The United States Government has invited the OSCE Office for Democratic Institutions and Human Rights (ODIHR) to observe the 8 November 2022 mid-term congressional elections. Based on the findings of a needs assessment mission and in line with its mandate, ODIHR is sending an election observation mission to these elections. This will be the 10th time since 2002 that the OSCE will observe a U.S. election.

What is ODIHR?

Based in Warsaw, Poland, ODIHR is the main human rights institution of the Organization for Security and Co-operation in Europe (OSCE), the world’s largest regional security organization. All OSCE States have recognized that lasting security can only be achieved through strong democratic institutions and respect for human rights. This is why they have committed to a comprehensive catalogue of democracy and human rights standards, which form the basis of what the OSCE calls the human dimension of security.

ODIHR works to assist the 57 participating States of the OSCE in strengthening their democratic institutions, upholding the rule of law and increasing respect for human rights throughout the diverse societies of the region. ODIHR observes elections, monitors respect for human rights and provides expert advice and support throughout the OSCE area on issues ranging from strengthening gender equality to improving judicial processes.

ODIHR works closely with the OSCE’s other institutions and field operations, as well as numerous partners from governments, international organizations and civil society. Working in close partnership and supporting governments to engage genuinely with civil society, ODIHR helps to increase respect for human rights and thus strengthen the security of the entire region.

ODIHR’s mandate to observe elections comes from the OSCE commitments outlined in the 1990 OSCE Copenhagen Document, other international obligations and standards for democratic elections, and U.S. federal and state legislation.

“...The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States... They therefore invite observers (...) to observe the course of their national election proceedings.”

What is a Needs Assessment Mission (NAM)?

ODIHR conducts NAM visits to all participating States holding elections. The NAM is a fact-finding visit which assesses election preparations and recommends whether to deploy an election observation mission (EOM) in the run-up to election day. A Needs Assessment Mission (NAM) for the forthcoming mid-term elections in the United States took place from 23 to 27 May 2022.

During the NAM, the ODIHR team met a range of federal institutions, the media, civil society, political parties and representatives of election administration. These meetings allowed a thorough assessment of the preparations and any potential challenges. The NAM looked at the legal framework and technical preparations and considered the concerns of key political stakeholders. Technology plays a very significant role in U.S. elections. Therefore, to ensure the integrity of an election involving new voting technologies, the NAM also assessed the plans for key aspects of the election such as the production of voter credentials, public tests of the equipment and other procedures.

The NAM report was published on 29 June 2022 and is available on the ODIHR website. As a result, ODIHR is to deploy an Election Observation Mission (EOM) which launched in Washington, D.C. on 26 September 2022.

What is an EOM and why conduct one?

Each OSCE participating State enjoys equal status but has varying degrees of experience and history with democratic elections as well as specific needs for support. The NAM allows ODIHR to tailor the election observation activities to the needs of each election.

An EOM will be recommended when a Needs Assessment Mission determines, for example, that election stakeholders have concerns about election administration, the long-term process, or election-day proceedings, or where it thinks that the presence of observers could enhance public trust in the process.

An Election Observation Mission deploys long-term and short-term Observers (LTOs and STOs) to analyse elections systematically and then issues a report with recommendations. Election observers do not interfere with the election process in any way and they have neither the authority nor mandate to enforce the recommended changes.

The election observation reports are intended to help participating States improve their electoral processes for the benefit of their citizens and recommendations are made in the spirit of working towards shared OSCE commitments.

What is observed?

The generic lines of inquiry that LTOs may make during election observation include:

• The legal framework: federal and state legislation on elections
• Election administration: voter registration, voter identification, alternative voting mechanisms (AVMs), secrecy of the vote
• Constituency delimitation: the role of the census in constituency delimitation and the mechanisms for delimitation
• New voting technologies (NVTs): the type of technology used in the elections, certification and evaluation
• The campaign environment
• Campaign finance
• Coverage of elections by the media, including online media
**STOs** observe at polling stations to assess whether voting, counting and tabulation of results is conducted in a correct and orderly manner and in accordance with federal and state electoral regulations, OSCE commitments and other international standards.

The EOM to the 2022 U.S. mid-term congressional elections will be led by Cayetana de Zulueta Owtram (Italy) and will be composed of 17 experts from 14 OSCE participating States and 40 LTOs from 18 participating States. The numbers and composition of STO teams will be determined shortly after the mission arrives.

### Selection and vetting of observers

The core team experts to be based in Washington are recruited directly by ODIHR; they are always leading international experts in their field. Most LTOs and STOs are sent by participating States, which means that they are selected and have their expenses paid for by their own governments. In order to diversify the mission composition and reflect the inter-governmental nature and diversity of the OSCE, ODIHR also recruits some observers from countries that do not regularly send observers.

Crucially, observers do not represent their respective governments. They are thoroughly briefed by ODIHR, are obliged to follow ODIHR’s election observation methodology and are bound by ODIHR’s code of conduct for election observers. ODIHR election observation is funded by all 57 participating States of the OSCE.

### Deploying Observers

ODIHR election observation aims for balanced geographical coverage. It takes into account the different electoral laws and practices across the United States, in particular the extent to which the individual states permit international observation. LTOs are assigned to work in teams of two people, always from different countries. They produce a joint report and their distinct backgrounds and perspectives help ensure balance and neutrality. During the mission, LTOs meet various state officials, as well as representatives of political parties, civil society and the media, and convey the information back to the core team. For these elections, the LTO teams will deploy to 30 states between 4 October and 15 November.

STOs observe election-day procedures in their assigned area and report their findings accurately and efficiently back to the mission headquarters. A sufficiently high number of STOs enables ODIHR to observe a statistically representative sample of polling stations across the country. ODIHR is always looking for experienced, qualified STOs, but the seconding state is responsible for recruiting them and covers their deployment costs.

STOs remain in the host country for approximately one week. In most cases, they arrive four days before election day and are fully briefed by the core team. They are deployed to their areas of observation in teams of two, each from a different country, in line with a plan that gives broad and balanced coverage across the country. STOs usually return to the capital one to two days after election day and participate in a debriefing before heading home.

After the elections, the mission compiles the collective observations into a report, which is then shared with the United States government and published.
What can election authorities do to prepare for observers?

It is very helpful to observers if the authorities can share plenty of materials about their state, including basic facts about the elections. This may include the number of voters, methods of voter registration and identification, candidate registration information, the composition of electoral boards, the election timeline, early voting methods, the use of electronic voting systems, the number and location of polling stations, and any requirements to register as an observer on election day.

The U.S State Department invites all the OSCE observers, and is therefore the primary point of contact for election officials for any questions about the mission.

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Further Information
- All ODIHR United States election reports: http://www.osce.org/odihr/elections/usa
- Video on ODIHR Election Observation: http://www.osce.org/odihr/elections/179516

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