expectation that a State would benefit in various ways by inviting external

monitors, such a standard would not have become so strong in recent years. The decision to invite international observers is conditioned by the perception of the governments that there are some external benefits tied to democracy recognition. Among them are direct democratic assistance; resources derived from bilateral and multilateral agreements; conditionality for participation in some international organization etc.

The absence of foreign missions or even the refusal by a government to receive external observers came to be seen internationally as a show that the elections would be neither free nor honest. The observation can be detrimental to good electoral governance, since incumbents tend to resort to unconventional practices of electoral manipulation, such as repression of the media and control of administrative bodies to maintain power with the approximation of an electoral process. The so-called side effects would be unintended consequences of monitoring and derive from the strategic adaptation of governments to this new international standard. By directing their efforts to the pre- and post-election periods, incumbent governments have made the task of observation more specialized. However, not all governments respond in the same way to international monitoring. As mentioned earlier, a country's geopolitical position influences the impact that a negative report condemning an election as non-free and unfair can generate on the quality of institutions and governance (DONNO, 2013). The same can be said for governments' response to EOMs reports. As so, "governments vary in sensitivity to the verdicts of observers. Larger and more powerful countries, as well as oil and gas producers, are more isolated from international criticism, more than those small and economically dependent" (SIMPSER; DONNO, 2007, p. 511).

Regarding observation their frailties also include, electoral tourism, which is the participation of representatives of electoral bodies in missions, more to the ride, which properly taking an interest in the process and dissemination of reports prematurely, without proper monitoring of the conduct of the electoral process. The practice of observation incorporated in their work more efficient strategies in the identification of irregularities in the electoral processes in which they participate. Among the new methods used to avoid manipulation, for example, in the pre-election period is sending observers arriving in the country months before Election Day, the so-called long-term observers (LTOs) and technical missions.

In addition to these, the common methods of counting and parallel tabulation of votes have also become common methods, in addition to monitoring the media. In general, these tabulations are carried out by political parties, however, in cases where there is no confidence of the political parties in the body that coordinates the elections and vice versa, other local or international groups are necessary for this task (MCCOY; PASTOR; GARBAR, 1991).

In many countries, international observation has become a strong ally of domestic observation. Unlike this, international observation is more difficult to be disqualified by authoritarian leaders, mainly because their credibility is established outside the country in which they see. Joint work between the two forms of observation has become more common, increasing the chances that some type of manipulation will be more fully criticized (HYDE, 2006). Another example of the changes in observation in recent years, in addition to the extension of his term in the pre-election period, is the greatest attention to the resolution of post-election disputes and acceptance of results (MCCOY; PASTOR; GARBAR, 1991). This recognition of international observers as representatives of international standards relating to good electoral governance suggests, as already carried out by other international organizations, the use of a common emblem. As so, empowering observers, regardless of their mandates, with an appropriate distinctive sign could aid in the execution of their missions, resulting in greater coherence and unity, even among the different groups of observers.

FINAL REMARKS

Although the monitoring of electoral processes had its origins in the nineteenth century, it is only from the multidimensional missions of the UN that it had been conducted in sovereign countries. Previously, it was a practice used mainly by the Great European Powers to coordinate the divisions and/or junctions of territories. With the expansion of the defense of the principle of self-determination, monitoring began to be conducted in colonies that wished to be recognized as States, on the international scene, and, for this, had the supervision of observers. In sovereign territories, the observation was initially conditional on peacekeeping strategies within the UN. With the advance of the Third Wave, many countries sought observation to legitimize governments internationally. Many of the Latin American democracies that emerged during the period received small missions from organizations such as the OAS. More recently, the missions have taken on specific tasks about the identification of good electoral practices, while new forms of electoral manipulation have emerged. As we could see, the observation is not without flaws, however, as it advances in its techniques to combat electoral manipulation and, especially in the perception of fraud, punishments also grow to those who try to circumvent them. Thus, every day the number of organizations specialized in the theme grows, as well as its importance, as a major actor on the international stage.

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