



Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights

OSCE/ODIHR Election Observation

United States of America 2020

As a participating state of the Organization for Security and Co-Operation in Europe (OSCE), the United States of America, through the State Department, has invited the OSCE to observe the November 3, 2020 elections. The Office for Democratic Institutions and Human Rights (ODIHR) is the primary OSCE institution responsible for election observation.

No electoral system or process is perfect. The reports of election observation missions are intended to help participating States to improve their electoral processes for the benefit of their citizens. The 57 participating States enjoy equal status but have varying degrees of experience and history with democracy. In consideration of the specific requirements at a given place and time, ODIHR conducts Needs Assessment Missions (NAM) to determine the nature of the election activity for each election.

Based on the findings of mission to assess the need for observation of these elections between May 29 to June 5, 2020, in accordance with its mandate, ODIHR announced its intention to deploy an Election Observation Mission (EOM) to follow both long-term aspects of the elections and election-day procedures on November 3. However, the extraordinary circumstances caused by the COVID-19 pandemic and the existing travel restrictions throughout the OSCE region negatively affected the ability of the OSCE participating States to second long-term observers, resulting in a significant shortfall of long-

term observers (LTOs). ODIHR came to the conclusion that meaningful deployment of short-term observers (STOs) for election day would not be feasible. Instead of an EOM, requiring STOs for Election Day, ODIHR will deploy a Limited Election Observation Mission (LEOM) with a core team of experts and LTOs. The ODIHR LEOM plans to begin observation activities in Washington, D.C. on September 28, 2020. This will be the ninth time the OSCE has observed elections in the United States since 2002.

About ODIHR observation

The OSCE is the world's largest regional security organization, bringing together 57 participating States from Europe, Central Asia and North America. The OSCE is not an agency of the United Nations. The OSCE has a comprehensive approach to security that encompasses politico-military, economic and environmental, and human aspects. It therefore addresses a wide range of security-related concerns, including arms control, confidence- and security-building measures, human rights, national minorities, democratization, policing strategies, counter-terrorism and economic and environmental activities. The principal way the OSCE does this is by observing elections in participating States, which have committed themselves to uphold the key principles of democratic elections: universality, equality, transparency, vote secrecy, accountability, fairness, and respect for fundamental rights and freedoms.

ODIHR election observation missions assess the degree to which elections meet OSCE commitments and other international obligations and standards for democratic elections, as well as their compliance with national legislation. Since its establishment in 1991, ODIHR has sent observers to more than 370 elections, in 56 OSCE participating States. In 2019 alone, ODIHR observed 15 elections in Moldova, Ukraine, Slovakia, Estonia, North Macedonia, Lithuania, Spain, Albania, Kazakhstan, Greece, Poland, Uzbekistan, Belarus and Romania. Each year the United States sends over 250 observers to join ODIHR's election observation missions in other OSCE participating states.



Basis for the assessment of elections

The basis for ODIHR's assessment is the OSCE commitments outlined in the [1990 OSCE Copenhagen Document](#) and other international obligations and standards for democratic elections, as well as federal and state legislation. State legislation is particularly important, given the specific role in organizing elections afforded to the states in the U.S. Constitution. Election observers do not interfere with the election process in any way. There is an important distinction between monitoring and observing elections. Unlike monitoring, which implies a degree of authority, observation is the process of systematically analyzing elections and issuing a report without the authority or mandate to enforce changes. Recommendations are, therefore made in the spirit of improvement towards shared commitments.

ODIHR Needs Assessment Missions

The decision to send an election observation activity is based on the findings of a Needs Assessment Mission (NAM) carried out by ODIHR several months before the election. ODIHR conducted a NAM for the 2020 United States General elections from May 29 to June 5, 2020. The NAM is a fact-finding visit with the goal of assessing election preparations. Based on its assessment it recommends whether to deploy an election observation activity prior to an election and the optimal format of a mission. A public report is issued in the weeks following the NAM visit. Unlike mission reports following an election, the NAM report does not draw any conclusions about the election. NAM visits are undertaken by ODIHR in all participating States.

During the NAM for these elections, the ODIHR team met with a range of federal institutions, as well as media, civil society, political parties and representatives of election administrations. The meetings provided a thorough assessment of the level of preparations and any potential challenges. The NAM looked at the legal framework and technical arrangements and considered the concerns of key political stakeholders. As technology plays a particularly significant role in elections in the United States, the NAM also enquired about the plans for key events, such as the production of voter credentials, public tests of the equipment and other key steps and procedures

ensuring the integrity of the election involving new voting technologies. The report of the mission was published on 3 July 2020 and is available on the ODIHR website.

Depending on its findings, a NAM may recommend one of four possible formats for election-related activity: a full-scale EOM, LEOM, an Election Assessment Mission (EAM), a mission without LTOs, or the deployment of a smaller Election Expert Team (EET). The 2020 ODIHR NAM to the United States of America recommended the deployment of an EOM to observe the general elections. In addition to a core team of analysts, the mission recommended the secondment of 100 LTOs from OSCE participating States to follow the electoral process countrywide for six weeks, and 400 STOs to follow election-day proceedings. However, faced with limited secondments of observers from states, in part due to the COVID-19 pandemic, ODIHR will now be deploying a LEOM composed of a core team and 30 LTOs. In line with the ODIHR's standard methodology, the LEOM will also contain a media monitoring element.

Structure and format of a Limited Election Observation Mission

An EOM is recommended when a NAM determines that election stakeholders have serious concerns about election administration, the long-term process and election-day proceedings, or where it deems that the presence of observers could enhance public trust in the process. In an LEOM a core team of analysts are based in the capital of the country where the election is being held, LTOs are sent to its various regions, but no STOs are deployed to monitor election-day proceedings. While the duration of an LEOM is similar to that of standard EOMs, in order to allow it to follow all aspects of the long-term election process, the LEOM will not undertake a systematic and comprehensive observation of election-day proceedings.

The LEOM to the 2020 United States elections will start its work in Washington, D.C. on September 28, 2020. The mission will be led by Ambassador Urszula Gacek (Poland) and will be composed of 14 experts from 12 OSCE countries and 30 Long-Term Observers from 13 countries.



The ODIHR mission will work closely with observers from the OSCE Parliamentary Assembly, who expect to deploy some 80 members of parliaments of OSCE countries to observe election day procedures across the United States.

Selection and vetting of observers

The experts in the core team based in Washington have been recruited directly by ODIHR; they are leading international experts in their field. Most LTOs are sent directly by participating States, which means that they are selected and have their expenses paid for by the governments of their countries. This is standard ODIHR practice. Some of the observers are also recruited by ODIHR from countries that do not regularly send observers to help diversify the mission composition and echo the inter-governmental nature and diversity of the OSCE. Most importantly, 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. Observers must meet the existing visa requirements of any country they are entering for election observation. ODIHR election observation is funded by all 57 participating States of the OSCE through the unified budget of the organization.

Deploying Observers

ODIHR aims to ensure balanced geographical coverage in its election observation, considering the different electoral laws and practices across the United States, particularly the extent to which the individual states permit international observation. In the past, observers have been deployed to a broad variety of states to ensure this coverage. LTOs are assigned to work in teams of two, with each observer from a different country. They produce a joint report and their different backgrounds and perspectives help ensure balance and neutrality in reporting. During their work, LTOs meet with various state officials, as well as representatives of political parties, civil society and the media, and convey the information gathered to the core team. For these elections, the LTO teams will deploy to 28 states between October 5 and November 8. After the elections, the mission compiles

their observations into a report, which is then shared with the United States government and the public.

What will be observed?

Below is a list of issues that LTOs may pay special attention to during these elections:

- The legal framework, including federal and state election legislation;
- Election administration, including voter registration, voter identification, alternative voting mechanisms and measures to ensure secrecy of the vote;
- Constituency delimitation, including the role of the United States Census in creating voting districts and the mechanisms for delimitation;
- New voting technologies, focusing on the type of technology used in the elections, certification and evaluation of these technologies;
- The campaign environment;
- Campaign finance; and
- Coverage of these elections by the media, including online media.

COVID-19 and election observation

The ability of election observers to conduct their work has been significantly impacted by the COVID-19 pandemic. Notwithstanding the pandemic and the restrictions on global travel, since the declaration of the pandemic, ODIHR has been able to observe elections in Croatia, Georgia, Kyrgyzstan, Lithuania, Moldova, Montenegro, North Macedonia, Poland, Serbia, Tajikistan and Ukraine.

Despite restrictions on travel between certain parts of the OSCE region and the United States, observers have been granted national-interest waivers by the State Department that will permit them to be present in the country for the elections. As with all aspects of their work, observers are required to respect the laws and regulations with regards to travel within the United States and observation of the electoral process. Observers will respect all precautions and necessary restrictions particularly those applied at polling stations.



What can election authorities do to prepare for observers?

Sharing materials, including basic facts about the elections in their particular state, can be very useful for observers. This may include, for example, 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, including those relating to COVID-19.

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Previous ODIHR Election Missions to the US:

- 2018 – Limited Election Observation Mission
- 2016 – Election Observation Mission
- 2012 – Limited Election Observation Mission
- 2010 – Election Assessment Mission
- 2008 – Limited Election Observation Mission
- 2006 – Election Assessment Mission
- 2004 – Election Observation Mission (of a targeted nature)
- 2002 – Election Assessment Mission

Further Information

- Video on ODIHR Election Observation:
<http://www.osce.org/odihr/elections/179516>
- All ODIHR United States reports:
<http://www.osce.org/odihr/elections/usa>
- ODIHR Election Observation Handbook:
<http://www.osce.org/odihr/elections/68439>

More information

For detailed information about ODIHR's activities, or to read any of ODIHR's publications and reports, please visit www.osce.org/odihr

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