



# The European Union's Electoral Missions from the Perspective of Current Developments in Latin American Democracy

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## Abstract

This paper discusses the role electoral observation missions – a key democracy promotion tool in the framework of the cooperation policies and practices of the European Union, particularly in relation to Latin America. It focuses on the gap between the broad definition assigned to ‘democracy’ and the rather narrow technical instruments of observation. Some of the specifics of the EU model are examined and compared to those of other democracy promotion contributions in Latin America.

The paper elaborates on the meaning of the need for ‘consistency’ and concludes that it is a fundamental element in designing and measuring the effectiveness and impact of democracy promotion in Latin America. It examines from a Latin-American perspective the connections between observation and technical assistance in electoral matters, the opportunities offered by the diversity of electoral observation missions and the dilemmas posed by the complexity and relative newness of an ‘emerging electoral agenda’ in the region, which involves issues linked to: (a) political party and campaign financing; (b) internal democracy in political parties; (c) special representation mechanisms; (d) media access and electoral propaganda; (e) technology; and (f) equity in elections. The paper concludes with a reflection on the dilemmas and challenges that the current Latin American political reality poses to the promotion of democracy.

## Summary of Recommendations

Observation remains a valid mechanism for strengthening credibility in electoral processes, but it is necessary to rethink the implications of the principles of complementarity and coherence, which were established by the EU itself, and to take the design and implementation of plans to promote democracy in Latin America beyond observation. It is important to incorporate the input of other organizations and institutions in order to develop a more solid platform for future democracy promotion projects, and to include the shortcomings and opportunities identified by the observation exercises. The EU produces its own mission reports on observations. It would be a positive development if these could be shared and if there were opportunities to build

a consensus with other observation missions. It is good practice to design missions and establish priorities for technical assistance outside election or campaign periods. It would also be good practice for exploratory or fact-finding missions immediately prior to assessment missions to use the findings of the observation missions' reports for the specific electoral system produced by various entities to define priorities and working methodologies. This is often talked about, but seldom put into practice. The opportunities created by the existence of electoral institutions as natural and effective partners in promoting democracy should be identified, and these should reflect the challenges resulting from the emerging electoral agenda. These findings must guide a debate on how to secure opportunity and ensure consistency and effectiveness as well as how to translate these into resource allocation when planning the promotion of democracy in the region. Finally, it is important to emphasize the sense of urgency and timeliness since the electoral agenda is changing fast in Latin America and cooperation needs to keep pace.

## **1. Introduction**

Democracy has developed a common language – at least between Europe and Latin America. It is also a significant component of the basis for the cooperation plans through which the EU conducts its development policies. There is a wide consensus about the importance of promoting democracy, and improving the technical aspects and procedures necessary to assist the spread of democracy and continually update the democracy agenda in the wake of social and political change. This paper offers a Latin American perspective on the current state of democracy in the region. Special attention is given to its particularities. Some valid criteria in the context of democracy promotion by the EU are outlined, particularly those relating to complementarity and coherence. These are compared with perceptions of how electoral observation works specifically in the Latin American context. The diversity of the actors in electoral assistance is also outlined.

This paper also provides a good opportunity to review the achievements of democracy development in the region as well as the appearance of an 'emerging electoral agenda' that presents challenges and dilemmas for Electoral Management Bodies (EMBs), which are unique entities in Latin America due to their autonomy, continuity and expertise, as well as being the preferred partner for any kind of cooperation in the region.

This paper poses a challenge by proposing a new paradigm and demanding a revised view of not only the methods and instruments of electoral observation but all the mechanisms used in democracy promotion in the region.

### ***A Note on the Concepts of Democracy and Observation***

It is acknowledged that democracy is more than a way to delegate authority, even if the boundaries of authority are still the subject of discussion. It is commonly held that without fair and free elections (i.e. periodic free and genuine elections with equal and universal voting rights and a secret ballot, as specified in the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights and the American Convention on Human Rights) we cannot even start to talk about democracy. There is also a growing consensus that democracy is inseparable from human rights. Therefore, its practice is to exercise fundamental rights – to elect and

to be elected – and its validity is the best initial guarantee of respect for rights that are universal and have been acknowledged at the international level: ‘Elections do not equate to democracy but they are an essential step in democratization and an important element in the full enjoyment of human rights’ (Communication from the Commission 2000). Similarly, the Inter-American Democratic Charter, adopted in Lima, Peru in 2001, has warned that:

Essential elements of representative democracy include, inter alia, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic free and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government (Inter-American Democratic Charter, article 3).

Electoral observation means: ‘the purposeful gathering of information regarding an electoral process, and the making of informed judgments on the conduct of such a process on the basis of the information collected, by persons who are not inherently authorized to intervene in the process’ (International IDEA 1997). Electoral observation should not be an intrusion into the internal affairs of another state, but a useful mechanism for measuring the strengths and weaknesses of the procedural facets of a democratic system. The Inter-American Democratic Charter (Article 23 ss) considers it valid to include the design of observation missions in development assistance to electoral institutions and processes.

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It should be noted, therefore, that there is a possible relationship between observation and assistance when it concerns electoral matters. Assistance is conceptualized in the EU’s framework as ‘the technical or material support given to the electoral process’ (European Commission 2000), that is, contributions to increase the technical, material or institutional capacities of a specific electoral process, which includes a wide range of specific possibilities.

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## **2. EU Democracy Promotion and the Particularities of its Model: A Matter of Coherence**

We acknowledge that democracy is something that can be actively promoted, that is, it is not just merely the result of elections in specific conditions (free, authentic, regular, with equal voting rights and secret ballots), but a form of government, a complex network of institutions and a frame of social values that give legitimacy to the overall functioning of systems, including conflict resolution. There is an intrinsic

relationship between democracy and human rights. The EU's position reflects that vision:

Democracy and protection of human Rights are universal values to be pursued in their own right; they are also seen as integral to effective work on poverty alleviation and achieving the Millennium Development Goals, as basic tools for conflict prevention and resolution, and as the indispensable framework for combating terrorism. Democratic processes of accountability are also key to ensuring government transparency and combating corruption. [...] Democracy and the protection of human rights are inextricably linked ... Human rights may be considered in the light of universally accepted international norms, but democracy has to be seen as a process, developing from within, involving all sections of society and a range of institutions that should ensure participation, representation, responsiveness and accountability' (European Commission 2006).

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Such orientations in the EU's democracy promotion policy are in line with current visions in Latin America. Just as democracy was first established, and later consolidated, it should be understood that its validity and strengthening are processes which must be extended to institutions and society.

However, at least from the Latin American perspective, when the EU's position is transformed into action, and later into projects and concrete actions, it is the electoral observation missions that are most prominent, with technical assistance and institutional development in the context of electoral process in second place, and other initiatives aimed at different areas of institutional framework and societies in third place – at least from the point of view of those involved in other institutions that also contribute to maintaining and developing democracy in the region.

The EU's policy for supporting democracy expresses specifically that complementarity and coherence must play a key role in plans for supporting democracy development. Furthermore, they should be central to the context of EU external relations (European Parliament 2006) while acknowledging the complexity of democracy and the need not to overemphasize a single course of action: '...the promotion of democracy extends far beyond the electoral process alone. Expenditure for EU Election Observation Missions should therefore not take a disproportionate amount of the total funding available under this Regulation.' (European Parliament 2006: Preamble, para. 22).

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The above shows that concern about the predominance of observation missions in the context of supporting democracy is not limited to how they are perceived in Latin America – but it does not imply that these observation missions do not achieve important objectives, despite the variety of actors in the area today.

### 3. The Relevance of European Union Observation Missions to Similar Initiatives

EU observation missions in Latin America are considered part of the EU's democracy promoting framework. Observation missions respond to political alignments, and some are minimum requirements for any country to qualify as a recipient of other types of international cooperation from the EU. They are therefore an activity that intertwines with other standpoints and valid norms in the complex functioning of the cooperation originating from the EU.

Far from having lost their validity, electoral observations missions – international observations in particular – are still a useful instrument for legitimizing electoral processes in Latin America. Probably because there is a high level of mistrust on the part of citizens in Latin America, especially concerning institutions and politics, the active and visible presence of observation missions gives any specific electoral process credibility.

In addition, the initiative behind an EU observation mission frequently comes from the host country, its own EMB or other political or social sectors there. In the November 2008 municipal elections in Nicaragua, the executive power and the Supreme Electoral Council explicitly limited the presence of international observers to the minimum and also hindered the participation of domestic observers. This was decisive, at both the national and the international level, in consolidating the perception that the elections did not comply with required international standards for electoral processes.

The EU is not the only entity to organize missions of this type. In the majority of electoral processes, the Organization of American States (OAS), implementing its own policies and priorities as well as complying with its own statutes, sends observation missions. The governing bodies of the electoral processes, according to the Latin American model of electoral organization and most of their procedures, invite their regional colleagues, in the framework of associations of EMBs, to organize observation missions and to make technical or institutional recommendations on how to make continual improvements to electoral systems. This rich horizontal cooperation and reciprocity has reached more than 200 missions, and is the most prolific and longest running action of its kind in the world. Institutions such as International Foundation for Electoral Systems (IFES) and the Carter Center continually organize groups of international observers. More sporadically, other institutions, such as international associations of political parties, the European Parliament and regional parliaments (Central American or Andean), send representatives to specific electoral processes in Latin America.

There have been significant developments in domestic and national electoral observation in the region, particularly in the past decade. The “Acuerdo de Lima” (a coordinating mechanism of the NGO's active in democracy building in the Region), which facilitates the exchange of expertise and technical knowledge on domestic observation, is a kind of ‘internationalization of domestic observation’.

Domestic observation may be more useful than international observation since it can cover a wider geographic area. If it is well organized it can be more cost-effective in

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terms of transport costs for the observers. Usually, local observers are more familiar with the political, electoral (and sometimes even the judicial) context in which the process is taking place. These are aspects which international observers must be introduced to, and thus the time for observation missions must be prolonged.

There is a new form of observation mission in Latin America: one practiced by Ombudsman Offices, human rights organizations or the equivalent. The first observation of this kind was conducted in Peru in 2000 and they have spread thanks to the associative mechanisms for exchange that these kinds of institution have in the region, which lead to constant exchanges with similar institutions in neighbouring countries.

Considering the above, it could be argued that the presence of a mission from the EU is not decisive if the legitimizing function – an essential function which electoral observation continues to exercise well in the region – can be delegated to other organizations. This is especially true if we consider that observation cannot and should not substitute for the monitoring and control of the electoral process, which belong to the political parties or movements on the ground that have a real opportunity to review, detect and report any kind of irregularity in any voting station.

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As is mentioned above, however, in the context of a society where there is so much mistrust and there are so many memories of fraud, a combination of missions is important, particularly if we take into account different mandates and fields of expertise. In this case, the presence of an electoral observation mission from the EU would not be irrelevant or unimportant.

The presence of electoral observation missions (both national and international) creates considerable room for the exchange of findings and recommendations – something which has not been extensively made use of thus far. Where such an exchange does take place, a number of patterns emerge that can serve as a basis for policymaking in the areas of electoral and political reform and determining other areas of democracy promotion. During the Colombian elections of 2006 and 2007, for example, when all the missions present except that of the OAS gathered to discuss opinions and draw conclusions, once the electoral process was concluded, efforts were made to coordinate international cooperation in order to promote reform projects and analyse different ways to perfect the electoral system and democracy in the country. Frequently, however, this coordination and generation of joint platforms does not occur.

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## 4. The Potential of Electoral Assistance

Given the complexity of an electoral process, especially in the case of Latin America where all tasks related to electoral activities – from civil registration to the transmission and declaration of results – are usually delegated to one or more autonomous institutions, the potential range of electoral assistance is very broad.

Electoral systems in the region have evolved in the past 25 years. In some areas they are strong while in others they are more vulnerable. In other words, currently in Latin America, no electoral system is perfect but nor is there a system that is completely inadequate.

Conducting electoral assistance activities provides an incomparable opportunity to measure, using the same tools as observation missions, the degree, effect, strengths and vulnerabilities of innovations to each electoral system. The findings and recommendations of observation missions include expert assessments of the efficiency of various aspects of the system and the tools used to conduct elections.

As is argued above, the best use is not always made of findings and recommendations. They can, however, sometimes serve as the basis for technical assistance programmes. The EU produces its own mission reports on observations. It would be a positive development if these could be shared and if there were opportunities to build a consensus with other observation missions. It is good practice to design missions and establish priorities for technical assistance outside election or campaign periods. It would also be good practice for exploratory or fact-finding missions immediately prior to assessment missions to use the findings of the observation mission's reports for the specific electoral system produced by various entities to define priorities and working methodologies. This is often talked about, but seldom put into practice.

Observation missions can usually identify areas where democracy can be strengthened beyond the strict organizational-electoral context. Whether this includes options for electoral reform, civic education programmes or improving the performance of other institutions, such as legislatures, control systems and ombudsmen, these conclusions are of great value for the task of designing more integral programmes that are not limited to those technical aspects that are measurable in the short term but rarely extend beyond the electoral process.

The relationship between observation and technical assistance, however, is not uncontroversial. Some people believe that there is an incompatibility between the provision of technical assistance and the capacity to adequately evaluate the functioning of electoral systems. It is rarely possible to objectively judge something to which you have previously contributed. However, evaluating the success of assistance work – in the form of an assessment ('observation') performed by another group, even if commissioned by the same institution – should be seen not as an obstacle but as a sign of maturity. This assessment would probably be more objective than one carried out by the assistance project, and it would enable the impact of a technical support initiative to be measured.

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## 5. Advances in Democracy in Latin America in the Past 20 years: The Contribution of Electoral Management Bodies in the Region

In the past 25 years – the same amount of time in which the Centre for Electoral Counselling and Promotion (Centro de Asesoría y Promoción Electoral, CAPEL) has been in existence, democracy has made a strong comeback in Latin America. Electoral movements have undergone impressive growth in the region in recent years, particularly in 2006, a year in which there have been 12 elections. This has enabled CAPEL to corroborate the strength of electoral democracy, despite a number of material shortcomings.

Electoral democracy has expanded all over Latin America, with the exception of Cuba which has a different regime. Electoral democracy is not yet capable, however, of satisfying the needs and demands of the population. States have steadily lost their institutional capacity to respond to citizens' grievances and to attend to their people's needs. There are also serious problems in management and administration that could jeopardize democratic stability and promote ideas that do not embrace the democratic spirit.

**A number of new issues have arisen concerning equity during electoral campaigning. From this perspective, electoral organization becomes a strong component of the complex picture of democratic institutions.**

It is possible to verify the presence of core values in the achievements of electoral democracy thus far, and these should be preserved and nurtured. From 2005 to 2008 significant gains were made in various aspects of electoral democracy. New practices emerged on the back of lessons learned in many different fields. Among such achievements are: the application of gender, minority and youth quotas to the electoral system; the development of policies for regulation of the funding of political parties, during election campaigns in particular; and recognition of the importance of internal democracy in political organizations that is not just limited to the election of officials in political parties and the nominees for external candidacies.

A number of new issues have arisen concerning equity during electoral campaigning. From this perspective, electoral organization becomes a strong component of the complex picture of democratic institutions. There is a strong tendency, virtually without exception, for specialization in electoral matters in Latin America, that is, choosing a model for assigning electoral tasks to one or more autonomous or independent entities to manage elections and all related issues. EMBs have extended their scope, acting as the electoral dispute resolution body during electoral campaigns, and are increasingly perceived as actors promoting new processes or orientations with regard to internal democracy in political parties or building citizenship.

Political culture, however, does not always develop in line with formal democracy. There is evidence of bad leadership (*caudillismo*), nepotism and various manifestations of political clientelism in the region. On occasion, the political culture is also described as highly personalized. It is a remarkable paradox that institutionality has gained so much terrain while politics tends to be more and more personalized.

These contradictions are neither new nor unique to this part of the world, but they need to be addressed in order to properly link political culture to aspects of the

electoral system, and to identify the advantages and disadvantages of – advances and regressions in – any given electoral system.

Latin America is the most unequal region in the world. It also has low levels of inter-individual trust (Latinobarómetro 2008). It is not surprising, therefore, that perceptions of the range of political parties continue to be negative, despite new tendencies for ‘re-ideologization’ in political debates. The emergence of a new political range, including a new left wing – the so-called new left of the 21st century – has contributed new elements to the political debate in most parts of the region. These new elements are not always grounded, however, when it comes to specific proposals.

In this political scenario, significant modifications have been made to the role which each actor plays. Civil society and the media are becoming increasingly important actors. Much of the work of political mediation is done by interest groups, many of which have a stronger impact in the media than in the traditional channels used by political parties. Durable political ‘outsiders’ have also emerged. There are new roles for both civil society and the media, but as yet no clear understanding of their roles relative to one another.

Citizen participation continues to be a central element of democratic life, but its wide range of manifestations – from membership of political parties to political activities, its possible contribution to transparency, and even whether to participate electorally are issues on which few people share the same view. Electoral abstention, for instance, for some is an exercise in liberty but for others undermines the legitimacy of the democratic system.

Interpreting the growth in political involvement is a challenge that compels us to reflect on the relative functions and importance of citizen participation to the consolidation of democracy in Latin America. Exclusion, inequality of income and the widening gap between those who have and those who do not remain problems of legitimacy for governments and also create the conditions for actions and ideas that could be defined as ‘anti-political’ or ‘anti-system’. This is the main problem of the accumulated political deficit in the Americas.

## **6. The Ever-changing Electoral Agenda in the Region: Implications for Electoral Observation and the Promotion of Democracy**

Even if we limit ourselves to the context of electoral democracy, that is, procedures to ensure the sound management of electoral campaigns, the agenda has diversified considerably in the past five years. This is largely due to the nature of electoral management in this part of the world. As mentioned above, EMBs in Latin America are characterized by their expertise in electoral matters as well as their autonomy in election-related issues. The main variable across the

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region is whether a single entity organizes the elections, mediates in conflict resolution and is responsible for civil registration, as is the case in all Central American countries, the Dominican Republic and Uruguay, or whether several entities separate organization from justice in the electoral context, as is the case in Mexico, Peru, Chile and – more recently – Ecuador.

Continuity and expertise have been essential factors when assigning a growing number of roles to EMBs. In addition to preparing elections and resolving conflicts, they are given special responsibilities in most Latin American countries in areas related to the emerging electoral agenda. These include:

- *Carrying out an audit of political finance:* with the exception of El Salvador and, to some extent, Uruguay, all EMBs have functions for controlling the origin, use and accountability of the funds used for electoral campaigns or for supporting political parties. In this area, there has been trial and error in electoral reforms, since there are imperfections in all countries and thus none represents a complete success in achieving the objectives of controlling the money used in politics. At first glance, this can be seen as a weakness – but it also provides room for an enriching exchange of knowledge and lessons learned.
- *The operation and democratization of political parties:* EMBs are increasingly monitoring aspects of internal democracy in political parties, compliance with party statutes or other internal legalities. This is in line with some of the concerns of the EU and other actors in international cooperation, with regard to non-discrimination and equal opportunities for women, indigenous populations or people with disabilities (EC Regulation 1889/2006: articles 2 and 3). In some systems, such as Honduras and Uruguay, EMBs have been assigned the task of managing primary elections for political parties.
- *Special mechanisms for representation and inclusion:* in addition to that which is in force with regard to internal democracy in political parties, the implementation of certain mechanisms has been used to ensure more equitable representation or at least overcome problems of exclusion, especially concerning women (through quotas or parity), indigenous peoples or ethnic minorities, and even citizens residing abroad (through reserved seats and special constituencies). It is often the task of an EMB to make these measures effective by registering candidacies, electoral planning and organizing the declaration of results. These functions require special skills and tools.
- *Regulation of publicity and the media:* the responsibilities assigned to EMBs go further than control over traditional political actors. They include control over the media through the regulation of surveys and publications, as well as regulating publicity, including the administration of the electoral period and (in Chile, Brazil and, to some extent, Ecuador and more recently in Mexico) allotting space to the parties in the media – especially television. In Mexico, recent developments (the 2007–2008 reform) give EMBs a role in monitoring how journalistic coverage affects the minimum equity requirements that must be followed during electoral campaigns. This raises the dilemma of the extent to which media activities can be regulated without encroaching on freedom of speech.
- *The use of technology:* the role of technology in the electoral processes has increased

and its potential continues to develop. Today it is an essential determinant of the success or failure of entire electoral operations. The use of various forms of electronic voting (in Venezuela and Brazil) has made technology a primary issue and generated controversy, leading to a reconsideration of the traditional ways of conducting audits and observation.

- *Equality during campaigning*: the debate in Latin America about limits on the number of terms of office has intensified, as has discussion on the use of public resources and whether it produces an imbalance in the opportunities for candidates to reach out to potential voters. In this context, examining the role of the information provided and the presentations made by the authorities in power opens a rich and unexplored area for cooperation.

As is obvious from the above, without going into more detail on the material dimension of democracy in the region, the emerging issues agenda presents a range of possibilities for analysis and technical assistance, especially concerning the challenges faced by the EMBs when they are given new roles that may require new tools and new skills. It also entails considerable challenges for electoral observation, since the majority of methods and tools have been designed for and implemented in traditional electoral contexts in which the measurable and quantifiable elements are different, and are now inadequate for assessing any of the themes mentioned above. Finding new parameters to reach well-founded conclusions without forgetting the older parameters is a huge challenge for electoral assistance.

## **7. More Integral Support for Democracy in Latin America: Challenges for the EU**

This paper identifies some of the current challenges for policymaking and planning for democracy support in the particular political and institutional circumstances of Latin America. When thinking and re-thinking EU democracy support, the following conclusions should be taken into account:

- Observation missions continue to be relevant as a mechanism for legitimizing electoral processes in the region, as a consequence of the mistrust that most citizens feel towards political processes and the management of power by most political institutions.
- Significant technical and procedural advances in the conduct of observation missions as well as more objectivity and precision have been at the heart of EU activity. But these advances in the observation missions have not transcended from the technical to the integral. The EU should reflect on how to prevent these forms of democracy cooperation becoming a closed and even isolated universe.
- The principles of complementarity and coherence seem to be of equal importance to all actors. It is essential, however, to make them true guides to action and to use the conclusions of previous observations as a basis for such action. These frequently include reflections that go beyond the strictly technical-electoral. Developing local capacity and supporting institutions as well as organizations from civil society, at the national and regional levels, are important ways of diversifying actions and strengthening the sense of coherence.

- It would be sensible to coordinate, exchange and prepare platforms from the reform proposals that have been generated by other missions, past and present, commissioned by institutions and organizations other than the EU. Good practice along these lines would be to outline plans for electoral reforms, as well as policies or programmes aimed at strengthening democratic values among the Latin American people.
- Democracy in Latin America has major cracks at its material core. It is necessary to explore beyond technical-electoral fields to consider the important challenges the current Latin American reality poses to advancing forms of formal democracy. This is not an easy step to take and could generate controversy or resistance at the heart of the EU, and even among Latin Americans. If an in-depth analysis of the state of democracy in the region were to be conducted, it would be imperative to reflect on this.
- The EMB is a natural partner for many actions (not only the strictly technical) as such bodies are permanent, specialized and autonomous, and this prevents cooperation from slipping off the governmental agenda. The range of issues on the emerging electoral agenda must be considered with the aims of designing adequate cooperation, reviewing the mechanisms and observation methods carried out by the EU and drawing conclusions on each of the issues as a guide for developing more integral programmes in the future.

It is important to include a final reflection with regard to international cooperation, and not just that with the EU. Democracy support must be adequate or it will not be efficient. We need more speedy processes to help strengthen opportunities, even if they do not lead to long-term solutions but only provide opportunities for improving the deficits in Latin American democracy. The electoral agenda in the region is moving rapidly and we need to keep pace with it.

## References

European Commission, Communication from the Commission on EU Election Assistance and Observation, COM (2000)191, p. 4

European Commission, Communication from the Commission to the Council and the European Parliament, COM (2006)23, pp. 3–4

European Parliament, EC Regulation of the European Parliament and of the Council no.1889/2006, 20 December 2006

International IDEA, *Code of Conduct for International Observers*, (Stockholm: International IDEA,1997)

Latinobarómetro, 2008, available at [www.latinobarometro.org](http://www.latinobarometro.org)

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