

Transcript UNEAD – Robin Ludwig:

My name is Robin Ludwig. I'm a former member of the UN Electoral Assistance Division (UNEAD), and I have been asked to comment on the origins of election assistance at the United Nations.

I'm going to go back in time – back to the creation of the UN. I think it's important to recall that when the UN was created in 1945, there were only 51 Member States. In Africa, for example, there were only 4 Member States. The world has changed quite a lot since then. Today, the United Nations has some 193 Member States and Africa has 54.

When it was created, the UN had three major organs in addition to the General Assembly - the Security Council, the Economic and Social Council, and the Trusteeship Council. The Trusteeship Council was the source of many of the first efforts at UN supervision of electoral processes. This is because the purpose of the Council, among many things, was stated in Article 1 of the UN Charter, which included the obligation to “facilitate friendly relations among nations based on the principles of equal rights and self-determination of peoples.” Referenda were held in various colonies and trusteeships, and the UN went and supervised to make sure that they seemed to be fair and legitimate. So that was actually where we first got some experience dealing with electoral processes.

A kind of second phase in electoral assistance provided by the UN took place during the 1960s and 1970s, when you see decolonization really take off. Secretary-General Dag Hammarskjöld was very supportive of this movement, and this was the time when UN membership really grew. However, a point was reached in the 1980s, when many requests for assistance were coming to the UN in a kind of ad hoc manner, asking if the Organization could help with a national election. The UN had always applied a strict rule of not helping with elections in a member state. Assistance was considered only if it related to decolonization, or if there was an international dimension. Such requests were generally refused as being outside UN terms of reference.

But the world was changing of course, and a number of countries were experiencing problems of internal conflict and civil war. A particular area was Latin America, where the Presidents of five Central American Member States joined together to establish a peace process that led to accords for the region entitled the Esquipulas process. At one point these Presidents got together and requested that the UN should assist with elections in Nicaragua. This posed a real problem for the UN, because there clearly was an international dimension to the request, given the presidents of these countries all asking for this assistance, but it was assistance to one country, and it was not decolonization.

UN discussions about this were difficult. When that request arrived, this is where the first Head of the UNEAD comes into the picture. Horacio Boneo, a native of Argentina, had just joined the Economic and Social Affairs Department. According to him, (and I'm reading from a brief and informal note he wrote about this time at the UN), he was asked to go to Nicaragua and observe

the discussions for new election laws. In the meantime, at New York Headquarters, major discussions continued about whether the UN should be helping or not.

Quoting Horacio again, “a lot of people were scared as hell to get involved with this, because it might mean we were interfering in the internal affairs of a State”, which was definitely not allowed. So his mission to Nicaragua was made in the context of providing technical assistance. There was also someone from the Organization of American States (OAS), so they could sit together and discuss, and they said, actually the laws were very good, and it was all fine. But when Horacio was ready to return to New York, another issue had come up and he was sent to Haiti, because they were having internal problems and wanted to have someone come in and take a look at what they were doing and how things might be resolved there. So he went on to Haiti, and then El Salvador was having problems, and he was sent there,, and in the meantime, at headquarters they were discussing: ‘Why not create a small unit to deal with election issues?’ “should we do it, should we not? ‘Will this be a problem?’

Ultimately, a decision was made to create a small unit to provide electoral assistance. The General Assembly approved the creation of the Electoral Assistance Unit (EAU) in 1991. This was highly controversial, as you might guess. One of the problems was that the Center for Human Rights in Geneva had always considered elections as part of their work, and they had had experts advising on elections in an ad hoc way, and at the same time the UN, in the Secretariat, was getting involved with elections that were being used to resolve civil wars and build peace. So it was armed conflict versus human rights promotion. In the end, it was decided to keep the office in New York where the Secretary General was located, since a number of conflict situations had arisen and needed to be addressed. We later worked with the Human Rights Division quite well and, actually, discussion of electoral assistance to this day, as far as I know, is still conducted in the Third Committee, which is the Human Rights Committee. So some things lingered on, but it all fit together.

The proposal to create the EAU also came at a time when Boutros-Ghali had just become Secretary General, and the world had again changed dramatically. The Berlin wall had come down; there were many States who had been dependent on Soviet support for their economies, and suddenly they were cut off from that; and, there were many more states that were just interested in providing good governance. Human rights continued to be an important issue and Boutros-Ghali came out with his own report and a call for the implementation of an Agenda for Peace. UN Electoral Assistance became a component in this agenda. This was a stage at which many departments within the UN, especially the Department of Political Affairs, the Department of Trusteeship, which was a smaller office at that point, and Peacekeeping were reorganized. I must say I was part of that. Many staff members were moved to new positions. I was offered different jobs in General Assembly Affairs and the Security Council, but I opted to move to the new office of Electoral Assistance.

From the beginning, Horacio was the Director of the office with a staff of three. One was from Oman, one was Vietnamese—he was in the field, so we didn't see him very much, as he was working in El Salvador and other Latin American countries that had requested assistance with

their elections—and one more, and I'm not sure where that person was from. I came in early 1991, and they were already there. There are several criteria for choosing who goes into an office - background and experience, but one was that we have geographical distribution. You would not put into an office three Americans or four Chinese, you always have a blend of people. In this case, staff were brought to the EAU with their existing posts, so there was no extra cost to the Organization.

One of the considerations that was especially appealing, I think, to Member States in using the UN for election assistance was that the UN was seen to be a neutral player. Every country could be a member, and that gave them a certain control over what might happen.

The EAU would only accept assistance requests if they were sent from a senior person in a government to the UN focal point who was established, and the focal point was, in this case, an African, and he would receive the request. The unit was supposed to review them and decide on a response, whether we would move ahead with assistance or not. We needed a formal request in order to counter criticisms from some Member States about the creation of the unit because they were very concerned about interference in the internal affairs of a state.. They didn't want the UN to be telling any country what type of electoral system they should have. This became interesting, because when we would put forth our reports and the resolution each year in the General Assembly, the report on elections and the unit would say that these things need to be done, and we need to have the approval of the focal point, and then we move ahead. Other States would then submit their objections, and it would be the same wording every single time. So it would be in the first place, the US supporting one resolution with its partners, and in the second case it was Cuba and its partners, expressing their concerns. So both resolutions were passed. That's the way it went for years and years.

As we began receiving requests, we started sorting out what to do and how. Horacio was the continuing source of new, creative and practical solutions to constant electoral challenges. Ultimately, the Unit developed seven different approaches for election assistance. The first of these was supervision, which was familiar to everyone from the trusteeship days. There is now very little use of that approach, and the case of Namibia in the late 1980s was probably the last really big supervision mission.

In contrast, technical assistance became very popular. Based on requests, we would send technical experts to advise and help with registration, vote counts, general election administration and election administration bodies.

The General Assembly resolution 46/137 specified that we should assemble and maintain a roster of experts so that we would always have someone with the skills to go to the field and help on any particular issue. We were also told to establish a voluntary trust fund that came in very handy a number of times. Most important was providing clear guidelines for how to request assistance, making it clear what could be requested, what could not. The resolution specified that the electoral assistance unit would send out a needs assessment mission to a country requesting UN assistance, and the mission would be maybe one staff member and a consultant

on any particular issue that might be relevant to go and check: 'What is the basis for the request? What are the resources there? What do people support? Do people in that country really want this?' They would talk to the diplomatic community there to get a sense of what their feeling is before going ahead and providing the assistance. We also specified that we needed a lead time of at least four months, because for some missions, say, in the case of Cambodia, where the UN had actually organized and conducted the election, we needed much more time than we actually had, but we did have a year or two in advance before we undertook one that was probably the biggest mission that the UN carried out. It hasn't happened since and let's hope it's never needed again.

Those are some of the things that were really important for Member States to know about our work. Member States were invited two years in a row to submit their comments on the idea of creating the unit, their concerns, and their happiness to actually have something like this established. And so that's where it went.

We were quite busy for a long, long time. For a number of years what we had always hoped for was that there would be more technical assistance and less of the actual having to observe elections. We hoped that elections were becoming more accepted and more clear to everyone in terms of how they worked. I remember in one country where I worked, people were worried that the US would be watching from above, that they could see how you voted by satellite, or that there would be midgets in the voter box, and they would see how you voted. Those kinds of things, I think, are pretty much in the past, which is certainly a good thing.

I think the UN Electoral Assistance (now Division) is one of the success stories of the United Nations, certainly during the Boutros-Ghali period. Hopefully it has helped many countries to enjoy a more democratic and peaceful future. That's my take on the origins of UN electoral assistance.