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OSCE Election Observation: Credible, Inclusive, Cost-Effective

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Abstract

This article explores how OSCE election observation evolved since 1990 into a vital means of ensuring transparency of electoral processes and assessing how they conform with international standards, resulting in recommendations that assist states in improving electoral performance and thus contributing to comprehensive security. It describes how OSCE ODIHR overcame challenges to developing rigorous methodology and organising credible observation, gaining recognition for impartiality, adapting to change, maximising inclusivity, and ensuring efficient resource utilisation. These and other challenges to the sustainability of OSCE election work must constantly be managed through effective leadership and professional engagement of ODIHR staff in partnership with supportive governments, parliamentarians, and civil society.

Introduction

Leaders attending the 1975 Helsinki Summit were undoubtedly unaware that they were launching a process that would gain attention and respect largely for its work in observing and assessing electoral processes. Although it can be argued that Helsinki signatories made an indirect commitment to hold democratic elections,[1] neither the words "elections" nor "democracy" appear in the Helsinki Final Act or any other CSCE document adopted before 1990. The individuals leading the two largest CSCE states in 1975, US President Gerald Ford and Soviet leader Leonid Brezhnev, had very limited experience with national electoral competition.[2] Nevertheless, with little if any advance work before 1989, OSCE election observation evolved over the past 35 years into a highly credible means of increasing electoral transparency and providing objective assessments of the extent to which electoral processes conform to OSCE commitments and other international standards. OSCE election observers routinely offer recommendations to assist states in improving their electoral processes, with the ultimate goal of contributing to comprehensive security throughout the region.

By mid-2025, the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) had carried out election-related activities in all but one of its participating States[3] and completed some 460 observation or assessment missions involving tens of thousands of professional and volunteer observers. Activities have ranged from several missions with over 1,000 observers across the vast expanses of Ukraine and the Russian Federation to those with several hundred assessing a critical independence referendum in the compact territory of Montenegro and teams of various sizes and formats looking at elections in dozens of countries. ODIHR has deployed election-related activities to countries as small as San Marino and as populous as

1 Participating States agreed in Principle VII of the Helsinki Final Act to "act in conformity with […] the Universal Declaration of Human Rights." Article 21(3) of the Universal Declaration provides that "The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

2 Gerald Ford was elected vice president by the US Congress in 1973 and then became President in 1974 after the previous incumbents of these two posts resigned in disgrace. Earlier, he had easily won multiple races for the US House of Representatives in a Republican-dominated district where he became known through his exploits as a college football star. Leonid Brezhnev owed his real power to a decision of the Soviet Politburo in 1964 and his formal role as head of state to the USSR Supreme Soviet, which unanimously elected him as Chairman of its Presidium in 1977.

3 ODIHR has carried out at least a Needs Assessment Mission (NAM) if not a more extensive observation or assessment activity in 56 of its participating States, but for obvious reasons not in the Holy See.

the United States, always upon the required invitation of the host country and with co-operation from its authorities.

While the author of these lines is somewhat cautious about an over-used and sometimes criticized term, many governmental and non-governmental experts frequently characterize the ODIHR's methodological approach as the "gold standard" for this type of work. Other credible international election observer organizations draw heavily on ODIHR practices (often also on its former staff members). Domestic election observers and electoral management bodies such as national election commissions, which should collectively play critical roles in ensuring transparent democratic elections, frequently draw upon ODIHR experience and recommendations to improve their work. And notably, even when the OSCE is largely absent from public discourse, respectable international media and senior foreign policy officials regularly refer to ODIHR findings as a solid basis for determining how well or how poorly states have managed elections. This story has its roots in changes underway in the Soviet Union as well as Central/Eastern Europe in the late 1980s, after Soviet Communist Party leader (and eventual President) Mikhail Gorbachev encouraged limited electoral competition. Partly democratic elections to the USSR Congress of People's Deputies in March 1989 and those leading to a transfer of power in Poland in June 1989 were striking examples of electoral democracy driving political transformation. Although too late to be reflected in the Vienna Concluding Document (VCD) that the CSCE adopted in January 1989, the new reality – that "democracy" and "elections" were legitimate topics in the East as well as the West – was taken up energetically in the 1990 Copenhagen Meeting on the human dimension of security which had already been mandated by the VCD.

The Copenhagen meeting ended with adoption of the clearest possible provisions on the definition of democratic elections, including commitments that remain highly relevant on the need for universal suffrage, impartial administration, equal opportunities for contestants, a clear separation between states and political parties, honest counting of votes, and allowing electoral victors to take office. Perhaps most relevant:

> *"The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other CSCE participating States and any appropriate private institutions and organizations…"*[4]

These Copenhagen commitments were agreed by consensus among all participating States (pS) and given more weight when endorsed later in 1990 by leaders in the Paris Charter for a New Europe, incorporating key election provisions and accepting a proposal to establish a CSCE Office for Free Elections in Warsaw (OFE, which Poland offered to host, and which soon became ODIHR).

While a CSCE / OSCE election observation mandate undoubtedly resulted from the unique political atmosphere of the early 1990s, this era of good feeling alone could not produce what OSCE election observation has become over the past 35 years: highly credible, maximally inclusive, cost-effective and – at least so far – sustainable.

Credibility

CSCE and OSCE commitments on election observation have always been cast in universal terms, applying

4 https://www.osce.org/files/f/documents/9/c/14304.pdf

equally to all pS. Nevertheless, the political focus at the end of the Cold War was based primarily on enthusiasm that the ex-Communist "East" had emerged from autocratic rule – and perhaps a sense that electoral democracy was particularly fragile in some states. It was thus important for ODIHR to develop methodology which focused on the immediate challenges of countries that had little recent experience with democratic elections but also on the longer-term issues that persist where electoral practices were more fully developed.

Three possible criticisms or at least suspicions about election observation, still voiced in some quarters today, have been: a) that the process may involve only superficial contact by friendly visitors, who might too easily endorse or offer legitimacy for any electoral outcome (no matter how dubious); b) that observers might be "too critical" (thus detracting from legitimacy of election winners based on political bias or overly technical criteria); or c) that observers focus only on election day, without understanding or analysing critical pre-election developments or the context in which an election takes place. OSCE ODIHR election observation methodology addresses such potential weaknesses in various ways, first and foremost by ensuring impartiality and by treating election days as part of a larger process.

ODIHR formally guarantees impartiality through insistence that every observer sign a strict code of conduct. Additional measures to ensure that the quality of observation is not tainted by political or personal factors include the competitive recruitment of professional multinational teams, the reliance on "secondment" of long- and short-term observers (LTOs and STOs) from participating States themselves, the deployment of LTOs and STOs in teams of two that always include different nationalities, and the use of objective criteria for reporting and analysis (including statistical data collected on election day in full observation missions from a large number of observers who visit a random sample of polling stations and tabulation centers with standardized questionnaires for all stages of election day).

Moreover, while ODIHR provides the expertise and professional approach necessary for consistent and objective analytical work over the long term, it also cooperates with the OSCE Parliamentary Assembly and other parliamentary bodies (such as the Parliamentary Assembly of the Council of Europe and the European Parliament) which typically deploy observers for around election day. While not without difficulties in the past, this cooperation has been excellent in recent years and helps to ensure that common messages are delivered to host countries and other audiences. The teams deployed by ODIHR and its parliamentary partners base findings and conclusions on their own observations, but they always seek to interact with credible domestic observers (where they exist) to learn as much as possible about the local context and to ensure that key issues are not overlooked. Serious domestic observer organizations, for their part, benefit from ODIHR compilations of relevant commitments as well as handbooks on observation methodology and recommendations from previous elections in the specific country.

Just as expert observers and supporters of democratic development quickly recognised in the early 1990s that democracy involves much more than elections – an early driver of the transition in name and function from the OFE to ODIHR – OSCE pS formally recognized at their 1994 Budapest Summit that ODIHR must look at the entire election cycle. They tasked ODIHR to look at developments before, during and after election day, to assess conformity with relevant standards. ODIHR implements this mandate in part by ensuring that one of its Warsaw-based election advisers follows developments in each OSCE participating State in periods between elections and that Needs Assessment Missions (NAMs) are deployed well in advance of elections to determine what issues merit particular attention. ODIHR thus operationalises the understanding that democracy is a

complicated business and that holding democratic elections goes well beyond “e-day”.

ODIHR missions – ranging from full-scale Election Observations Missions (EOMs) to more targeted Election Assessment Missions (EAMs) and even smaller expert teams – are then structured to look at the key questions. The length of missions is tailored to the needs, with deployments sufficiently early to ensure that experts can observe directly and gain insights from local stakeholders about such critical issues as:

- the legislative framework;
- the functioning of the election administration;
- sources and transparency of campaign finance;
- the media situation;
- the role of women, persons belonging to national minorities, and persons with disabilities in the election process; and
- respect for fundamental freedoms necessary for democratic elections (especially the rights to freedom of association, assembly and expression).

A mission’s findings and conclusions are then duly documented in carefully crafted, publicly accessible statements and reports which provide assessments and recommendations only after the elections (to encourage future improvements while avoiding any interference in the process).

Another challenge for ODIHR has always been to keep up with changing practices, both in terms of election administration in the best sense (use of technology, improvement of voter lists, etc) and more negative phenomena (more sophisticated ways of obscuring and changing actual results, more effective domination of media to the advantage of incumbents, concentration of campaign finance in the hands of a few, often with little transparency, disinformation and foreign interference, etc). While new challenges are always emerging, ODIHR effectively tackles such issues through the evolution and development of the methodology reflected in an overall handbook[5] and publications addressing many specific aspects of observation.[6]

ODIHR also recognised at a relatively early stage that a simple characterization as “free and fair” (or not) is less helpful than a sophisticated analysis of the extent to which elections meet international standards, along with recommendations for improvement.

Unfortunately, despite the best efforts of ODIHR and many if not all of its formal partners, simplistic terminology continues to be used by less rigorous observers and those with a clearly biased political agenda. The risk of mixed messages from such “fake” observers is constantly present, especially where media are closely controlled. ODIHR thus faces a continuing challenge when interlocutors and the general public fail to

5 See OSCE ODIHR Election Observation Handbook, Sixth Edition, 2010 at https://www.osce.org/odihr/elections/68439

6 See the collection of additional handbooks for example on observing voter registration, observation and promoting participation of women in electoral processes, new voting technologies, etc at https://www.osce.org/odihr/elections/handbooks

distinguish between its dedicated professionals, on the ground for an extended period of careful observation, and superficial or fake observers who typically lack a meaningful long-term presence or analytical capacity. One important marker of serious observer organizations is their endorsement of the Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers developed by ODIHR and other leading groups, launched at the United Nations in 2005.[7]

Inclusiveness

Closely related to ODIHR's successful development and application of a solid and impartial observation methodology has been the need to guarantee universality or at least broad inclusiveness of observation efforts. Clearly, it is neither feasible nor sensible to deploy equally large teams to all pS (as periodically proposed by the Russian Federation and a few others). However, both fairness and the need for appropriate political messaging – not to mention the fiasco of the 2000 Bush v. Gore election in the United States — made it necessary by the early 2000s for ODIHR to begin looking seriously at countries previously described as "developed democracies".

ODIHR now deploys NAMs to virtually all pS – including in EU countries and North America – and endeavors to deploy observers wherever needed. Given recent backsliding in countries previously characterized as "old" or successful "new" democracies, constantly reviewing all national elections[8] in the OSCE area has proven to be highly appropriate. While it can be challenging to attract a sufficient pool of seconded observers, the track record of observation in "the West" is now very impressive. [9] Nevertheless, in some countries where there is a high level of public confidence in elections and the rule of law, more efforts are still needed to emphasize how local stakeholders and future elections can benefit from an observation mission that offers objective analysis from a neutral perspective as well as recommendations based on international standards and best practices.

A different challenge to inclusiveness and universality has come when some states resist inviting ODIHR observation or only invite ODIHR on terms inconsistent with methodological or operational requirements. The most prominent cases have involved Russia and Belarus, which have at various times either sought to restrict the number and nationalities of observers, offered invitations too late to be meaningful, or declined to invite ODIHR at all. This problem should not be minimized but also not exaggerated, as the overall track record is still excellent. To paraphrase a famous scholar of international law, almost all OSCE participating States almost always welcome ODIHR observation of almost all their national elections.[10] That said, shortly after both Russia and Belarus held elections without issuing timely invitations to ODIHR, it was troubling that Tajikistan invited and received an ODIHR team in early 2025 but then delayed accreditation in a manner that forced the mission to leave.[11]

A final "inclusiveness" issue relates to the observers themselves. ODIHR is open to all pS wishing to provide LTOs and STOs, though the states themselves must bear any costs. For nearly two decades, this has been

7 https://www.osce.org/files/f/documents/e/c/215556.pdf

8 ODIHR also observes local elections and referenda upon invitation.

9 Traditional providers of STOs and LTOs have sometimes balked or had legal barriers to sending observers to "Western" countries, especially if funded from sources counted as Official Development Assistance (ODA). Nevertheless, by 2025, observation or assessment missions have worked in virtually all such states.

10 Professor Louis Henkin wrote in 1979, in How Nations Behave, that "almost all nations observe almost all principles of international law and almost all of their obligations almost all of the time"

11 https://www.osce.org/odihr/elections/tajikistan/585277

supplemented also through a "Diversification Fund" to facilitate observation from less wealthy States. Nevertheless, the willingness of pS to send a fair share of observers varies considerably. The only two countries that had been relatively consistent from the early days through 2024 in supplying the maximum number of observers for most elections (15 percent of the number requested by ODIHR) were Germany and the US. Several others including the Nordics and Switzerland regularly make out-sized contributions. Russia sometimes contributes large contingents but only on a selective basis. The US introduced a new element of uncertainty when it paused secondments of STOs and LTOs in early 2025; while it resumed limited deployments in May 2025 and appeared ready to continue the practice over the medium-term, its longer-term approach remained unclear.

Cost-Effectiveness and Sustainability

A final set of issues, closely related to the credibility of ODIHR's observation and the inclusiveness of its approach, involves the efficient use of resources and longer-term sustainability.

The first key point under this rubric is that ODIHR efforts are incredibly cost-effective. The annual ODIHR Election Department budget is just over 6.5 million Euros, providing the base for covering elections in a region with 1.3 billion residents. The annual burden is thus just about one half of one Euro cent per resident of the OSCE area.

Nevertheless, election work competes in a zero-sum reality of no budget increases for ODIHR even to address inflation in over a decade, which increasingly forces ODIHR to make very difficult choices and to keep demonstrating the relevance of its efforts. In the uncertain world of 2025, it would be folly to take for granted that there is sufficient appreciation for the value of election observation work among policy-makers and publics to make it sustainable for the coming years and decades.[12]

Very positive indicators include the regularity with which ODIHR receives invitations to observe, the recognized high quality of ODIHR election reports and recommendations, the extent to which some countries rely upon and follow up ODIHR recommendations when considering electoral reform (as all committed to do at the Istanbul Summit in 1999), and real improvements which have been introduced and implemented in many participating States. Less encouraging is the widespread (and sometimes accurate) perception of back-sliding in many countries – along with a rather *pro forma* approach to following up on ODIHR recommendations and an overall lack of political will to implement the most serious recommendations.

It must be stressed continually that no elections in any country are perfect, that all can be improved and that there is no good substitute for ODIHR reports and recommendations to assist all pS in this process. This remains as true in 2025 as it was in the1990s and serves as a strong argument for continuation of these activities for the foreseeable future.

To make this more likely, building on the excellent track record of the past 35 years, ODIHR's leadership should continue to cooperate with participating States, civil society, and other partners to:

12 Questions about the sustainability of ODIHR election work are not new. See Peter Eicher, "Improving OSCE Election Observation", in Security and Human Rights Monitor, 2009, no. 4, accessed at https://www.shrmonitor.org/assets/uploads/2017/09/2.-Eicher3.pdf

- Increase public and policy-maker understanding of the principles underlying and guiding good election observation work, as well as its valuable contribution to greater stability and security.

- Ensure that observation methodology continues to evolve to meet new and emerging challenges, including those related to technology.

- Intensify support for national follow up of ODIHR recommendations, to strengthen the link between observation and real electoral reform.[13]

- Emphasise training and deployment of new observers to transfer skills to the next generation of dedicated professionals.

- Build upon the excellent spirit of partnership that now exists between ODIHR and the OSCE PA as well as other parliamentary bodies.

Engagement on these and related matters by ODIHR, states with a long tradition of support for democratic development, and interested citizens can help ensure that election observation will continue to play a prominent role in contributing to greater transparency as well as security and stability in the OSCE region.

13 While OSCE participating States bear responsibility for such follow-up, an excellent co-operative model is a project supported by EU extrabudgetary contributions to promote implementation of ODIHR recommendations in the Western Balkans (see https://www.osce.org/odihr/support-to-electoral-reforms-in-western-balkans).

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