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ELECTORAL RISK MANAGEMENT TOOL

Guide on External Factors

The Guide on Factors of Election-related Violence
External to Electoral Processes

Support Document to the Electoral Risk Management Tool

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The Guide on Factors of Election-related Violence External to Electoral Processes

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Acronyms and abbreviations

DDR   disarmament, demobilization and reintegration

IDP   internally displaced person

SSA   security sector agency

About the Guide on External Factors

The purpose of this Guide

The *Guide on External Factors* is a support document to International IDEA's Electoral Risk Management Tool. Factors presented in this Guide mirror the list of *factors of election-related violence external to electoral processes* (hereafter referred to as *external factors*) as presented in the Knowledge Resources module of the tool (see the tool overview chart below). This format makes it easy to print and share. This document, combined with the document on internal factors, is intended to guide the user of the Electoral Risk Management Tool through a broader checklist which can be useful for identifying risks of election-related violence in a given country and electoral context.

The Electoral Risk Management Tool – overview of support documentation
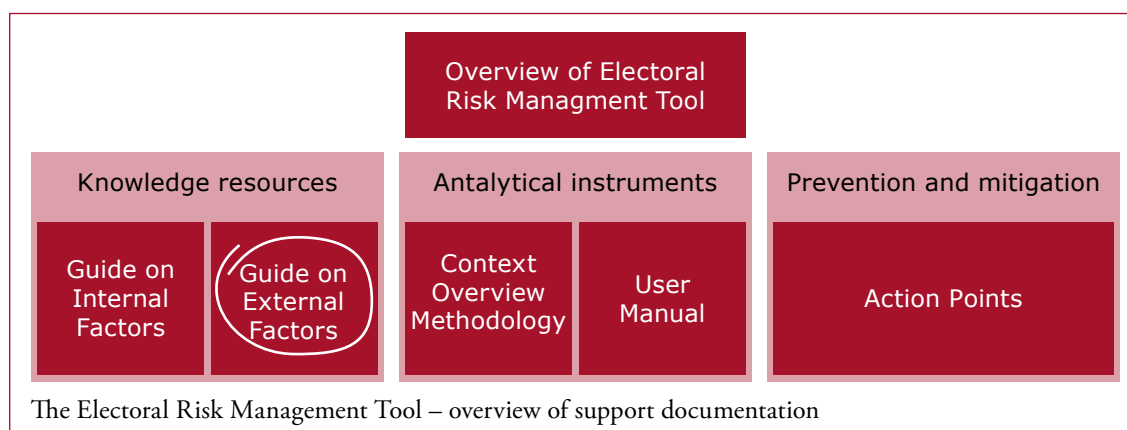
The users of this Guide

This document is intended for individuals involved in the context overview[1] and tool customization exercises.[2] It is envisaged that the tool user's organization will share a copy of this Guide and other support documents with its staff, partner organizations and external specialists involved in the project to ensure that discussion and contributions are focused.

Methodology for identifying relevant factors

External factors originate and exist outside the electoral context and relate to exogenous conditions which can trigger or contribute to triggering election-related violence. The list presented in this document is compiled from different research papers, reports on elections and other relevant publications. These documents suggest links between particular factors, or combinations of factors, resulting in an increase of election-related tensions and outbreaks of election-related violence.

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[1]   Context overview is the analysis of the historical and current dynamics of election-related conflicts and an estimation of the potential risks relating to the forthcoming elections (this is covered in section 4.1.1 of the International IDEA *Overview of the Electoral Management Tool*, launched at the same time as this Guide).

[2]   Customization is a technical exercise and refers to the creation of a country- and election-specific model generated by the tool software (see section 4.1.2 of the *Overview of the Electoral Management Tool*).

The structure of the Guide and description of the factors

This Guide points to ten external factors, framed within the *human security* framework, and provides a description for each factor:

1. *the introduction* section provides a general definition and explanation of the context in which a given factor can trigger or contribute to triggering election-related violence;

2. *the empirical cases and interrelated factors* section illustrates particular countries and electoral contexts in which the given factor was identified as a trigger or a factor which contributed to triggering election-related violence. Interrelated factors point to the wider context in which violence took place. This includes both internal and external factors. References to the source documents are provided;[3]

3. *the observable indicators* section points to the observable properties of the different factors; and

4. *the data collection and analysis methodologies* section suggests data sources, collection techniques and analysis methods. The software will include pre-packed but editable surveying questionnaires which will further assist the user(s) with the data collection. Analysis will assist bodies, primarily those responsible for organizing peaceful elections, in making informed choices.

Customization of the list of factors

The list of factors presented in this Guide is not exhaustive. Also, the way in which factors are named or described may not fit local terminologies and specifics. The tool's Knowledge Resources module therefore allows the user to rename existing factors and/or to generate and describe new factors which will be included in the country- and election-specific model.

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[3] The primary source for identifying relevant interrelated factors is the reference document which establishes causality between the factor described and the outbreak of election-related violence. If a primary source does not address the wider context in which election-related violence took place, other sources are consulted. By default, reports by the International Crisis Group (ICG), covering a given country and election year, are used as the secondary source for defining interrelated factors. If no relevant ICG report is available, the reports of Human Rights Watch (HRW) are consulted as the tertiary source documents. If no relevant HRW report is available, various electoral observation and other reports are consulted.

1. Poor socio-economic conditions

Introduction

Poverty, inequality and high or increasing unemployment are important factors to consider when assessing the risks of election-related violence occurring. Poverty is a complex concept that has been defined as 'pronounced deprivation in well-being', referring to the situation when a person does not reach a minimum level of well-being to be able to function adequately in society due to lack of income or capacity for consumption.[4] There are many dimensions to poverty, but mostly they relate to the lack of access to food supplies, adequate education and health, among others. Closely linked to poverty are unemployment, as it contributes to perpetuating its root causes,[5] and inequality, as it jeopardizes the access to opportunities of disenfranchised segments of the population.[6] There is strong evidence suggesting links between poverty, inequality and political violence, in particular election-related violence.[7] Poverty will increase tensions over less serious disputes, such as those concerning electoral procedures, which can lead to violent actions. Moreover those who have little to lose are easily mobilized to violent action.[8]

Empirical cases and interrelated factors

* *Kenya presidential and parliamentary elections 2007.* Economic frustration and inequalities associated with land ownership, together with unkept promises of job opportunities for young people, have been identified as some of the most important contributors to outbreaks of violence during electoral processes. Its epitome was the 2007 elections with over 1,500 people dead, 3,000 women raped and 300,000 people internally displaced.[9]

  Interrelated factors: social and political exclusion (*external*); conflict relating to changing power dynamics (*external*);[10] gender-based discrimination and violence

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[4] Haughton, Jonathan and Khandker, Shahidur R., *Handbook on Poverty and Inequality* (Washington, DC: World Bank, 2009), p. 1.

[5] United Nations Department of Economic and Social Affairs (DESA), Social Policy and Development Division, and Economic and Social Council (ECOSOC), 'Employment Issue in Social Perspective', available at <http://social.un.org/index/Employment.aspx>, accessed 29 June 2011.

[6] United Nations Department of Economic and Social Affairs (DESA), Social Policy and Development Division, and Economic and Social Council (ECOSOC), 'Poverty and Inequality', available at <http://social.un.org/index/Poverty/PovertyandInequality.aspx>, accessed 29 June 2011.

[7] Krug, Etienne G. et al. (eds), *World Report on Violence and Health* (Geneva: World Health Organization, 2002), p. 37, available at <http://www.who.int/violence_injury_prevention/violence/world_report/en/full_en.pdf>, accessed 12 July 2011.

[8] Laakso, Liisa, 'Insights into Electoral Violence in Africa', in Matthias Basedau, Gero Erdmann and Andreas Mehler (eds), *Votes, Money and Violence: Political Parties and Elections in Sub-Saharan Africa* (Uppsala: Nordiska Afrikainstitutet and Scottsville: University of KwaZulu-Natal Press, 2007), pp. 228–30.

[9] Roberts, Mara J., *Conflict Analysis of the 2007 Post-election Violence in Kenya* (Charlottesville, Va.: New Dominion Philanthropy Metrics, 2009), available at <http://www.ndpmetrics.com/papers/Kenya_Conflict_2007.pdf>, accessed 30 June 2011; and Institut Français de Recherche en Afrique (IFRA), *The General Elections in Kenya 2007*, Les Cahiers d'Afrique de l'Est, no. 38 (Nairobi, 2008), pp. 2, 11, 172, 202, 227, 228, 369.

[10] International Crisis Group, 'Kenya in Crisis', Africa Report no. 137 (21 February 2008), p. 9, available at <http://www.crisisgroup.org/~/media/Files/africa/horn-of-africa/kenya/137_kenya_in_crisis_web.pdf>, accessed 1 September 2011.

(*external*);[11] inadequate electoral security arrangements (*internal*);[12] provocative use of the media by political parties (*internal*);[13] poor management of election results (*internal*).[14]

- *Liberia presidential and legislative elections 2005*. Unemployment in Liberia has affected all electoral processes, and in particular the 2005 elections. There was a considerable reduction of electoral violence during the pre-electoral period,[15] but this did not result in a peaceful post-electoral phase, as political groups mobilized the young unemployed people in sprees of violence.[16] The incidents included intimidation, protests and disruption to traffic in Monrovia, the capital, and threats of violence against targeted political figures and journalists, as well as looting.[17]

  Interrelated factors: social and political exclusion (*external*); conflict relating to changing power dynamics (*external*);[18] the presence of non-state armed actors (*external*); a poor voter information campaign (*internal*); unequal media access and favouritism (*internal*); poor performance of the electoral management bodies (*internal*).[19]

Observable indicators

1) The level of comprehensiveness of legal instruments to address social and health inequalities;

2) the extent to which access to land, food, resources and other commodities for the population in general, or for the population of particular regions or disenfranchised groups, is restricted;

3) high and/or increasing levels of unemployment, in particular among young people; and

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11 Ibid.; and Roberts, *Conflict Analysis of the 2007 Post-election Violence in Kenya*.

12 Alston, Philip, 'Report of the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions. Addendum: Election-related Violence and Killings', UN document A/HRC/14/24/Add.7 (18 May 2010), p. 38, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/E002895AFBE42ABA492577370007FFE9-Full_Report.pdf>, accessed 1 September 2011.

13 Mbeke, Peter Oriare, 'The Role of the Media in Conflict and Peace Building in Kenya: Draft Literature Review Report', April 2009, p. 13, available at <http://www.internews.org/pubs/kenya/LiteratureReview_ReportingPeaceKenya_20090415.pdf>, accessed 21 October 2011.

14 [Kriegler Commission], *Report of the Independent Review Commission on the General Elections Held in Kenya on 27 December 2007*, pp. 35, 125, 129, available at <http://www.dialoguekenya.org/docs/FinalReport_consolidated.pdf>, accessed 23 September 2011.

15 International Observation Delegations, *Observing Presidential and Legislative Elections in Liberia, Final Report on the International Observation Delegations*, sponsored by the National Democratic Institute and Carter Center, October/November 2005, p. 1, available at <http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/FinalReportLiberia2005.pdf>, accessed 30 June 2011.

16 Carnegie Mellon University, 'Conference to Mitigate Violence in Liberia's 2011 Electoral Contests: Resolution', Monrovia, 2010, p. 2, available at <http://www.cmu.edu/cipi/news-events/pdfs/Liberia2010Conference_Resolution-SummaryOfProceedings.pdf>, accessed 30 June 2011.

17 International Observation Delegations, *Observing Presidential and Legislative Elections in Liberia*, p. 26.

18 Ibid., pp. 36, 38.

19 Carnegie Mellon University, 'Conference to Mitigate Violence', p. 2.

4) the existence of resources and institutional capacity to address social security and implement poverty reduction strategies, in particular within disenfranchised groups and marginalized regions of the country.

Data gathering and analysis methodology

—   Conduct an expert review of the legal instruments that address social inequalities. Consider the impact on different social groups (including young people and women) and map areas where these may represent risk to elections.

—   Compile historical and current statistical data on poverty, inequality and high/increasing unemployment and consider how these conditions may trigger or contribute to triggering election-related violence. Produce and analyse risk maps and trend charts.

—   Compile media reports relating to the economic situation and analyse the language used when addressing the economic situation of disenfranchised groups, e.g. if there is any indication of inflammatory language and bullying. Distinguish between different media, geographical coverage, ownership and victims. Map and observe trends and the dimension of the problem.

2. Social and political exclusion

Introduction

The social and political exclusion of minorities and marginalized groups creates potential for conflict. A *minority* is a group of people sharing an ethnic, cultural, religious and/or linguistic identity that is distinct from that of the majority of the population. One of the main characteristics of minorities is that they are in a non-dominant position, regardless of whether they are a numerical *minority* or majority. The term minority may also refer to groups of the population that are marginalized by their political affiliation, their sexual orientation or even their physical capacities.[20]

The exclusion of a minority or a marginalized group from political processes is often a strong incentive for violence.[21] In addition, the characteristics associated with these groups, be it ethnicity, religious beliefs, language, age, geographical location or sexual preferences, have often been used to further stigmatize and alienate these groups before, during and after elections.[22] The mobilization of ethnic hatred by political elites is often an example.[23]

Empirical cases and interrelated factors

- *Zambia presidential and legislative elections 2006.* Chinese workers have increased their presence in the Zambian economy in recent years as part of the development of the copper industry, as well as in other sectors, such as textiles, road construction and retail. Frustration within Zambia is on the rise as many consider that Chinese investment has not improved their quality of life. Such frustration was reflected in the highly charged debates during the 2006 election.[24] As a consequence, post-electoral violence surged in Lusaka, targeting, among others, Chinese populations.[25]

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[20] Office of the United Nations High Commissioner for Human Rights (OHCHR), *Minority Rights: International Standards and Guidance for Implementation* (New York/Geneva: United Nations, 2010), pp. 2–3, available at <http://www.ohchr.org/Documents/Publications/MinorityRights_en.pdf>, accessed 12 July 2011.

[21] Ibid., pp. 13–16.

[22] Laakso, Liisa, 'Insights into Electoral Violence in Africa',pp. 224–52.

[23] Wilkinson, Steven I., *Votes and Violence: Electoral Competition and Ethnic Riots in India* (Cambridge: Cambridge University Press, 2004), pp. 1–2.

[24] Schatz, Joseph J., 'Zambian Hopeful Takes a Swing at China', *Washington Post*, 25 September 2006, available at <http://www.washingtonpost.com/wp-dyn/content/article/2006/09/24/AR2006092400915.html>, accessed 12 July 2011; and Haglund, Dan, 'Regulating FDI in Weak African States: A Case Study of Chinese Copper Mining in Zambia', *Journal of Modern African Studies*, 46/4 (2008), p. 556.

[25] 'Overseas and Under Siege', *The Economist*, 11 August 2009, available at <http://www.economist.com/node/14207132>, accessed 12 July 2011.

Interrelated factors: poor socio-economic conditions (*external*);[26] provocative party rallying (*internal*);[27] rejection of election results (*internal*).[28]

- *Ghana presidential and legislative elections 2008.* Ghana hosts a wide array of ethnic groups that have clashed on different occasions over political control of the territory. The northern part of the country has long seen disputes between the Kusasis and the Mamprusis, two groups that have enjoyed the support of two political parties, the National Democratic Congress and the New Patriotic Party, respectively.[29] The conflicts between these two have created tensions that contributed to violence, in particular during the 2008 elections. The pre-election period was affected by vandalism in registration centres, shootings, the burning of houses and cars, and attacks on journalists. In addition, three people were killed and many more injured.[30]

  Interrelated factors: conflict relating to changing power dynamics (*external*);[31] problematic voter registration (*internal*).[32]

Observable indicators

1) The level of exclusion of minorities from citizenship and constitutional and other legal rights enjoyed by dominant community groups;

2) the level of impunity, in particular with offences against minority groups;

3) the existence of adequate and efficient legal instruments for social integration;

4) the existence of long-standing rivalries between different ethnic, religious, linguistic or cultural groups that have historically peaked and taken violent expressions during electoral periods; and

5) the use of inflammatory language by politicians, other leaders and media towards minority/marginalized groups.

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[26] Ibid.; and Schatz, 'Zambian Hopeful Takes a Swing at China'.

[27] European Union Election Observation Mission, Zambia 2006, 'Final Report [on the 28 September tripartite elections]', Lusaka, November 2006, p. 19, available at <http://eeas.europa.eu/human_rights/election_observation/zambia/final_report_en.pdf>, accessed 17 February 2012.

[28] Ibid., p. 3.

[29] IRIN Africa, 'Ghana: Police Gear Up to Prevent Election Violence', IRIN, Accra, 21 November 2008, available at <http://www.irinnews.org/Report.aspx?ReportId=81613>, accessed 13 July 2011.

[30] Jockers, Heinz et al., 'The Successful Ghana Election of 2008: A Convenient Myth?', *Journal of Modern African Studies,* 48/1 (February 2010), pp. 96, 101, 105; IRIN Africa, 'Ghana: Pre-Election Violence and Irregularities Worry Watchdogs', Accra, 7 August 2008, available at <http://www.irinnews.org/report.aspx?reportid=79703>, accessed 13 July 2011; and IRIN Africa, 'Ghana: Pre-Election Violence Escalates', IRIN, Accra, 9 September 2008, available at <http://www.irinnews.org/report.aspx?ReportId=80250>, accessed 13 July 2011.

[31] Collier, Paul and Vicente, Pedro C., 'Violence, Bribery, and Fraud: The Political Economy of Elections in Sub-Saharan Africa', *Public Choice*, 2010, pp. 43–4, available at <http://www.pedrovicente.org/theory.pdf>, accessed 13 July 2011.

[32] IRIN Africa, 'Ghana: Pre-election Violence and Irregularities Worry Watchdogs'; and Jockers et al., 'The Successful Ghana Election of 2008', p. 8.

Data gathering and analysis methodology

— Conduct an expert review of constitutional and citizenship rights and the legal status of minority and marginalized groups. Identify particular groups which face social and political exclusion of different kinds. Map geographical areas affected.

— Conduct an expert analysis of the resources and capacity of the state institutions to promote an agenda for integration and improvement of conditions for minorities and marginalized groups. Map areas where efforts are focused. Indicate results.

— Gather statistics, reports, maps and other relevant information from recognized organizations, such as human right NGOs, media etc., relating to violent and non-violent actions directed against minorities and marginalized groups. Collect data on judicial processes and outcomes. Conduct interviews and surveys among the target groups (for example ethnic, religious and/or indigenous communities). Map risk regions and locations of incidents, and create trend charts to gain insight on critical regions and trends.

— Examine historical and current records of conflict, disputes and tensions between different ethnic, religious, linguistic, cultural groups in the country, and their links with non-state armed actors. Use reports and media records, and interview experts. Map risk regions and locations of incidents, and create trend charts to gain insight on critical regions and trends.

— Conduct media discourse analysis, and identify the extent to which minorities/marginalized groups are blamed by political and other leaders for any of the current political or economic challenges faced by the country. Map regions, media, perpetrators and frequency and trends of incidents.

3. Conflict relating to changing power dynamics

Introduction

The balance of power in a country is a delicate feature that can be affected by political processes, such as the implementation of peace agreements; disarmament, demobilization and reintegration (DDR) processes; social or legal reforms benefiting or marginalizing groups of citizens; the signing of international trade agreements; and other factors.

Deficiencies in the institutional arrangements in place to address heightened tensions during transitional periods towards a post-conflict environment are likely to produce election-related violence.[33] The biggest risk is that such institutional deficiencies will increase the inherent tensions that any electoral competition generates.[34] The timing of any major political process plays a significant role: for example, an early election in combination with a weak DDR process creates a fertile ground for election-related violence.[35]

Empirical cases and interrelated factors

- *Burundi presidential, legislative and communal elections 2010.* Burundi has suffered from a protracted civil war since 1993 that has shifted the balance of power between the two main ethnic groups (the Hutus and the Tutsis) at different times. The country has had to deal with the assassination of different presidents, various military coups, a change of the constitution and various attempts at peace and agreements. In 2009 a new transition period and DDR process began, and had an impact on the 2010 elections.[36] By then, the country was dealing with the early stages of a weak and turbulent DDR process. In addition, the state institutions lacked the experience and capacity to provide democratic channels to address those grievances. These were some of the main elements that laid the ground for

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[33] Sisk, Timothy D., 'Elections in Fragile States: Between Voice and Violence', Graduate School of International Studies, University of Denver, Colorado, 2007, p. 7; and Ndulo, Muna and Lulo, Sara, 'Free and Fair Elections, Violence and Conflict', *Harvard ILJ Online* (Harvard College), 51 (2010), pp. 160, 165.

[34] Keane, John, *The Life and Death of Democracy* (London: Simon & Schuster UK Ltd, 2009); UNDP Democratic Governance Group Bureau for Development Policy, *Elections and Conflict Prevention: A Guide to Analysis, Planning and Programming*, pp. 11–14, available at <http://www.undp.org/publications/Elections_and_Conflict_Prevention.pdf>, accessed 17 February 2012; and Pastor, Robert A., 'The Role of Electoral Administration in Democratic Transitions: Implications for Policy and Research', *Democratization*, 6/4 (1999), pp. 11–14, available at <http://www1.american.edu/ia/cdem/pdfs/roleelectoraladministration.pdf>, accessed 1 July 2011.

[35] Fischer, Jeff, *Electoral Conflict and Violence: A Strategy for Study and Prevention*, IFES White Paper (Washington, DC: International Foundation for Electoral Systems (IFES), 2002), p. 7, available at <http://unpan1.un.org/intradoc/groups/public/documents/untc/unpan019255.pdf>, accessed 1 July 2011.

[36] GlobalSecurity.org, 'Burundi Civil War' (no date), available at <http://www.globalsecurity.org/military/world/war/burundi.htm>, accessed 21 July 2011; and Geneva Academy of International Humanitarian Law and Human Rights, Rule of Law in Armed Conflicts Project (RULAC), 'Burundi: Current Conflicts', Geneva, 2011, available at <http://www.adh-geneva.ch/RULAC/current_conflict.php?id_state=38>, accessed 21 July 2011.

election-related violence. Major incidents included the boycotting of the elections, grenade attacks, and restrictions on the participation of some political parties and civil society organizations, as well as physical abuse and torture of citizens and politicians.[37]

Interrelated factors: poor socio-economic conditions (*external*); social and political exclusion (*external*); the presence of non-state armed groups (*external*); grievances relating to genocide, crimes against humanity and war crimes (*external*); provocative and violent actions by political parties (*internal*); rejection of the election results (*internal*).[38]

- *Timor-Leste presidential and legislative elections 2007.* The political situation in the country has been unstable for years, mainly related to the conflict with Indonesia and subsequent independence in 2002.[39] Historical and social factors, such as the country's colonial past and its political institutions, have contributed to election-related violence.[40] Violence recorded during the 2007 elections was perpetrated by and against political party supporters, mainly during the post-electoral period. There were 162 incidents of this nature, including two deaths, approximately 100 injuries to persons and 7,000 families displaced.[41]

  Inter-related factors: poor socio-economic conditions (*external*);[42] the presence of non-state armed actors (*external*);[43] provocative and violent actions by political parties (*internal*); inadequate electoral security arrangements (*internal*).[44]

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[37] EL Abdellaoui, Jamila, '2010 Elections Burundi's Next Test', Institute for Security Studies, 22 October 2009, available at <http://reliefweb.int/node/330150>, accessed 4 July 2011; International Crisis Group, 'Burundi: From Electoral Boycott to Political Impasse', Africa Report no. 169 (7 February 2011), p. i, available at <http://www.crisisgroup.org/-/media/Files/africa/central-africa/burundi/169%20Burundi%20-%20From%20Electoral%20Boycott%20to%20Political%20Impasse%20ENGLISH.pdf>, accessed 4 July 2011; and Amnesty International, 'Burundi Must Investigate Those Accused of Torturing Opposition Politicians', 23 August 2010, available at <http://www.amnesty.org/en/news-and-updates/burundi-must-investigate-those-accused-torturing-opposition-politicians-2010-08-23>, accessed 4 July 2010.

[38] International Crisis Group, 'Burundi: From Electoral Boycott to Political Impasse'; and GlobalSecurity.org, 'Burundi Civil War'.

[39] Cutter, Ana et al., 'Timor Leste Conflict Assessment: Final Report', Center for International Conflict Resolution (CICR), Columbia University and Fo Liman Ba Malu – Hakat Ba Oin, 31 July 2004, pp. 11, 12, available at <http://www.cicr-columbia.org/wp-content/uploads/2011/06/Timor-Leste-Conflict-Assessment-2004.pdf>, accessed 4 July 2011.

[40] Timor-Leste Armed Violence Assessment (TLAVA), 'Electoral Violence in Timor-Leste: Mapping Incidents and Responses', Issue Brief no. 3, 2009, p. 1, available at <http://www.timor-leste-violence.org/pdfs/Timor-Leste-Violence-IB3-ENGLISH.pdf>, accessed 18 January 2012.

[41] Timor-Leste Armed Violence Assessment, *Electoral Violence in Timor-Leste*, pp. 3–5.

[42] Cutter, 'Timor Leste Conflict Assessment'.

[43] International Crisis Group, 'Timor-Leste's Parliamentary Elections', Asia Briefing no. 65 (13 June 2007), p. 7, available at <http://www.crisisgroup.org/-/media/Files/asia/south-east-asia/indonesia/b65_timor_leste_s_parliamentary_elections.pdf>, accessed 19 December 2012.

[44] Timor-Leste Armed Violence Assessment, *Electoral Violence in Timor-Leste*, pp. 3–5.

Observable indicators

1) The extent to which a weak transitional framework, such as a DDR programme, a trade agreement or a new constitution, changes key political actors' relative power;

2) the level of civic support for or resentment of a political decision or actor;

3) the existence and efficiency of mechanisms to promote a culture of political party dialogue; and

4) the level of media freedom.

Data gathering and analysis methodology

— Conduct an expert review and analyse the effects of the constitution and other relevant legal frameworks which regulate transitional justice, DDR processes and/or trade agreements. Observe any trends for DDR to relapse or go into reverse. Map critical regions.

— Examine the quality of mechanisms for dispute resolution between political parties. Measure and compare success in reaching and honouring agreements between political parties. Generate risk maps and draw charts to illustrate trends.

— Collect data on levels of support for decisions of political actors or resentment on the part of civic groups against them. Map the intensity of public demonstrations and place static markers where such events occur. Chart data to show trends.

— Investigate links between the military forces and particular political groups. Map and place markers.

— Collect data on number of incidents involving suppression of media freedom, including harassment and attacks on journalists, and their prosecution. Map and chart data including high-risk regions, victims and perpetrators.

4. Gender-based discrimination and violence

Introduction

Gender-based violence is widely defined as the most extreme forms of gender-based discrimination, manifested as an act inflicting physical, sexual or psychological harm or suffering, coercion or arbitrary deprivation of liberty, including threats of such acts.[45] When gender-based violence is perpetrated against both women and men, particularly in times of conflict and war, trauma and the public stigmatization of victims are key impediments to the reporting and prosecution of these crimes.[46] Furthermore, when already weak state institutions suffering from rampant corruption, incompetence, lack of public trust and operational capacity are further paralysed by the outbreak of election-related strife and violence, their capacity to prevent and prosecute such crimes and protect the victims of gender-based violence is almost non-existent.

Gender-based violence, predominantly against women and girls, has been a feature of a great many recent political and ethnic conflicts. In some cases, elections have triggered outbreaks of violence in which women and girls were victimized. In others instances violence against women has been a tool of political harassment and intimidation of female election candidates. In addition, female voters continue to be disproportionately affected by various forms of election-related violence or threats of violence which has the effect of keeping them away from the polling stations more than male voters.[47] Perpetrators of gender-based violence can be state and non-state actors such as the state and private military personnel, security and police bodies, guerrilla groups, and individuals who have formal or unofficial access to internally displaced persons (IDP) camps or are engaged in humanitarian missions.

Empirical cases and interrelated factors

- *Kenya presidential elections 2007.* Women have traditionally suffered from various forms of gender-based discrimination and violence in both the public and the private spheres.[48] In the past decade, while women have increased their share in

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[45] UN General Assembly, Declaration on the Elimination of Violence against Women, Resolution 48/104, 1993, A/RES/48/104, Article 1; and Carpenter, R. Charli, 'Recognizing Gender-Based Violence Against Civilian Men and Boys in Conflict Situations', *Security Dialogue*, 37/1 (2006), pp. 83–103.

[46] According to the Waki Report published in 2008 (the Commission of Inquiry on Post-Election Violence, Kenya) only 30 women out of the scores of affected victims agreed to testify, while the Commission could not find one single male victim who agreed to testify on cases of gender-based violence perpetrated during Kenya's post-election violence. *Final Report: Kenya Commission of Inquiry into the Post Election Violence (CIPEV)* (no date), available at <http://www.scribd.com/doc/6845092/Waki-Report-of-the-Findings-of-the-Commission-of-Inquiry-into-the-PostElection-Violence-in-Kenya>.

[47] Organization for Security and Co-operation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR), 'Islamic Republic of Afghanistan: Presidential and Provincial Elections [2008]', 20 August 2009, available at <http://www.osce.org/odihr/elections/40753>, accessed 12 February 2012.

[48] Creighton, Colin and Yieke, Felicia (eds), *Gender Inequalities in Kenya* ([Paris]: UNESCO, 2006), pp. 2–4.

elected bodies of governance, education and labour force, gender-based stereotypes and harmful traditional practices largely inhibit women from gaining an equal footing with men in various spheres of political and public life.[49]

Reports of violence surrounding the 2007 elections indicated numerous cases of rape, sexual assault and mutilation across various regions.[50] These acts were perpetrated by the police, security forces and militarized gangs aligned with the two presidential contenders, as well as individuals working in IDP protection camps. Even neighbours, relatives and supposed friends were guilty of widespread acts of violence against women and girls of all ethnic origins, predominantly from poor areas. Fewer cases of gender-based violence against men were reported, but they included circumcision and castration of male hostages belonging to rival groups.[51] As various inquiry reports indicated, no proper or adequate investigation took place as state agencies did not have the resolve to instigate investigations of their own members' activities in these crimes.[52]

Interrelated factors: poor socio-economic conditions (*external*); social and political exclusion (*external*); the presence of non-state armed actors (*external*); human rights violations (*internal*); conflict relating to changing power dynamics (*external*);[53] inadequate electoral security arrangements (*internal*);[54] provocative use of the media by political parties (*internal*);[55] poor management of the election results (*internal*).[56]

- *Guinea presidential elections 2009.* Despite efforts by the government to improve the situation of women and, more broadly, equality between women and men in Guinea in the last few years, women continue to face widespread inequality and discrimination based on gender stereotypes which are deeply entrenched in all spheres of political, public and private life. There are structural barriers to women's ability to effectively enjoy their political and economic rights and seek justice for instances of discrimination and/or violence perpetrated against them.

   The political unrest in late 2009 was motivated by the failure of the self-proclaimed president, Captain Moussa Dadis Camara, who seized power in a coup in late

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[49] Orchardson-Mazrui, Elizabeth, 'The Impact of Cultural Perceptions on Gender Issues', in Creighton and Yieke (eds), *Gender Inequalities in Kenya*, pp. 145–65.

[50] Roberts, Mara J., *Conflict Analysis of the 2007 Post-election Violence in Kenya* (Charlottesville, Va.: New Dominion Philanthropy Metrics, 2009), available at <http://www.ndpmetrics.com/papers/Kenya_Conflict_2007.pdf>, accessed 30 June 2011; and Institut Français de Recherche en Afrique (IFRA), *The General Elections in Kenya 2007.*

[51] *Final Report: Kenya Commission of Inquiry into the Post Election Violence (CIPEV).*

[52] Ibid.

[53] Roberts, *Conflict Analysis of the 2007 Post-election Violence in Kenya*; and Institut Français de Recherche en Afrique (IFRA), *The General Elections in Kenya 2007*, pp. 2, 11, 172, 202, 227, 228 and 369.

[54] Alston, 'Report of the UN Special Rapporteur', p. 38, accessed 1 September 2011.

[55] Mbeke, Peter Oriare, 'The Role of the Media in Conflict and Peace Building in Kenya: Draft Literature Review Report', April 2009, p. 13, available at <http://www.internews.org/pubs/kenya/LiteratureReview_ReportingPeaceKenya_20090415.pdf>, accessed 21 October 2011.

[56] [Kriegler Commission], *Report of the Independent Review Commission*, pp. 35, 125, 129.

2008, to hold the elections he had promised. It featured some of the most egregious cases of gender-based violence targeted against women. In a series of violent attacks by the security forces on the opposition leaders and their supporters gathered on a pro-election rally in Conakry on 29 September 2009, over 100 cases of rape and gender-based violence against women protesters were reported.[57]

Inter-related factors: poor socio-economic conditions (*external*); conflict relating to changing power dynamics (*external*); grievances relating to genocide, crimes against humanity and war crimes (*external*); human rights violations (*external*).[58]

Observable indicators

1) The adequacy of constitutional provisions and/or other legal acts which ensure or promote equality of rights and opportunities between men and women;

2) the existence of legal and policy mechanisms designed to reduce various types of inequalities between women and men in public life, for example, in employment, education and health services;

3) the existence of effective victim protection and crime prosecution mechanisms, particularly for crimes of gender-based violence;

4) the existence of policies within the state agencies, including the law enforcement and security sector agencies (SSAs), which are aimed at protecting and promoting human rights, including women's rights, and combating gender-based discrimination;

5) the level of female vulnerability to sexual crimes, such as rape and sexual assault, in times of peace;

6) the extent to which perpetrators of gender-based violence in times of conflict and unrest enjoy impunity;

7) levels of stigmatization for victims of gender-based crimes and consequent lack of reporting by the victims;

8) the number of cases of violence and harassment against politicians and civil society organizations advocating better conditions for women, increased participation of women and gender equality reforms;

9) the number of cases or reports of links between political parties or actors and violent groups that use sexual violence;

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57   Human Rights Watch , 'Guinea: "We Have Lived in Darkness": A Human Rights Agenda for Guinea's New Government', New York, 2010, p. 17.

58   Ibid., pp. 1, 15, 17, 20; and United Nations Development Programme (UNDP), 'Guinea: Country Profile of Human Development Indicators', *International Human Development Indicators*, 2010, available at <http://hdrstats.undp.org/en/countries/profiles/GIN.html>, accessed 19 July 2011.

10) the extent to which the media use denigratory and inflammatory language when referring to advocates of women's issues and gender equality; and

11) the extent to which gender-based discrimination and violence are omitted from media coverage.

Data gathering and analysis methodology

— Compile the most important legal frameworks and instruments related to gender equality with focus on (a) access to employment, resources and education for men and women; (b) civil rights for women, in particular concerning marriage, divorce, parental rights, land tenure and related subjects; (c) mechanisms for prosecuting perpetrators of gender-based violence and for the protection of the victims; and (d) gender policies within the public administration, mainly within the security sector. Analyse legislation to identify any deficiencies. Use maps to mark areas where local legislation is not harmonized or where the existing legal framework is deficient.

— Investigate the implementation of legal provisions and judicial processes involving gender issues. Plot charts to present trends. Indicate regional variations in the implementation of the laws and the prosecution of gender-based discrimination and violence, including cases of impunity, and stigmatization of victims.

— Gather relevant statistics, reports, maps and other relevant facts from recognized organizations relating to gender-based violence and facts about discrimination or exclusion. Conduct focused surveys. Interview key actors in different institutions, such as academics, journalists, and those working in state agencies and civil society organizations, as well as different ethnic and political groups, to obtain relevant information. Create maps to identify regions which face increased gender-based violence and discrimination. Use static markers to pinpoint the places of violence. Create charts to show trends over time.

— Investigate possible links between political parties or actors and violent groups that use sexual violence as a weapon of war. Map incidents and chart data to determine trends.

— Collect data on cases where other state and non-state actors, such as SSAs and the media, have been involved in gender-based discrimination and violence. Map regions and incidents.

5. The presence of non-state armed actors

Introduction

Non-state armed actors refers to those individuals or groups that use violence to achieve their objectives but are not acting as part of the state's regular forces or institutions.[59] They include rebels or guerrilla fighters, militias or paramilitaries, armed clan chiefs, warlords, terrorists, mercenaries and private security companies as well as marauders.[60] The problems related to non-state armed actors are especially acute when they have a direct presence in the country, although their presence in neighbouring countries can also raise tensions.[61] They do not necessarily respect borders and can use the neighbouring territory to seek shelter or to mobilize materiel. If these groups have a political agenda, they can spread instability in the region.

The presence or influence of non-state armed actors will increase risks of violence during elections.[62] Irregular armed groups may destabilize the country by engaging in manipulation of elections.[63] In particular, they can resort to intimidation of candidates and voters.[64] The risk of violence is particularly high when the SSAs do not have the capacity to respond to evolving security challenges or when parts of the security sector are in collusion with militias or paramilitary groups. Such cases are exacerbated when the state does not have complete control over its territory or when porous borders allow illegal transit of armed groups.[65]

Empirical cases and interrelated factors

- *Colombian presidential and legislative elections 2010.* Colombia has been immersed in a violent conflict for more than 50 years, with a broad array of non-state armed actors that range from the Revolutionary Armed Forces of Colombia (FARC) to the

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[59] Schneckener, 'Fragile Statehood, Armed Non-State Actors and Security Governance', *Private Actors and Security Governance* (Geneva: Centre for the Democratic Control of Armed Forces (DCAF), 2006).

[60] Ibid.

[61] Chuter, David, 'From Threats to Tasks: Making and Implementing National Security Policy', *Journal of Security Sector Management* (Cranfield University, Shrivenham), 5/2 (2007), p. 6, available at <http://www.ssronline.org/jofssm/issues/jofssm_0502_chuter.pdf?CFID=3616679&CFTOKEN=33301837>, accessed 5 July 2011.

[62] Ferreira, Delia et al., Dirty *Money in Politics: How El Padrino's Contributions Affect Security in Latin America* (conference) (Washington, DC: International Foundation for Electoral Systems (IFES), 2011), available at <http://www.ifes.org/Content/Videos/2011/How-El-Padrinos-Contributions-Affect-Security-in-Latin-America.aspx>, accessed 5 July 2011>; and International Crisis Group, 'Guatemala's Elections: Clean Polls, Dirty Politics', Policy Briefing, Latin America Briefing no. 24 (Bogota/Brussels: ICG, 2011), available at <http://www.crisisgroup.org/~/media/Files/latin-america/B24%20Guatemala%20%20Clean%20Polls%20Dirty%20Politics.pdf>, accessed 5 July 2011.

[63] Schneckener, 'Fragile Statehood', p. 32.

[64] Alston, 'Report of the Special Rapporteur', p. 8.

[65] Schneckener, 'Fragile Statehood', pp. 33–5.

United Self-Defense Groups of Colombia (AUC).[66] Both these groups have caused major distortions to the political process, often radically modifying historical electoral trends.[67]

Interrelated factors: the presence of organized crime (*external*);[68] grievances relating to genocide, crimes against humanity and war crimes (*external*); human rights violations (*external*);[69] contested electoral law (*internal*); inadequate electoral security arrangements (*internal*); problematic election-day operations (*internal*).[70]

- *Afghanistan presidential and provincial council elections 2009.* The recent history of Afghanistan is marked by political instability and the Taliban still carry out hostilities and attacks against the government and civilians.[71] Electoral processes are one of their main targets. During the election in 2009, the Taliban were responsible for numerous threats and terrorist acts in the pre-election period, mainly targeted on the candidates and their staff. In addition, at least 10 Electoral Commission officials, candidates and campaign workers were abducted, and 31 people were killed during election day.[72]

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[66] Sweig, Julia E., 'What Kind of War for Colombia?', *Foreign Affairs*, 81/5 (September/October 2002), p. 123, available at <http://www.idia.net/foreignaffairs/SFR1.pdf>, accessed 6 July 2011; and Theidon, Kimberly, 'Transitional Subjects: The Disarmament, Demobilization and Reintegration of Former Combatants in Colombia', *International Journal of Transitional Justice*, 1 (2007), pp. 72, 73, available at <http://www.fas.harvard.edu/~anthro/theidon/theidon_pdf/theidon_IJTJ.pdf>, accessed 6 July 2011.

[67] Organization of American States (OAS), Political Affairs Secretary, *Informe Final de la Misión de Veeduría Electoral de la OEA sobre las Elecciones Legislativas Celebradas en la República de Colombia el 14 de Marzo de 2010,* 2010, OEA/Ser.GCP/doc.4508/10, p. 8; Organization of American States (OAS), Political Affairs Secretary, *Informe Final de la Misión de Veeduría Electoral de la OEA sobre la Elección Presidencial y Segunda Vuelta Presidencial Celebradas en la República de Colombia el 30 de Mayo y el 20 de Junio de 2010*, OEA/Ser.GCP/doc.4515/10, 2010, pp. 19, 54; United Nations Office of the High Commissioner for Human Rights (UNHCHR), *ONU Derechos Humanos Observe Reducción Significativa de Violencia Durante las Elecciones*, UNHCHR, Colombia Office, Bogota, 2010, available at <http://www.hchr.org.co/publico/comunicados/2010/cp1007.pdf>, accessed 6 July 2011; and López Hernández, Claudia et al., *Y Refundaron la Patria …, De Cómo Mafiosos y Políticos Reconfiguraron el Estado Colombiano,* Debate, Santafé de Bogotá, 2010.

[68] Felbab-Brown, Vanda, *Shooting Up: Counterinsurgency and the War on Drugs* (Washington, DC: Brookings Institution, 2010), pp. 1–12.

[69] Organization of American States (OAS), Political Affairs Secretary, *Informe Final de la Misión de Veeduría Electoral de la OEA sobre las Elecciones Legislativas Celebradas en la República de Colombia el 14 de Marzo de 2010*, p. 8; Organization of American States (OAS), Political Affairs Secretary, *Informe Final de la Misión de Veeduría Electoral de la OEA sobre la Elección Presidencial y Segunda Vuelta Presidencial Celebradas en la República de Colombia el 30 de Mayo y el 20 de Junio de 2010*, pp. 19, 54; and United Nations Office of the High Commissioner for Human Rights (UNHCHR), *ONU Derechos Humanos Observe Reducción Significativa de Violencia*.

[70] Misión de Observación Electoral, 'Mapas y Factres de Riesgo Electoral 2010', March 2010.

[71] International Crisis Group, 'Afghanistan Conflict History', January 2010, available at <http://www.crisisgroup.org/en/key-issues/research-resources/conflict-histories/afghanistan.aspx>, accessed 6 July 2011.

[72] Alston, 'Report of the Special Rapporteur', pp. 18, 19; International Crisis Group, 'Afghanistan: Elections and the Crisis of Governance', Asia Briefing no. 96 (2009), pp. 7, 8, available at <http://www.crisisgroup.org/~/media/Files/asia/south-asia/afghanistan/b96_afghanistan___elections_and_the_crisis_of_governance.pdf>, accessed 6 July 2011; and Human Rights Watch, 'Afghanistan: Human Rights Concerns in Run-Up to Elections', 17 August 2009, available at <http://www.hrw.org/en/news/2009/08/17/afghanistan-human-rights-concerns-run-elections>, accessed 6 July 2011.

Interrelated factors: the presence of non-state armed actors (*external*);[73] human rights violations (*external*); grievances relating to genocide, crimes against humanity and war crimes (*external*);[74] contested electoral law (*internal*); poor performance of the electoral management body (*internal*); an inadequate system for the resolution of electoral disputes (*internal*); inadequate electoral security arrangements (*internal*); problematic voter registration (*internal*); problematic ballot counting and tallying (*internal*).[75]

Observable indicators

1) The presence of non-state armed actors based in the country or infiltrating it from the neighbourhood, the places where they are present and the number of cases of interference by them;

2) the existence and location of territories outside the effective control of the central government;

3) the capacity of the SSAs to effectively neutralize non-state armed groups;

4) the level of flow of, and easy access to, small arms and light weapons;

5) the existence and type of clandestine links between state institutions, government officials and/or political candidates on the one hand, and non-state armed actors on the other hand; and

6) the number of incidents of non-state actors perpetrating violence.

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73   Felbab-Brown, *Shooting Up*.

74   Alston, 'Report of the Special Rapporteur'; and International Crisis Group, 'Afghanistan: Elections and the Crisis of Governance'.

75   European Union Electoral Observation Mission, 'Islamic Republic of Afghanistan: Final Report Presidential and Provincial Council Elections 20 August 2009', p. 9, available at <http://eeas.europa.eu/afghanistan/docs/2010_election_observation_afghanistan_final_report_0809_en.pdf>, accessed 23 January 2012.

Data gathering and analysis methodology

— Gather relevant historical and up-to-date data on the presence and activities of non-state armed actors. Collect statistics, reports, maps and other relevant data from SSAs and other organizations with specific knowledge and data on the presence and actions of non-state armed actors. Analyse historical data and compare with the current situation. Chart data to observe trends; create geographical risk maps to indicate regions where non-state armed groups are active. Use static markers to map incidents involving non-state armed groups.

— Conduct an expert overview of the security sector legal framework, available resources and the quality of training programmes to obtain an understanding of the capacities of SSAs to effectively engage and neutralize non-state armed actors. Create geographical risk maps which distinguish between the regions based on the extent to which SSAs have capacity to control the situation effectively.

— Collect data on incidents involving non-state armed actors and the flow of, and access to, small arms. Chart data to observe trends and correlations. Create risk maps and place static markers as appropriate.

6. The presence of organized crime

Introduction

Organized crime is a term used to refer to structured groups that exist for a period of time with the purpose of committing serious crimes or offences for financial or other material gain.[76] The most common activities of these organizations include trafficking of humans, migrants, drugs, firearms, environmental resources and counterfeit goods, as well as maritime piracy and cybercrime.[77] Organized crime groups affect the state and, particularly, the security forces in a different way than other violent actors. These groups usually seek to 'capture' the state, meaning that they take control of the state's institutions in order to achieve their economic objectives.[78] They do this through corruption[79] and extortion, among other things.[80] Thus, when the state has been captured and loses the ability to deliver, these groups tend to hollow out the state institutions and political legitimacy.[81]

Organized crime networks, while not necessarily having political aspirations, are interested in protecting their 'territories'. This often translates into having on their side local bureaucracies, the security sector, judges and prosecutors as well as local politicians. In such cases organized crime plays a major role in affecting electoral processes,[82] and can use violence as a tool to achieve or maintain this territorial control.[83]

Empirical cases and interrelated factors

- *Guatemala presidential, legislative and local elections 2011.* Guatemala has been trying to deal with the problem of organized crime for many years, and the involvement of government officials in the activities of these illegal groups has been exposed in numerous cases.[84] Organized crime is associated with the flow of drugs and weapons from/to Mexico and the United States. Recently, levels of violence

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[76] United Nations Convention against Transnational Organized Crime, Article 2 lit. b.

[77] United Nations Office on Drugs and Crime (UNODC), *The Globalization of Crime: A Transnational Organized Crime Threat Assessment* (Vienna: UNODC, 2010), p. 1, available at <http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf>, accessed 5 July 2011.

[78] Hellman, Joel S. et al., '*Seize the State, Seize the Day: State Capture, Corruption, and Influence in Transition*, Policy Research Working Paper no. 2444 (World Bank, Policy Research Dissemination Center, 2000), pp. 2–4.

[79] Reed, Quentin, *Squeezing a Balloon? Challenging the Nexus between Organised Crime and Corruption* (Bergen: U4 Anti-Corruption Resource Centre, 2009), pp. 9–14.

[80] Dobovšek, Bojan, 'Economic Organized Crime Networks in Emerging Democracies', *International Journal of Social Economics*, 35/9 (2008), pp. 683–7.

[81] Ferreira et al., *Dirty Money in Politics*.

[82] Ibid.

[83] Dunne, Sean, 'Elections and Security', Focus On, ACE, The Electoral Knowledge Network, 2006, available at <http://aceproject.org/ace-en/focus/elections-and-security/onePage>, accessed 6 July 2011.

[84] Panner, Morris and Beltrán, Adriana, 'Battling Organized Crime in Guatemala', *Americas Quarterly* (Americas Society and Council of the Americas), 2010, available at <http://www.americasquarterly.org/node/1899>, accessed 7 July 2011; and International Crisis Group, 'Guatemala: Squeezed between Crime and Impunity', Latin America Report no. 33 (Bogotá/Brussels: ICG, 2010), pp. 3–6, available at <http://www.crisisgroup.org/~/media/Files/latin-america/33%20Guatemala%20----%20Squeezed%20Between%20Crime%20and%20Impunity.pdf>, accessed 7 July 2011.

increased even beyond those experienced during the 36-year armed conflict.[85] Elections in particular represent an opportunity for organized crime to seize control of transit routes by securing alliances with officials elected to key local government posts.[86] The violence that surrounded the 2007 elections[87] was repeated during the 2011 elections. Pre-election period violence included cases of candidates, their families, party activists and electoral staff being murdered.[88]

Interrelated factors: poor socio-economic conditions (*external*); conflict relating to changing power dynamics (*external*);[89] provocative and violent actions by political parties (*internal*); inadequate electoral security arrangements (*internal*); an inadequate system for resolution of electoral disputes (*internal*).[90]

- *Guinea-Bissau presidential elections 2009.* Organized crime networks, mainly drug traffickers seeking to use Guinea-Bissau as a transit route, have brought a wave of violence and corruption, affecting all areas of governance.[91] This situation spilled over to the 2009 presidential elections held after the president had been killed.[92] Despite the general orderly development of this political contest,[93] a general sense of tension and insecurity surrounded the elections. Incidents such as the killing of one candidate and political party member the day before the start of the campaign, as well as allegations of killings and arbitrary arrests of government officials, were recorded.[94]

Interrelated factors: poor socio-economic conditions (*external*); conflict relating to changing power dynamics (*external*); human rights violations (*external*);[95] lack of training of security sector agencies (*internal*).[96]

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[85] Ibid., p. 1.

[86] Ferreira et al., *Dirty Money in Politics*.

[87] Alston, 'Report of the Special Rapporteur', pp. 18, 19.

[88] International Crisis Group, 'Guatemala's Elections: Clean Polls, Dirty Politics', p. 1.

[89] Ibid., p. 2; and Panner and Beltrán, 'Battling Organized Crime in Guatemala'.

[90] International Crisis Group, 'Guatemala's Elections: Clean Polls, Dirty Politics', accessed 26 January 2012.

[91] United Nations Office on Drugs and Crime (UNODC), 'Cocaine Trafficking in West Africa: The Threat to Stability and Development (with special reference to Guinea-Bissau', 2007, p. 5, available at <http://www.unodc.org/documents/data-and-analysis/West%20Africa%20cocaine%20report_10%2012%2007.pdf>, accessed 7 July 2011; and United Nations Office on Drugs and Crime (UNODC), *The Globalization of Crime*, pp. 6, 97, 100, 221, 236.

[92] Moncrieff, Richard, 'Guinea-Bissau: The Post-Election Test', OpenDemocracy, 2009, available at <http://www.opendemocracy.net/article/guinea-bissau-the-post-election-test-0&action=edit>, accessed 7 July 2011.

[93] 'Commissioners Ferrero-Waldner and De Gucht on the Second Round of Presidential Elections in Guinea Bissau', Brussels, IP/09/1196, 26 July 2009, available at <http://www.eueomgbissau.org/en/PDF/Press/Commissioners_Ferrero-Walner_and_De_Gucht_on_the_second_round_of_Presidential_Elections_in_Guinea_Bissau_26_July_2009.pdf>, accessed 7 July 2011.

[94] European Union Election Observation Mission, 'Guinea Bissau: Final Report, Early Presidential Election 2009', pp. 3, 4, available at <http://www.eueomgbissau.org/en/PDF/Final_report/Guinea%20Bissau%20Pres%20Election%202009%20Final%20Report%20FINAL%20ENG.pdf>, accessed 7 July 2011.

[95] United Nations Office on Drugs and Crime (UNODC), 'Cocaine Trafficking in West Africa', pp. 11–16; and European Union Election Observation Mission, 'Guinea Bissau: Final Report, Early Presidential Election 2009', p. 5.

[96] 'Bissau Military Kills Politicians', *BBC News*, 6 June 2009, available at <http://news.bbc.co.uk/2/hi/africa/8084525.stm>, accessed 1 January 2012.

Observable indicators

1) The existence of adequate legal mechanisms and policies to address the problem of organized crime in the country;

2) the existence of accountability mechanisms for the actions of the security sector;

3) the presence of organized crime groups in the country, and their number and locations;

4) the presence of organized crime groups in a neighbouring country, and their number and locations;

5) the existence and type of clandestine links between organized crime groups on the one hand, and state institutions, including SSAs, government officials and political candidates, on the other hand;

6) the number of violent incidents related to organized crime actors;

7) the numbers of instances recorded where organized crime groups have affected the integrity of electoral processes; and

8) the existence of economic interests of organized crime actors to influence political agendas.

Data gathering and analysis methodology

— Compile and analyse the quality of legal instruments and policies created to address the problem of organized crime in the country, as well as the legal mechanisms for accountability of the security forces. Map regions where laws are not harmonized or implemented.

— Gather relevant historical and current data on the presence and activities of organized crime actors. Collect statistics, reports, maps and other relevant data from SSAs and other organizations with specific knowledge of and data on the presence and actions of organized crime actors. Analyse the historical data and compare with the current situation. Chart data to observe trends, and create geographical risk maps to indicate regions where organized crime actors are active. Use static markers to map incidents involving non-state armed groups.

— Conduct an expert overview of the security sector legal framework, available resources and the quality of training programmes to obtain an understanding of the capacities of SSAs to effectively engage and neutralize organized crime actors. Create geographical risk maps which distinguish between the regions based on the extent to which SSAs have the capacity to address the problem effectively.

— Collect data on incidents involving organized crime actors. Chart data to observe trends and correlations. Create risk maps and place static markers as appropriate.

— Collect data and provide expert analysis of economic interests of organized crime actors and the tactics they use to influence the political agenda. Map regions which experience most influence of organized crime actors, whether through the use of violent means or through state capture.

7. Grievances relating to genocide, crimes against humanity and war crimes

Introduction

Genocide is an international crime that is committed through the murder of members of a national, ethnic, racial or religious group, as well as through other actions that seriously affect the survival conditions of the group, with the intention of destroying it as a whole or in part.[97] *Crimes against humanity* are more general, and refer to those actions that are part of a widespread or systematic attack against civilians. These include murder, extermination, enslavement, imprisonment or other severe deprivation of physical liberty, torture, rape and enforced disappearance of persons, as well as forced displacement.[98] *War crimes*, on the other hand, include grave breaches of the Geneva conventions, and other serious violations of the laws and customs applicable in international and non-international armed conflict, mainly those actions targeted against civilians.[99]

Crimes such as genocide, crimes against humanity and war crimes affect societies in such a way that the electoral process can hardly escape their consequences. In the aftermath of genocide, crimes against humanity or war crimes, the tensions between ethnic groups are usually still on the rise and the chances that elections will fuel further violence are high.[100] Likewise, internal displacement creates an abnormal situation that has the potential to affect elections.[101] The relocation of IDPs often brings new conflicts and clashes in their host communities. IDPs are therefore often subject to intimidation and harassment at election time. In addition, if IDPs are able to return, old tensions often surface, with elections fuelling old and new grievances.[102]

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[97]   Article 6, Rome Statute of the International Criminal Court.

[98]   Article 7, Rome Statute of the International Criminal Court.

[99]   Article 8, Rome Statute of the International Criminal Court.

[100]   United States Holocaust Memorial Museum, 'Building Democracy from the Ashes of Genocide? Elections in Sudan, 2010', available at <http://www.ushmm.org/genocide/take_action/blog/?p=686>, accessed 8 July 2011.

[101]   Brancati, Dawn and Snyder, Jack L., 'Time to Kill: The Impact of Election Timing on Post-Conflict Stability', *Journal of Conflict Resolution*, 24 July 2012, p. 26.

[102]   Brun, Cathrine, 'Local Citizens or Internally Displaced Persons? Dilemmas of Long Term Displacement in Sri Lanka', *Journal of Refugee Studies*, 16/4 (December 2003), pp. 376–97; Norberg, Carin and Obi, Cyril (eds), *Reconciling Winners and Losers in Post-Conflict Elections in West Africa: Political and Policy Imperatives* (Uppsala: Nordiska Afrikainstitutet, 2007), p. 7; and Mooney, Erin and Jarrah, Balkees, 'Safeguarding IDP Voting Rights', Brookings Institution and University of Bern, 2005, p. 55, available at <http://idpkeyresources.infocollections.org/index/assoc/0000/d04459/000.pdf>, accessed 8 July 2011.

Empirical cases and interrelated factors

- *Rwanda presidential elections 2010.* Rwanda hosts various ethnic groups, with the Hutus (majority) and the Tutsis (minority) as the biggest ones. Hutus and Tutsis have kept up their conflict with outbreaks of violence since colonial times. During the 1994 genocide, approximately 800,000 people were killed and numerous women were raped as part of the attempt to exterminate the Tutsi population.[103] The political life of Rwanda has since been marked by ethnic tensions that existed long before the genocide but became all the more acute and evident after it.[104] This situation was reflected during the elections of 2010.[105] During the pre-election period, the government was accused of tightening control of the media and of any form of opposition. There were also numerous threats to and attacks on opposing party members and journalists, journalists were persecuted, and two presidential candidates were arrested.[106]

  Interrelated factors: poor socio-economic conditions (*external*); social and political exclusion (*external*); conflict relating to changing power dynamics (*external*);[107] provocative and violent actions by political parties (*internal*); unequal media access and favouritism (*internal*).[108]

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[103] United Human Rights Council, Armenian Youth Federation, Western United States, 'Genocide in Rwanda', 2011, available at <http://www.unitedhumanrights.org/genocide/genocide_in_rwanda.htm>, accessed 8 July 2011.

[104] Beswick, Danielle, Democracy, Identity and *the Politics of Exclusion in Post-Genocide Rwanda: The Case of the Batwa* (The Hague: Netherlands Institute for Multiparty Democracy (NIMD), no date), p. 8, available at <http://www.nimd.org/documents/D/democracy_-_identity_-_and_the_politics_of_exclusion_in_post-genocide_rwanda_-_the_case_of_batwa.pdf>, accessed 8 July 2011.

[105] Garrison, Ann, *Rwanda's 1994 Genocide and the 2010 Elections*, Global Research, 2010, available at <http://www.globalresearch.ca/index.php?context=va&aid=17183>, accessed 8 July 2011.

[106] Kurland, Sienna, *Rwanda: Violence and Political Oppression Escalating in Months before August Elections* (Stoneham: International Institute for Justice and Development, 2010), available at <http://www.iijd.org/index.php/news/entry/rwanda-violence-and-political-oppression-escalating-in-months-before-august/>, accessed 8 July 2011; and Human Rights Watch, Kigali, 'Rwanda: End Attacks on Opposition Parties', 2010, available at <http://www.hrw.org/en/news/2010/02/10/rwanda-end-attacks-opposition-parties>, accessed 8 July 2011.

[107] Ibid.; Beswick, *Democracy, Identity and the Politics of Exclusion*; IRIN, 'Rwanda: Rwandans Prepare for First Post-Genocide Elections' IRIN, Nairobi, 26 March 1999, available at <http://reliefweb.int/sites/reliefweb.int/files/reliefweb_pdf/node-45089.pdf>, accessed 21 February 2012; and Kurland, *Rwanda: Violence and Political Oppression.*

[108] Commonwealth Secretariat, 'Report of the Commonwealth Observer Group Rwanda Presidential Elections, 9 August 2010', available at <http://www.thecommonwealth.org/files/229333/FileName/RWANDAFINALREPORT-PrintVersion.pdf>, accessed 26 January 2012. Around 30 news media closed a few days ahead of presidential election. Reporters Without Borders, 2 August 2010, available at <http://en.rsf.org/rwanda-around-30-news-media-closed-a-few-02-08-2010,38076.html>, accessed 26 January 2012.

- *Sri Lanka presidential and legislative elections 2010.* Sri Lanka suffered from a 26-year conflict between government forces and the separatist Liberation Tigers of Tamil Eelam, causing massive displacement of the population in the north of the country. The final stages of the war were the worst for IDPs and, even though many people have returned, the conditions for IDPs remain a concern.[109] This has further fuelled the already volatile political situation,[110] with obvious consequences for elections and their peaceful development.[111] In particular, during the pre-election period in 2010, there were numerous violent attacks against candidates, campaigners and political activists.[112]

  Interrelated factors: social and political exclusion (*external*); conflict relating to changing power dynamics (*external*);[113] lack of training of security sector agencies (*internal*); unequal media access and favouritism (*internal*); provocative and violent actions by political parties (*internal*).[114]

Observable indicators

1) The number and locations of recorded instances of genocide, crimes against humanity and war crimes;

2) the extent of change of a country's ethnic and political landscape due to genocide, crimes against humanity and war crimes;

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[109] United Nations High Commissioner for Refugees (UNHCR), *2011 UNHCR Country Operations Profile: Sri Lanka*, 2011, available at <http://www.unhcr.org/pages/49e4878e6.html>, accessed 8 July 2011.

[110] International Crisis Group, 'Sri Lanka: A Bitter Peace', Update Briefing, Asia Briefing no. 99 (Colombo/Brussels: ICG, 2010), pp. 2–8, 17, available at <http://www.crisisgroup.org/-/media/Files/asia/south-asia/sri-lanka/b99%20sri%20lanka%20a%20bitter%20peace.pdf>, accessed 8 July 2011; and Puddington, Arch, 'Freedom in the World 2010: Erosion of Freedom Intensifies', Freedom House, 2010, p. 10, available at <http://www.sithi.org/admin/upload/media/%5B2011-01-13%5DFreedom%20in%20the%20World%202010%20Survey%20Release/Overview_Freedom%20in%20the%20World%202010.pdf>, accessed 8 July 2011.

[111] Norwegian Refugee Council, Internal Displacement Monitoring Centre, 'Civilians in the Way of Conflict: Displaced People in Sri Lanka', Geneva, 2007, pp. 28–9, 127–8, available at <http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/53A197CF6F0A92E3C1257362002C1F9A/$file/Sri%20Lanka%20-September%202007.pdf>, accessed 8 July 2011.

[112] Centre for Monitoring Electoral Violence, 'Final Report on Election Related Violence and Malpractices', Colombo, 2010, p. 35; Centre for Policy Alternatives (CPA), 'Monitoring Election Violence in Sri Lanka Parliamentary Election 2010', Media Communiqué no. 8 (2010), available at <http://cpalanka.org/monitoring-election-violence-in-sri-lanka-parliamentary-election-2010-media-communiqu-8/>, accessed 8 July 2011; 'Sri Lanka: Ban Concerned over Rising Violence Ahead of Presidential Polls', UN News Centre, 2010, available at <http://www.un.org/apps/news/story.asp?NewsID=33536&Cr=&Cr1=>, accessed 8 July 2011; and 'Statement by High Representative/Vice President Catherine Ashton on Sri Lanka's Pre-election Situation', IP/10/37, Brussels, 2010, available at <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/37&format=HTML&aged=0&language=EN&guiLanguage=en>, accessed 8 July 2011.

[113] International Crisis Group, 'Sri Lanka: A Bitter Peace'; Puddington, 'Freedom in the World 2010'; Norwegian Refugee Council, 'Civilians in the Way of Conflict'; and Centre for Monitoring Electoral Violence, 'Final Report on Election Related Violence and Malpractices'.

[114] Commonwealth Secretariat, 'Report of the Commonwealth Expert Team Sri Lanka Presidential Elections 26 January 2010', available at <http://www.thecommonwealth.org/files/220094/FileName/FINALREPORT-CET2010PrintVersion.pdf>, accessed 27 January 2012; and Centre for Policy Alternatives (CPA), 'Monitoring Election Violence', accessed 27 January 2012.

3) the existence of a legal framework and adequate mechanisms to protect vulnerable populations, such as IDPs and other victims of conflict, and promote their participation in the political life of the country;

4) the existence of criminal justice policy frameworks for addressing crimes against humanity, genocide and war crimes;

5) the extent to which prosecutions and trials during an electoral process exacerbate existing grievances between groups;

6) the number and locations of IDPs and refugees;

7) the existence of conditions for return and actual return figures;

8) the number of incidents involving attacks on IDPs and returnees; and

9) the existence and effects of reconciliation programmes.

Data gathering and analysis methodology

— Collect historical data on genocide, crimes against humanity and war crimes. Create maps to point to the extent of crimes committed. Label the geographical locations of atrocities by using static markers.

— Collect demographic data at the country and regional levels to understand change in the ethnic and political landscape due to genocide, crimes against humanity and war crimes. Map the regions to distinguish significant changes of ethnic and political representation. Chart data to create comparative columns presenting the data before and after atrocities.

— Collect data on the legal framework and existing mechanisms, including the criminal justice system, put in place to protect vulnerable populations, such as IDPs and other victims of conflict, and promote their participation in the political life of the country. Map regions according to the extent to which these mechanisms are implemented and produce effects. Chart trends reflecting increase or decrease of political representation per different groups over time.

— Collect data on numbers of IDPs and refugees, number of returnees to their places of origin, and incidents involving returnee communities and individuals. Create geographical maps pointing to areas where IDPs and returnees are concentrated. Create maps to illustrate the dimension of return processes. Chart data to present trends.

8. Human rights violations

Introduction

Human rights are 'rights inherent to all human beings' that a state is obliged to protect and promote.[115] A state violates human rights when it fails to follow the limitations that the law imposes to the use of force, such as the necessity for and the proportionality of the force in relation to the threat.[116]

If there are human rights violations in a country and strong rule of law mechanisms and culture are lacking, the risks of violence and further violations of human rights during the electoral period increase significantly.[117] For example, during political rallies a lack of appropriate guidelines and training for the police on crowd control and the use of force, in combination with a lack of sound and efficient accountability mechanisms, can lead to violence generated by the security services.[118]

Empirical cases and interrelated factors

- *Iran presidential elections 2009.* The country has long been criticized for its record of different kinds of human rights violations, including torture; cruel, inhuman or degrading treatment or punishment (such as flogging and amputations); public executions; lack of due process; repression of the freedom of peaceful assembly and association; and the suppression of the freedom of opinion and expression.[119] These types of abuses affect the whole spectrum of political activities and elections in particular. The 2009 elections were highly contested and numerous protests followed the announcement of the results.[120] Clashes between the security forces and protesters resulted in a number of citizens being killed, tortured and arrested without due process.[121]

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[115] Office of the High Commissioner for Human Rights (OHCHR), 'What Are Human Rights?', available at <http://www.ohchr.org/en/issues/Pages/WhatareHumanRights.aspx>, accessed 23 June 2011.

[116] Steiner, Henry J., 'International Protection of Human Rights', in Malcolm D. Evans (ed.), *International Law*, 2nd edn (Oxford: Oxford University Press, 2006), p. 772.

[117] Ibid.

[118] Alston, 'Report of the Special Rapporteur', p. 15.

[119] UN Human Rights Council, 'Interim Report of the Secretary-General on the Situation of Human Rights in Iran', 16th session, UN document A/HRC/16/75, pp. 4–14.

[120] Alem, Yasmin, *Duality by Design: The Iranian Electoral System* (Washington, DC: International Foundation for Electoral Systems (IFES), 2011), p. 52.

[121] Alston, 'Report of the Special Rapporteur', p. 16; Human Rights Watch, 'Post-Election Iran', 2010, available at <http://www.hrw.org/en/node/83044>, accessed 8 July 2011; and Human Rights Watch, 'The Islamic Republic at 31: Post-Election Abuses Show Serious Human Rights Crisis', New York, 2010, p. 1.

Interrelated factors: social and political exclusion (*external*); conflict relating to changing power dynamics (*external*); lack of training of security sector agencies (*internal*); an inadequate system for the resolution of electoral disputes (*internal*); rejection of the election results (*internal*).[122]

- *Côte d'Ivoire presidential elections 2010.* The conflict in Côte d'Ivoire is marked by both human rights abuses and a weak rule of law, in particular since 2002. These abuses have been characterized by excessive use of force by the security forces, as well as regular harassment, extortion and intimidation of the population, with little or no implementation of accountability mechanisms to control these incidents and to prosecute the perpetrators.[123]

The abuses were especially acute during the contested 2010 elections, when the incumbent president was defeated but refused to recognize the results. The incidents of violence were particularly grave during the election and post-election period, with several that included intimidation of voters and violent repression of demonstrations, as well as the murder of at least 300 people, abductions, sexual violence, enforced disappearances, enforced recruitment of young people, illegal detentions and the forced displacement of more than 35,000 people.[124]

Interrelated factors: poor socio-economic conditions (*external*); social and political exclusion (*external*); conflict relating to changing power dynamics (*external*);[125] the presence of non-state armed actors (*external*);[126] contested electoral law (*internal*);[127] rejection of the election results (*internal*).[128]

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[122] Human Rights Watch, 'The Islamic Republic at 31', p. 1; UN Human Rights Council, 'Interim Report of the Secretary-General on the Situation of Human Rights in Iran', p. 52; Alston, 'Report of the Special Rapporteur', p. 16; and Human Rights Watch, 'Post-Election Iran'.

[123] Human Rights Watch, 'Côte d'Ivoire: The Human Rights Cost of the Political Impasse, A Human Rights Watch Report', 2005, pp. 1–2.

[124] UN Human Rights Council, 'Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in Côte d'Ivoire', 16th session, UN document A/HRC/16/79, pp. 1–2; International Crisis Group, 'Côte d'Ivoire: Is War the Only Option?', Africa Report no. 171 (Dakar/Brussels: ICG, 2011), pp. 1–3; and Human Rights Watch, 'Côte d'Ivoire: ICC Prosecutor Seeks Investigation', Brussels, 2011, available at <http://www.hrw.org/en/news/2011/06/23/c-te-d-ivoire-icc-prosecutor-seeks-investigation>, accessed 11 July 2011.

[125] Human Rights Watch, 'Côte d'Ivoire: The Human Rights Cost'; UN Human Rights Council, 'Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in Côte d'Ivoire'; Human Rights Watch, 'Côte d'Ivoire: ICC Prosecutor Seeks Investigation'; and International Crisis Group, 'Côte d'Ivoire: Is War the Only Option?'.

[126] International Crisis Group, 'A Critical Period for Ensuring Stability in Côte d'Ivoire', Africa Report no. 176 (1 August 2011), pp. 2, 3, 5, 6, available at <http://www.crisisgroup.org/~/media/Files/africa/west-africa/cote-divoire/176%20A%20Critical%20Period%20for%20Ensuring%20Stability%20in%20Cote%20dIvoire.pdf>, accessed 17 February 2012.

[127] UN News Centre, 'ICC Prosecutor Seeks Authorization to Probe Côte d'Ivoire Violence', 23 June 2011, available at <http://www.un.org/apps/news/story.asp?NewsID=38817&Cr=Ivoire&Cr1>, accessed 27 June 2012.

[128] 'Ivory Coast Deadline for ICC Testimony', *BBC News*, 17 June 2011, available at <http://www.bbc.co.uk/news/world-africa-13815109>, accessed 23 September 2011; and Aljazeera.net, '"Hundreds killed" in Cote d'Ivoire Violence', available at <http://english.aljazeera.net/news/africa/2011/04/201141232021597365.html>, accessed 23 September 2011.

Observable indicators

1) The number of historical and recent recorded instances of human rights violations related to electoral processes and beyond the electoral context, in particular associated with political interests and involving political actors as victims or perpetrators, as well as journalists, civil society activists, intellectuals and others;

2) the existence of an adequate legal framework, procedures and training aiming to secure control of and accountability mechanisms for the actions of security sector; and

3) the extent to which perpetrators of human rights violations are prosecuted, including the ordinary and military penal system.

Data gathering and analysis methodology

— Collect historical and current situation data including statistics, reports, maps and other relevant information from multiple sources such as governmental sources, civil society and academia. If the data are not comprehensive, organize data collection through surveys and interviews with different social groups. Ensure gender representation. Distinguish between human rights violations which have political, ethnic, religious, gender and other connotations. Create maps to point to the extent of human rights violations. Place static markers to show the geographical location of incidents. Chart and compare trend lines. Present data in columns for respective categories, e.g. victims/perpetrators.

— Collect and analyse legal provisions and procedures defining rules of engagement for the SSAs. Analyse the training of SSAs relating to the understanding of and respect of human rights, in particular rights and obligations relating to electoral processes. Conduct country-wide and regional population public polls to measure the level of trust that the SSAs and government enjoy. Map areas where SSAs enjoy little trust and where measures taken are not sufficient to ensure that SSAs have the capacity and knowledge to prevent human rights violations.

— Collect data on prosecution of cases of human rights violations through the ordinary and military penal system. Chart figures on cases and outcomes. Map regions where most judicial processes take place. Include data on failure to prosecute human rights violations.

9. Environmental hazards

Introduction

Environmental hazards relate to a situation or state of affairs which poses a threat to the surrounding environment.[129] Environmental hazards also encompass threats such as chemical, biological and natural hazards. For instance, a chemical spillage or an HIV/AIDS epidemic or a sudden outbreak of cholera encompasses either a chemical or a biological hazard.[130] A natural hazard is related to phenomena such as atmospheric, hydrological, geological and wildfire-related incidents. Such severe and intense threats can disrupt social life drastically,[131] causing loss of life, damage to or loss of properties, disruption of basic services, the collapse of infrastructure and in some cases even forced migration.[132]

In particular, the multiple layers of disruptions that natural hazards can trigger, ranging from the collapse of infrastructure and communications to the total destruction of villages and cities, have an impact on the political life of a country.[133] In some cases, these sets of disruptions are an invitation to violence.[134] Elections in the aftermath of a natural disaster are often very complex as they face not only extraordinary logistical challenges but also a high risk of unrest and violence that can derail the electoral process.

Empirical cases and interrelated factors

- *Haiti presidential and legislative elections 2010.* Following the earthquake and cholera outbreak that devastated large parts of the country, Haiti's political institutions and leadership suffered greatly, and the elections were no exception.[135] The volatility of that period, in combination with the numerous flaws in the organization of

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[129]   Smith, K. and Petley, David N., *Environmental Hazards: Assessing Risk and Reducing Disasters*, 5th edn (New York: Routledge, 2009).

[130]   Strand, Per et al., *HIV/AIDS and Democratic Governance in South Africa: Illustrating the Impact on Electoral Processes* (Pretoria: Institute for Democracy in South Africa (IDASA), 2004), available at <http://www.idasa.org/media/uploads/outputs/files/AIDS%20and%20governance%20Elections%20Report%20Final.pdf>, accessed 31 January 2012.

[131]   Organization of American States (OAS), *Disaster, Planning and Development: Managing Natural Hazards to Reduce Loss* (Washington, DC: OAS, 1990), available at <http://www.oas.org/dsd/publications/unit/oea54e/ch05.htm#TopOfPage>, accessed 11 July 2011.

[132]   Annan, Kofi A., 'An Increasing Vulnerability to Natural Disasters', *International Herald Tribune*, 10 September 1999, available at <http://www.un.org/News/ossg/sg/stories/articleFull.asp?TID=34&Type=Article>, accessed 11 July 2011.

[133]   Buchanan-Smith, Margie and Christoplos, Ian, 'Natural Disasters Amid Complex Political Emergencies', *Humanitarian Exchange Magazine* (Humanitarian Practice Network), Issue 27 (2004), available at <http://www.odihpn.org/report.asp?id=2633>, accessed 11 July 2011.

[134]   World Health Organization (WHO), *Violence and Disasters* (Geneva: WHO, 2005), available at <http://www.who.int/violence_injury_prevention/publications/violence/violence_disasters.pdf>, accessed 11 July 2011.

[135]   International Crisis Group, 'Haiti: The Stakes of the Post-quake Elections', Latin America/Caribbean Report no. 35 (Port-au-Prince/Brussels: ICG, 2010), pp. 1–3, available at <http://www.crisisgroup.org/~/media/Files/latin-america/haiti/35%20Haiti%20-%20The%20Stakes%20of%20the%20Post-Quake%20Elections.pdf>, accessed 11 July 2011; and 'Haiti Cholera Outbreak "Stabilizing" – But Could Affect Elections', *Christian Science Monitor*, 25 October 2010, available at <http://www.csmonitor.com/layout/set/print/content/view/print/334516>, accessed 30 January 2012.

the events surrounding the electoral process, caused great discontent among the population, triggering violence during the post-electoral period.[136]

Interrelated factors: poor socio-economic conditions (*external*); conflict relating to changing power dynamics (*external*);[137] gender-based discrimination and violence (*external*);[138] problematic election-day operations (*internal*); rejection of the election results (*internal*).[139]

- *Uganda presidential elections 2011.* Constant exposure to natural hazards poses a major problem to the stability of Uganda. Landslides and floods caused numerous deaths and outbreaks of disease in 2010,[140] and placed further stress on the already unstable political situation.[141] Widespread frustration and demands for better service delivery contributed to the violence that surrounded the 2011 elections. Even though the overall situation remained under control, there were allegedly use of force against opposition leaders and their supporters,[142] attacks against an opposition politician and a journalist, and turmoil in the north of the country.[143]

Interrelated factors: social and political exclusion (*external*); conflict relating to changing power dynamics (*external*); human rights violations (*external*);[144] contested

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[136] 'Haiti: Ban Appeals for End to Violence after Election Results Announced', United Nations News Centre, 8 December 2010, available at <http://www.un.org/apps/news/story.asp?NewsID=36996&Cr=haiti&Cr1>, accessed 11 July 2011; and International Crisis Group, 'Post-quake Haiti: Security Depends on Resettlement and Development', Crisis Group Latin America/Caribbean Briefing no. 25 (Port-au-Prince/Brussels: ICG, 2011), p. 2, available at <http://www.crisisgroup.org/~/media/Files/latin-america/haiti/B25%20Post-quake%20Haiti%20-%20Security%20Depends%20on%20Resettlement%20and%20Development.pdf>, accessed 11 July 2011.

[137] Ibid.; Taft-Morales, Maureen, *Haiti's National Elections: Issues and Concerns* (Washington, DC: Congressional Research Service, 2011), pp. 1–3, available at <http://assets.opencrs.com/rpts/R41689_20110323.pdf>, accessed 11 July 2011; International Crisis Group, 'Haiti: The Stakes of the Post-quake Elections'; and Solé, Ricardo, 'Haiti: Violence, Gangs, and a Fragile State on the Brink of Crisis', in Silvia Hidalgo and Augusto López-Claros (eds), *The Humanitarian Response Index 2007: Measuring Commitment to Best Practice* (Madrid: Development Assistance Research Associates (DARA), 2008), pp. 95–100, available at <http://daraint.org/wp-content/uploads/2010/10/HRI_2007_COMPLETE_REPORT.pdf#page=112>, accessed 11 July 2011.

[138] Human Rights Watch, 'A Vote to Help Women Around the World' (2 December 2010), available at <http://www.hrw.org/news/2010/12/02/vote-help-women-around-world>, accessed 17 February 2012.

[139] 'As Haitian Elections Near, UN Voices Concern at Electoral Violence', UNHCR News Service, 16 March 2011, available at <http://www.unhcr.org/refworld/country,,,,HTI,,4d82fbc31a,0.html>, accessed 23 September 2011.

[140] United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Uganda: Humanitarian Profile* (New York/Geneva: OCHA, 2011), p. 4, available at <http://ochadms.unog.ch/quickplace/cap/main.nsf/h_Index/2011_Uganda_HP/$FILE/2011_Uganda_HP_SCREEN.pdf?openElement>, accessed 11 July 2011.

[141] Akijul, Towards the Uganda 2011 Elections: *An Assessment of Conflict Risks and Mitigating Mechanisms* (Kampala: Akijul Enabling Change Ltd, April 2010), available at <http://www.williamtsuma.com/sites/default/files/towards-uganda-2011-elections-assessmement-conflict-risks-and-mitigation-mechanisms-akijul-2010.pdf>, accessed 21 February 2012.

[142] Amnesty International, 'Uganda: Investigate Use of Force against Protestors', Public Statement, 2011, available at <http://www.amnesty.org/en/library/asset/AFR59/012/2011/en/382727b5-6ef8-46df-8934-b5b5847b1140/afr590122011en.pdf>, accessed 11 July 2011.

[143] 'Uganda Election: Yoweri Museveni Faces Kizza Besigye', *BBC News,* 2011, available at <http://www.bbc.co.uk/news/world-africa-12496701>, accessed 11 July 2011; 'Uganda Could be Close to an African Spring' (Editorial), *Washington Post*, 15 June 2011, available at <http://www.washingtonpost.com/opinions/uganda-could-be-close-to-an-african-spring/2011/06/13/AGsdj9UH_story.html>, accessed 11 July 2011.

[144] Akijul, *Towards the Uganda 2011 Elections*, p. 13; and Human Rights Watch, 'Preparing for the Polls: Improving Accountability for Electoral Violence in Uganda', New York, 2009, pp. 8–9.

electoral law (*internal*); lack of training of security sector agencies (*internal*); provocative and violent actions by political parties (*internal*).[145]

Observable indicators

1) The extent to which a country's regions are exposed or prone to environmental hazards, such as biohazards (cholera, influenza, HIV/AIDS, malaria); natural hazards (volcanic eruptions, earthquakes, tsunamis, floods and droughts); chemical hazards (industrial accidents; chemical spillages; pollution of the water supply; accidental release of toxic materials) etc.;

2) the number and character of historical consequences of environmental and natural disasters, including political destabilization, humanitarian crises, increased criminality, economic losses, and destruction of infrastructure; and

3) the existence and quality of local, national and regional systems for early warning, risk reduction and responses to environmental and natural disasters.

Data gathering and analysis methodology

— Collect historical data including statistics, reports, maps and other relevant information on environmental or natural disasters. Disaggregate data to identify cycles of occurrences of disasters, seasonal/calendar patterns and regions affected. Create geographical risk maps. Chart trend lines to demonstrate seasonal risks.

— Collect historical data on the consequences of environmental or natural disasters. In particular, analyse instances where a disaster has triggered political instability. Collect data and analyse other effects of disasters on electoral processes such as inability to conduct elections in a particular electoral district or place due to a disaster; the negative impact of a disaster on citizens' participation, in particular if certain groups were affected; etc. Map regions which where disasters have the potential to derail or negatively affect electoral processes.

— Conduct an expert analysis on national and regional capacities and readiness to respond to threats of and actual environmental and natural disasters. Map regions of concern.

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145 European Union Electoral Observation Mission, 'Uganda: Final Report General Elections 18 February 2011', 10 March 2011, pp. 5, 22, 23, 27, available at <http://www.eueom.eu/files/pressreleases/english/eueom_uganda2011_final_report_en.pdf>, accessed 30 January 2012.

10. Unethical media reporting

Introduction

Ethics involves what is right, equitable, fair, just, dutiful and/or responsible. Ethical practice is as important in media because of high levels of public impact.[146] In conflict-prone societies in particular, unethical media reporting can exacerbate conflict and trigger violence.[147] Unethical media reporting may be result of political control and abuse of media[148] and/or irresponsible journalism that pursues sensationalism.[149] Manifestations of unethical media reporting are particularly dangerous in the context of highly contested electoral processes that take place in conflict-prone societies.[150]

Empirical cases and interrelated factors

- *Zimbabwe general elections 2008*. It is well documented that President Robert Mugabe's party has used the Zimbabwe Broadcasting Cooperation (ZBC) relentlessly to disseminate propaganda[151] to discredit the opposition and enhance the image of the ruling party.[152] Since the 1980s, journalists expressing an independent voice have been harassed, arrested, detained or murdered.[153] During the 2008 general election, the ZBC, which dominates radio and television in Zimbabwe, was heavily criticized by civil society for using hate speech to intimidate the opposition and their supporters. According to a civil society organization monitoring the news during the election, the ZBC endorsed and amplified hate speech in news and current affairs programmes on TV, and in the news and analysis columns of the papers.[154]

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[146] A definition of media ethics can be found at <http://www.environmentalhistory.org/billkovarik/media-law-coms-400/3-ethics/>, accessed 28 June 2013.

[147] Rolt, Francis, 'The Media: Reaching Hearts and Minds', in Paul van Tongeren, Malin Brenk and Juliette Verhoeven (eds), *People Building Peace* (Boulder, Colo.: Lynne Rienner Publishers Inc., 2005), pp. 175–7.

[148] Frohardt, Mark and Temin, Jonathan, 'Use and Abuse of Media in Vulnerable Socities', USIP Special Report no. 110 (October 2003), pp. 1–4, available at <http://www.internews.org/sites/default/files/resources/media_peace_full_report.pdf>, accessed 27 June 2013.

[149] Ramadhan, Shamsia, 'Peace Journalism in Post-election Kenya', New Routes 2/2013, available at <http://folkebernadotteacademy.se/Documents/Fredsmiljonen/Bilder%20Fredsmiljonen/Media%20for%20peace%20Kenya%202013.pdf?epslanguage=sv>, accessed 9 August 2013.

[150] Atuobi, Samuel Mondays, 'Election-related Violence in Africa', Conflict Trends (ACCORD) 2008/01, p. 12, available at <http://www.accord.org.za/images/downloads/ct/ct_2008_1.pdf>, accessed 26 June 2013.

[151] 'Zimbabwe's State TV Services Faces its 1st Rival', *Financial Times*, 25 July 2013.

[152] Moyce, Andrew, 'The Media Environment Leading up to Zimbabwe's 2008 Elections' (no date), p. 44, available at <http://www.kas.de/upload/dokumente//2010/05/Defying_3.pdf>, accessed 28 June 2013.

[153] Ibid, p. 44.

[154] Media Monitoring Project Zimbabwe, 'The Language of Hate' (no date), p. 4, available at <http://www.mmpz.org/sites/default/files/articles/The%20Language%20of%20Hate%202009.pdf>, accessed 28 June 2013.

Interrelated factors: provocative and violent actions by political parties (*internal*); the presence of non-state armed actors (*external*);[155] contested electoral law (*internal*); rejection of the election results (*internal*).[156]

- *Kenya general elections 2007.* After the liberation of public media starting in 2002, certain media began to 'operate freely and sometimes recklessly and irresponsibly.'[157] During the 2007 general election, the radio broadcasting of offensive language and hate speech contributed towards building up tensions that led to the deaths of over 1,500 people.[158] According to the Kenyan National Commission on Human Rights (KNCHR), which examined the role of the media during the 2007 elections, media houses had taken sides ahead of the election, many editors had become 'compromised', and certain media houses had become 'sensational', unnecessarily alarming their audience and 'inflaming their passions'.[159] Many local radio stations (vernacular radio) were identified for allowing hate speech during public debate talk shows or phone-in programmes hosted by irresponsible journalists, entertainers or disc jockeys.[160]

  Interrelated factors: social and political exclusion (*external*); changing power dynamics (*external*);[161] gender-based discrimination and violence (*external*);[162] inadequate electoral security arrangements (*internal*);[163] provocative use of the media by political parties (*internal*);[164] poor management of election results (*internal*).[165]

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[155] International Crisis Group, 'Negotiating Zimbabwe's Transition', Africa Report no. 51 (21 May 2008), pp. 1, 6, 7, available at <http://www.crisisgroup.org/~/media/Files/africa/southern-africa/zimbabwe/B051%20Negotiating%20Zimbabwes%20Transition.pdf>, accessed 25 July 2013.

[156] EISA Election Observation Mission Report Zimbabwe, 'EISA Election Observer Mission Report' no. 28 (2008), available at <http://www.eisa.org.za/PDF/zimomr08.pdf>, accessed 25 July 2013.

[157] Office of Public Communication, Republic of Kenya, 'Commission of Inquiry into the Post Election Violence', 2008, p. 296, available at <http://www.communication.go.ke/media.asp?id=739>, accessed 16 June 2013.

[158] Roberts, Mara J., *Conflict Analysis of the 2007 Post-election Violence in Kenya* (Charlottesville, Va.: New Dominion Philanthropy Metrics, 2009), available at <http://www.ndpmetrics.com/papers/Kenya_Conflict_2007.pdf>, accessed 30 June 2011; and Institut Français de Recherche en Afrique (IFRA), *The General Elections in Kenya 2007*, pp. 2, 11, 172, 202, 227, 228, 369.

[159] Office of Public Communication, Republic of Kenya, 'Commission of Inquiry into the Post Election Violence', pp. 298–9, accessed 16 July 2013.

[160] BBC World Service Trust, *The Kenyan 2007 elections and their aftermath: the role of media and communication*, April 2008, p. 4, available at <http://downloads.bbc.co.uk/worldservice/trust/pdf/kenya_policy_briefing_08.pdf> (accessed 12 August 2013).

[161] International Crisis Group, 'Kenya in Crisis', Africa Report no. 137 (21 February 2008), p. 9, available at <http://www.crisisgroup.org/~/media/Files/africa/horn-of-africa/kenya/137_kenya_in_crisis_web.pdf>, accessed 1 September 2011.

[162] Ibid.; and Roberts, *Conflict Analysis of the 2007 Post-election Violence in Kenya*.

[163] Alston, Philip, 'Report of the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions. Addendum: Election-related Violence and Killings', UN document A/HRC/14/24/Add.7 (18 May 2010), p. 38, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/E002895AFBE42ABA492577370007FFE9-Full_Report.pdf>, accessed 1 September 2011.

[164] Mbeke, Peter Oriare, 'The Role of the Media in Conflict and Peace Building in Kenya: Draft Literature Review Report', April 2009, p. 13, available at <http://www.internews.org/pubs/kenya/LiteratureReview_ReportingPeaceKenya_20090415.pdf>, accessed 21 October 2011.

[165] [Kriegler Commission], *Report of the Independent Review Commission on the General Elections Held in Kenya on 27 December 2007*, pp. 35, 125, 129, available at <http://www.dialoguekenya.org/docs/FinalReport_consolidated.pdf>

Observable indicators

1) The existence of a media code of ethics;

2) the extent to which media houses (national and local) respect the code of ethics; and

3) the degree to which rules and regulations defining media roles and responsibilities in electoral processes are enforced by the relevant agencies.

Data gathering and analysis methodology

— Examine historical records of unethical media reporting for the numbers and actors involved. Use relevant reports and media records, and interview experts. Map historical risk regions and locations of incidents, and create trend charts to gain insight on critical electoral phases.

— Cooperate with media monitoring and regulatory bodies and civil society organizations in order to map out areas where unethical media reporting is occurring (local newspapers and radio) as well as where complaints have been received. Generate colour-coded maps to distinguish regions based on the magnitude of a problem. Use cumulative factors to present and monitor number of incidents and complaints received. Generate charts to analyse trends.

The Guide on External Factors is a support document to *The Electoral Risk Management Tool*. This document, combined with the Guide on Internal Factors, is intended to guide the user of the Electoral Risk Management Tool through a broader checklist which can be useful for identifying electoral risks in a given country and electoral context.

The ERM Tool is designed to empower those who have either the mandate or interest to ensure that elections are peaceful and credible. Intended users are electoral management bodies, security sector agencies, civil society and other state and non-state actors. The ERM Tool aims to build the user's capacity to understand, analyze, and mitigate electoral risks, in particular those that may turn violent.

The ERM Tool is integrated into a software application that provides three interactive modules (learn–analyse–act) which can be used in combination or as stand-alone resources.