

**ELECTION
FRAUD**

REPORTS

REPUBLIC OF KOREA
NATIONAL ASSEMBLY
ELECTION 2020

Said Sanadiki

REPUBLIC OF KOREA

NATIONAL ASSEMBLY ELECTION 2020

The Republic of Korea managed to conduct an election under the COVID-19 pandemic, but at what cost? This report is part of a comprehensive read of the April 2020 National Assembly election in South Korea and the irregularities that took place. Highlighted in this report is the effect of the pandemic and how the pandemic was used to leverage some parties over the others.

The transparent, inclusive, and credible conduct of elections is critical to the formation and preservation of democracy. The Republic of Korea conducted the 21st national election to select members of the National Assembly amid the COVID 19 pandemic, hence respecting one of the main important dominators of ensuring the democracy – i.e. periodic elections. However, the question remains whether the election was held in a free, fair and transparent way. The aim of this report is to assess the integrity of the election held on April 15, 2020, and in respect to the international standards for free and fair elections.

"ANY ELECTION THAT IS BASED ON THE DEMOCRATIC PRINCIPLES OF UNIVERSAL SUFFRAGE AND POLITICAL EQUALITY AS REFLECTED IN INTERNATIONAL STANDARDS AND AGREEMENTS, AND IS PROFESSIONAL, IMPARTIAL, AND TRANSPARENT IN ITS PREPARATION AND ADMINISTRATION THROUGHOUT THE ELECTORAL CYCLE." (KOFI ANNAN FOUNDATION, 2012)

The Universal declaration of human rights, considered as the main source for the international standards states clearly in Article 21, section 3 that “*The will of the people shall be the basis of the authority of government; this will shall be expressed in **periodic and genuine elections** which shall be by **universal and equal suffrage** and shall be held by **secret vote** or by equivalent **free voting procedures**.*” It is clear that the periodic elections are directly linked to genuine elections, in addition to other sets of democratic standards governing the conduct of the elections, and hence the periodicity is not a stand-alone matter.

The Republic of Korea was praised by the international community for holding the first large-scale election under the pandemic of COVID-19, and hence checking one of the main rules of democracy which is the periodicity of elections. However, the question remains at what cost? In this report we will look into the quality of the elections held and judge it according to the international standards for a democratic election.

What are the international standards and is Republic of Korea obliged to abide by them?

International elections standards are universal principles and guidelines to promote genuine democratic election processes. International standards have evolved from protocols, declarations, treaties, and other international instruments that safeguard democracy and human rights. International standards for democratic elections are not prescriptive norms. They do not mandate that a particular election system or explicit laws be applied. Instead, they are principles to guide the development and implementation of election systems, laws, policies, and procedures concerning democratic election processes. All international election standards can be traced back to the cardinal principle that citizens have a right to take part in the governance and public affairs of their countries⁶².

The Republic of Korea is bonded to applying these international standards as it has signed and ratified several international treaties forcing its government to abide by them, mainly the International Covenant on Civil and Political Rights (ratified on September 14, 1981).

Noting that the Republic of Korea is also a member of the Venice Commission represented by **Mr Lee Suk-Tae** (*Justice of the Constitutional Court of Korea*), **Mr. Kim Jung-Won** (*Deputy Secretary General of the Constitutional Court of Korea*) as the first substitute member and **Mr. Sungkook KANG** (*Deputy Minister for Legal Affairs, Ministry of Justice*) as the second substitute member. So, the decisions taken by the Venice commission are binding to the republic of Korea.

In addition, Republic of Korea is also a member in the Inter Parliamentary Group – IPU since 1964, hence the decisions and recommendations set by the IPU should be respected by the Republic of Korea.

And noting also that the Republic of Korea has been an OSCE Asian Partner for Cooperation since 1994.

⁶² “*Applying International Elections Standards*” – NDI publications

All the above-mentioned partnerships and treaties that the Republic of Korea is part of imply that the international standards for democratic elections should apply to the elections conducted by the South Korean authorities, especially if the Republic of Korea intends to keep the reputation of being a beacon for democracy in the East Asia region.

The following report will highlight some of the anomalies and divergence from the international elections standards and best practices that took place during the last parliamentary elections in 2020 in the Republic of Korea.

I. Change of the electoral system amid strong opposition from the opposition political parties:

The Republic of Korea's National Assembly election was held on April 15, 2020. This was the first election held under the new electoral system. Previously, all 300 members of the National Assembly were elected under a mixed parallel system (253 were elected from single-member district on first path to post basis, and 47 members were elected from closed proportional representation list system.)

The highly controversial electoral reform bill that was passed, using the fast-track process, on 27 December 2019 (110 days before the election day), introduced a new hybrid system. The national assembly continues to have 300 seats, with 253 seats on FPTP single member districts, and 47 seats on the proportional representation but this time the 47 PR seats were divided into 2 categories: 30 seats were assigned on the new compensatory basis, while 17 PR seats continue to use the old parallel system. In addition, the bill lowered the voting age from 19 to 18 years old, hence increasing the voting population by approximately half a million voters. It is crucial to note that just three months ahead of election day, half a million additional voters did not know that they were entitled to vote in the election.

While change in the electoral legal framework does not go against the international standards, especially when introducing reforms, changes should not be made so close to the election day.

Any change of the electoral law should be given ample time between the adoption and the implementation for several reasons, but mainly for the elections management body to be able to accommodate accordingly and to educate the voters on the new system. Also, it is necessary for the political parties and the candidates to be able to adopt their strategies to contest the elections following the new rules.

One of the main issues to be raised in the case of South Korea's recent election, is that the voter population was increased by half a million new voters, and that the political parties, mainly the opposition political parties, faced serious challenges while campaigning and trying to factor in these voters at the last minute. This was especially so with the elections being held under the pandemic of COVID-19, with all the restrictions that were put on the campaigning.

According to the Venice commission *"It is not so much changing voting systems which is a bad thing – they can always be changed for the better – as changing them frequently or just before (within one year of) elections. Even when no manipulation is intended, changes will seem to be*

dictated by immediate party political interests. ⁶³

The same is indicated by the National Democratic Institute: *'Experience also demonstrates that it is inappropriate to make major or significant modifications of electoral related laws too close to an election date.'*⁶⁴

Conclusion

It is safe to say that no substantial change to the electoral law should be made within the six months prior to the election without the consent of a majority of political actors – especially given that the changes of the rules of the games will most probably benefit the party proposing the change and not the opposition. Such was the case in the Republic of Korea.

The change of the electoral system is considered to be the main change in any electoral framework, especially since in the South Korean case the changes affected 10% of the seats of the parliament (30 out of 300), coupled with an increase of the voting population by half a million during an epidemic outbreak. All of that was done in a very tense environment that even led to physical confrontation, with major opposition by the second largest party in the parliament.

Would it have been safer for the Republic of Korea to postpone the elections, in order to give time for the absorption of the new changes in the legal framework and giving ample time for all political parties to prepare their campaigns?

Yes, the international organizations clearly state that postponement of the elections is doable and can be referred to, during the time of crisis and public emergencies.

According to International Covenant on Civil and Political Rights *"In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin."*⁶⁵

In addition, the UN ECOSOC states clearly that *'A state party may take measures derogating from its obligations under the International Covenant on Civil and Political Rights pursuant to Article 4 (hereinafter called "derogation measures") only when faced with a situation of*

⁶³ Council of Europe Venice Commission. *Code of Good Practice in Electoral Matters: Guidelines and Explanatory Report*. Council of Europe, 2002.

⁶⁴ National Democratic Institute. *Promoting Legal Frameworks for Democratic Elections: An NDI Guide for Developing Election Laws and Law Commentaries*, National Democratic Institute, 2008.

⁶⁵ The United Nations General Assembly. "International Covenant on Civil and Political Rights." *Treaty Series*, vol. 999, Dec. 1966, p. 171.

*exceptional and actual or imminent danger which threatens the life of the nation. A threat to the life of the nation is one that: (a) affects the whole of the population and either the whole or part of the territory of the State, and (b) threatens the physical integrity of the population, the political independence or the territorial integrity of the State or the existence or basic functioning of institutions indispensable to ensure and project the rights recognized in the Covenant.*⁶⁶

And it was once again accentuated by the UN Center for Human Rights, when they declared that *'Postponement of scheduled elections necessitated by public emergency may be permitted in certain limited circumstances, but only if and to the extent strictly required by the exigencies of the situation.'*⁶⁷

Conclusion

Postponement of the elections could have been done, and in fact the postponement of the elections took place in more than 50 countries around the world in 2020, the pandemic of COVID-19 affected cycles of elections, and the Republic of Korea would not have been an irregularity especially given that the international standards permit them to do so. The report will also show how the decision to hold elections during the pandemic disfranchised all the expat voters of the Republic of Korea from the right to vote, hence benefiting the ruling party, as the expat voters historically vote for the opposition, coupled with the change of the electoral system under which any difference in a fraction of the voters might be enough to lose or win additional seats in the National Assembly.

II. Election Campaigning:

The election was held during the [COVID-19 pandemic](#), which had both practical impacts on the conduct of the poll, and political impacts on voters' choice of parties to support. Before the outbreak observers had expected DPK party led by Moon to struggle, with job creation, wages and North Korea's nuclear weapons programme dominating the political agenda. Its approval rating fell to the 30% level in 2019 amid an economic slowdown and a political scandal involving the then justice minister.

But the Moon administration's media inflated response to the coronavirus outbreak saw his approval rating jump from 41% in late January to 57%, according to Gallup polls.

Holding the election in such exceptional circumstances, the 2020 election became an opportunity for political and electoral gains mainly for the incumbent DPK. For President Moon Jae-in, his

⁶⁶ United Nations Commission on Human Rights. *Siracusa Principles on the Limitation and Derogation of Provisions in the International Covenant on Civil and Political Rights*. United Nations Commission on Human Rights, 1984.

⁶⁷ United Nations Center for Human Rights. *Human Rights and Elections: A Handbook on the Legal, Technical, and Human Rights Aspects of Elections*. United Nations, 1994. (United Nations Center for Human Rights, pp.para. 73)

government and the ruling Democratic Party of Korea (DPK), using the state resources and their position of the ruling party in control of the government and the administrative branch allowed opportunity to promote their capacity to respond to the ongoing crisis and their effectiveness. Hence, this shifted the campaign from being an equal opportunity based on political programs to one of media focusing on a single matter – the pandemic. Thus, abolishing the equal ground and giving a huge leverage for the ruling party.

So, it is clear by now that postponing the elections, was not a choice; on the contrary, the ruling party benefited directly and indirectly from the pandemic, and imposed the elections during this period, so they don't lose ground, once the pandemic is over.

So, in a nutshell, holding the elections during the pandemic and mainly campaigning during the pandemic was for the benefit for the ruling party. And it jeopardized one important issue of the international standards, that all political parties should be able to compete on an equal basis, as stipulated in the commitments for democratic elections in OSCE participating states.⁶⁸

On another hand, insisting on holding the election during the pandemic, shifted the focus of the international community from the irregularities that might arise during the election to whether the Election Commission could hold the elections or not. Thus overlooking the decisions and the malpractices that might exist during the implementation of the electoral preparation, such as abolishing the overseas voting. As a result this restricted voting overseas by South Korean citizens in over 50 foreign countries. Overseas voting was a measure that was implemented since 2009, and historically the majority of these votes were cast for the opposition. This is a major breach of the international standard regarding the universal suffrage stating that every citizen has the right to vote.⁶⁹

In addition, adopting special voting measures inside South Korea under the precautions that are necessary in the time of a pandemic outbreak, opened the floor to manipulation of the results and flew under the radar.

An example of these measures was to encourage all those eligible to vote to take full advantage of early voting provisions. During the 2020 election, early voting took place on 10 and 11 April, at any of the 3,500 polling stations established nationwide. The rationale of encouraging more voters to use early voting provisions in these elections was to attempt reducing the number of voters expected to gather at the polling stations on election day.

Another important measure was to extend home voting provisions (early voting by mail) to

⁶⁸ *'All political parties and candidates must be able to compete in elections with each other on the basis of equal treatment before the law. In addition, the law and official policies should create a level playing field for all political parties and candidates involved in the electoral processes.'* OSCE Office of Democratic Institutions and Human Rights. Existing Commitments for Democratic Elections in OSCE Participating States. Organization for Security and Co-operation in Europe, 2001.

⁶⁹ *'Every citizen has the right to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the voter.'* The United Nations General Assembly. "International Covenant on Civil and Political Rights." Treaty Series, vol. 999, Dec. 1966, p. 171.

COVID-19 patients who were being treated in hospitals and other medical facilities, as well as to citizens in quarantine or in self-isolation for having been in contact with infected people. In normal circumstances and previous elections, only special categories of voters would have been entitled to home voting provisions. To vote by mail in the 2020 elections, a ‘home voting’ application had to be filed to a local administrative office between 24–28 March.

As shown from by a statistical study conducted by Dr. Walter R. Mebane, the results of the early voting were highly manipulated. These measures adopted were a breach of the international standard stating that any restrictions on the right to vote were to be established in advance of election day, and any loss of that right was only imposed after adjudication by a court.⁷⁰

Early Voting procedures and their effect on the results

This system introduced in 2013 allows anybody to cast their ballot at any early voting polling station nationwide during the early voting period prior to election day.

Applicable Elections: Any public official elections held upon the expiration of the term of office and re and by-elections.

Voting Period: For two days from five days prior to election day.

Voting Hours: From 6am to 6pm during the voting period.

Eligible Voters: Any voters except those who are registered for home voting, shipboard voting, and overseas voting.

Establishment of Polling Stations: One polling station per Eup/Myeon/Dong (Additional polling stations may be established in areas with a military base). Total 3,508

Voting Method: Any voter can cast their ballots at any early voting polling station nationwide regardless of their registered constituency.

Voting Procedures: Complete voters' ID verification (sign or place a stamp on the voters list or put a thumbprint on it) → Receive ballot papers (voters casting their ballot within their registered district receive ballot papers and those voting outside their registered district receive ballot papers and a return envelope attached with an address label) → Make a mark on ballot papers in the polling booth → Put the ballots into the early voting ballot box for voters casting within their registered district or put the ballots in the return envelope then into the early voting ballot box for voters voting outside their registered voting district).

** Voters casting their ballot within their registered district: Those whose registered address is in the relevant district where they are casting their ballot during early voting.*

⁷⁰ *'The rule of law requires that the classes of those disqualified from voting, if any, be known in advance, and that challenge be available in appropriate cases.'* Inter-Parliamentary Union. Free and Fair Elections: New Expanded Edition. Inter-Parliamentary Union, 2006.

** Voters casting their ballot outside their registered district: Those whose registered address is outside the relevant district where they are casting their ballot during early voting.*

Home Voting

A system that allows those who may not be able to go to a polling station for voting due to a serious physical disability to cast their ballots from their residence by mail.

Applicable Elections: Any public official elections held upon the expiration of the term of office and re and by-elections.

Eligible Voters: A person who is unable to move due to a serious physical disability.

A person who has been admitted in a hospital, a sanitarium, a shelter or a prison (including detention center).

Soldiers or police officers living in military barracks or a military vessel for a long time located too far from a polling station either during the early voting period or on election day to participate in voting.

Voting Method: The competent election commission sends ballot papers with a return envelope to home voting registered voters by ten days before election day, Home voting voters mark the ballot papers for one candidate or party, Home voting voters put their ballots into their return envelope and send it to the competent election commission by registered mail by 6pm on election day.

Shipboard Voting

A system that allows those who are aboard ships such as deep-sea fishing vessels, outbound passenger ships to cast their ballots at shipboard polling stations during the shipboard voting period using facsimile (including electronic fax).

Applicable Elections: Presidential elections and National Assembly elections held upon the expiration of the term of office.

Eligible Voters: Those who are aboard or going to be aboard ships such as deep-sea fishing vessels, out bound passenger or cargo ships charged under a captain with Korean citizenship.

Voting Period: During a designated period between eight days and five days before election day.

How to Vote: The competent election commissions transmit the ballot papers by facsimile to the captain of the ship who is registered on the shipboard voting application by nine days before election day. Shipboard voters cast their ballots at the polling station installed on ships and transmit their ballots by facsimile (Shipboard voters should submit the original ballots to their captain after putting them into a provided envelope) ^a Si/Do election commissions receive the transmitted ballots by shield fax. Si/Do election commissions send them to the competent

Gu/Si/Gun election commissions, the captains should submit the received envelopes containing ballots to the Si/Do election commissions when they arrive in Korea.

Covid-19 and the Election

The National Election Commission benefited also from the outbreak of COVID-19 to pass and adopt special measures that would not have passed easily under normal circumstances. These measures included the adoption and use of the QR codes on the early voting ballots, instead of the legally stipulated barcodes, which is a breach of both the secrecy of the votes and a breach of the electoral code. In normal circumstances this measure will have minimal effect but due to the enlarged number of early voting, allegedly due to the Pandemic, the number of early voters was a crucial factor in the winning or loosing of a specific party, and as it shows in the final results, it was benefiting mainly the DPK.

The Republic of Korea can consider special voting procedures or voting in other locations that can take place in advance of election day and supplement voting in polling stations, to facilitate voting and thus contribute to broad participation in elections in the sense of universal suffrage.⁷¹

They should clearly define the conditions for those procedures, which must comprise safeguards against multiple voting and undue influence of voters⁷² In any case, it should only be admissible if the postal service is safe from intentional interferences, is reliable, and the jurisdiction in question does not have a history of family voting or other trends that result in voters controlling the vote of another voter⁷³.

Saying that, and under the pandemic, the remote voting was extended to groups of voters who would not usually benefit from this, and hence increasing the pool of potential manipulation of the votes. The international standards were clear when referring to voting special measures that should be well restricted to some part of the voter population and well defined ahead of time in the legal framework which was not the case in the Republic of Korea.⁷⁴

Electronic vote counting equipment and transparency

Electronic voting or e-voting is a relatively new voting technology that can enhance voter participation and provide for faster counting that is less prone to human error, as well as being more cost-effective. However, the use of e-voting may raise serious concerns over the transparency of the voting process, that is the traceability of an individual's vote (European

⁷¹ (OSCE/ODIHR 2003a: para. 8.10; International IDEA 2014a: 142).

⁷² (International IDEA 2014a: 239).

⁷³ (Venice Commission 2002: Guidelines, section I.3.2.iii, Explanatory Report, para. 39)

⁷⁴ ***'Where systems of proxy or postal voting are used, and where sick people are allowed to vote at home or in hospital, ensuring that these arrangements can withstand attempts at fraud or coercion and do not offend the secrecy of the ballot.'*** Council of Europe Parliamentary Assembly. *Handbook for Observers of Elections*. Council of Europe, 1997.

Commission 2008: 84). According to the Code of Good Practice and the Committee of Minister's Recommendation, state authorities should hence ensure that e-voting technologies applied function correctly, safely and reliably. In particular, it must be possible during voting to check whether the system is functioning properly; it should withstand breakdowns, malfunction and deliberate attacks.

In the case of the South Korean April 2020 election, allegations were made related to the procurement process of the LG U+ equipment, which contains Huawei parts, and was used with the electronic ballot machines. Specifically, the request of proposal put through by NEC is restrictive enough to prefer a specific supplier over others, and hence it is a manipulation of the procurement process which is against the international standards for adopting Electronic Solution for Elections.

In addition, the machines procured contained features that allows it to connect to the internet, which is also a breach of the security of the voting process⁷⁵, the NEC has claimed that this feature was not used during the elections. However, with the restrictions on the political party observation of the machines, the software and the technicalities used, it is merely impossible to judge on this, which is also a breach of the international standards for free and fair elections⁷⁶.

The legal framework detailing the relation between the private contractors (providing electronic hardware) and the NEC is absent hence leaving a huge window for both parties to drive the relation without any legal boundaries and limitation, which might jeopardize the principle of accountability as the level of gray areas is massive.

The irregularities observed by the political parties' observers, that are detailed and documented in the annexed reports presented in this volume, clearly show that the security and the integrity of the electoral process was jeopardized during the election's operation. This is a breach of so many international standards for democratic elections, mainly the fact that the election commission should ensure that the system worked flawlessly **"Before any e-election or e-referendum takes place, the competent electoral authority shall satisfy itself that the e-voting system is genuine and operates correctly"**⁷⁷.

In addition, the National Election Commission should have taken all possible steps to ensure that there is no possibility of fraud or unauthorized intervention in the elections operations, which was not the case. And even if they wanted they could not have been implemented due to the timing of the elections and under the pandemic. Which was a clear breach of the following obligation" "All possible steps shall be taken to avoid the possibility of fraud or unauthorized

⁷⁵ (Council of Europe Committee of Ministers, pp.art. 29-30): '29. All possible steps shall be taken to avoid the possibility of fraud or unauthorized intervention affecting the system during the whole voting process. 30. The e-voting system shall contain measures to preserve the availability of its services during the e-voting process. It shall resist, in particular, malfunction, breakdowns or denial of service attacks.'

⁷⁶(Council of Europe Committee of Ministers, pp.para. I.7) 'E-voting should respect the principles of democratic elections and referendums and be at least as reliable and secure as democratic elections referendums which do not involve the use of electronic means.'

⁷⁷ Council of Europe Committee of Ministers. Recommendation Rec(2004)11 of the Committee of Ministers to Member States on Legal, Operational, and Technical Standards for E-Voting. Council of Europe, 2004.

intervention affecting the system during the whole voting process. The e-voting system shall contain measures to preserve the availability of its services during the e-voting process. It shall resist, in particular, malfunction, breakdowns or denial of service attacks.”⁷⁸

The irregularities that were reported during the elections results transmission and the security breaches of the ballot papers and the elections forms, were also contradictory to the obligation of secure elections “The e-voting system shall maintain the availability and integrity of the votes. It shall also maintain the confidentiality of the votes and keep them sealed until the counting process. If stored or communicated outside controlled environments, the votes shall be encrypted.”⁷⁹

Conclusion:

Like other democracies, the Republic of Korea was faced by a dilemma: shall we hold the elections and secure the principle of the regularity of the elections or shall we postpone the elections? The decision was taken to hold the elections, and maintain the periodicity of the elections. But at what cost?

The international convent of civil and political rights states clearly that regular and genuine elections are an important pillar of human rights, and that the most important aspect is linking the regularity of the election with the requirements it be conducted genuinely. And this is where the Republic of Korea missed the mark. The pandemic was used to benefit the ruling party, the decisions taken under the umbrella of facilitating the vote under a pandemic were in fact jeopardized the fair, democratic nature of the election.

The National Election Commission of South Korea focused on holding the elections without spreading the COVID-19 virus among the voters but failed in doing so while also maintaining the genuine elections part of the equation.

Postponing the elections might sound undemocratic but what it shows is that holding the elections under such circumstances proved to be more of a threat to the fair, democratic nature of the election than if the election were postponed.

Holding elections and introducing new voting technologies in addition to new voting measures, that usually takes many years of preparation and testing, in a period that did not exceed the 100 days since the adoption of the electoral law, is to say the least, an uncontrolled risk. And examining the matter in depth, it might be intentional to benefit one party over another.

In a healthy democracy, the elections campaign is a time to discuss a variety of policy issues and a wide range of topics. But during the pandemic the only topic to be discussed is how the

⁷⁸ Council of Europe Committee of Ministers. Recommendation Rec(2004)11 of the Committee of Ministers to Member States on Legal, Operational, and Technical Standards for E-Voting. Council of Europe, 2004.

⁷⁹ Council of Europe Committee of Ministers. Recommendation Rec(2004)11 of the Committee of Ministers to Member States on Legal, Operational, and Technical Standards for E-Voting. Council of Europe, 2004.

government is responding to it, and hence giving a direct leverage to the party in power. The limitation on the discussion of a wider range of topics undermine the sense of democracy.

In the period of lockdowns and restricted movement, incumbents have always the advantage, and this was the case in the last elections in Korea.

Recommendations:

The International Community should give further interest to the elections in South Korea. Holding the elections during the pandemic is not a success if it didn't meet the international standards, and from what we can deduce from the available information, the elections were not credible enough to be considered democratic.

The international community is advised to look further at the upcoming South Korean elections, to ensure that the irregularities that took place in the April 2020 elections should not be repeated.

Further investigation should take place regarding the technology used in the South Korean election, as the malfunctioning of this technology is not limited to South Korea. Rather, it might and will affect many other elections around the world, as the South Korean National Election Commission is considered a beacon for the elections technology around the world. Even more, they are promoting these technologies for the third-world countries and even to the US – via the National Election Commission's affiliated A-WEB organization.

If the questions that were raised during the last elections are not investigated and answered to, the reputation of A-WEB along with the National Election Commission itself will be in question, and hence spilling over to any elections that took place with their patronage, such as the recent Iraqi and the Congolese Elections.

As a conclusion, election day is not the only element of an electoral process but is one of the critical stages for the integrity of elections. Election day is the outcome and the reflection of a pre-electoral campaign; and is the moment when voters express their final choices about policy issues and political forces that they would like to see representing them in their country's governance.

Election day procedures are also a reflection of how robust the overall electoral framework is. Overarching elements and long-term processes such as detailed and precise legal frameworks, sub-legal regulations, training and preparedness of election officials and voter education, to name just a few, have an impact on the conduct of election day procedures. Hence the importance of analyzing the election process and not looking at the technology used and the various steps in silo. It is all complementary, and the violation might, in fact, be in the link between the steps and, thus jeopardizing the whole process.

//