

**Post-Election Report**  
**Belarus Watch**  
**“Election Observation: Theory and Practice” Election Observation Mission**  
**Ireland, Presidential Election, 27 October, 2011**

## **Background**

On 27 October 2011, a group of short-term international observers from the project “Election Observation: Theory and Practice” accredited under non-governmental organization Belarus Watch (Vilnius, Lithuania) observed the conduct of the Presidential election and constitutional referendums in Ireland. The observers focused on procedural aspects of the election day and the counting of the votes for the Presidential election on 28 October. The observers visited 226 polling stations in Cork county, Cork city, Dublin county, Dublin city, Galway constituencies, Kildare constituencies, Laois-Offaly constituencies, Limerick, Longford-Westmeath and Wexford constituencies. The mission evaluated the voting process based on international standards of secrecy of the ballot, transparency, universality, equality, fairness and freedom of elections as well as national legislation of Ireland.

The observation mission comprised of 45 observers from Belarus and Lithuania. The Mission was organized within the framework of the project “Election Observation: Theory and Practice”, implemented in partnership by three organizations: Belarus Watch, European Humanities University (EHU) and Belarusian Human Rights House in exile in Vilnius (HRH). Previous project missions observed elections in Belarus, Estonia, Georgia, Latvia, Lithuania, Norway, Poland, Sweden and Ukraine.

## **Election process**

In general, the election process was well-organized and well-managed by the local returning officers and polling station staff; the election commissions were friendly and permitted the observation teams to stay and observe the process. The extensive information provided to the observers and voters reflected the good knowledge of procedures and legislation by the presiding officers and polling clerks.

The special facilities for disabled people (separate entrances, polling booths established on a level lower than the regular booth) were present at almost every polling station visited.

A high level of voters’ culture as well as confidence in the election system has to be noted. The electors almost never failed to follow all necessary electoral procedures. In most of the cases the voters appeared to be highly responsible and organised and did not cause disruptions in election process.

The instructions and information placards posted on the walls of polling stations were helpful and clearly explained the procedures.

All of the mission observation groups noted the high level of organization and transparency of the counting procedures. All the candidates and their personation agents, journalists and observers were able to monitor the counting of the votes freely and without any obstacles. The counting staff was cooperative and shared all necessary information when asked.

Despite the overall positive impression and good evaluation of organization of elections, the mission would like to pay attention to shortcomings and omissions that accompanied the process and have, therefore, to be addressed.

The most essential flaw of the organization of 2011 presidential elections in Ireland referred to **secrecy of the ballot**, one of the basic international standards. Despite being protected by the national legislation in Ireland, this standard was not always respected.

The voters did not have the possibility to fully exercise the right of secret ballot at most of the polling stations visited by the observation group. The main reason for that was the construction of voting booths which did not provide sufficient privacy for marking a ballot. At most of monitored polling stations the voting booths were screened from three sides but not covered by a curtain or a shield which could allow the content of the ballot be visible for the others. At some of the polling stations the X-crossed cardboard shields standing on tables were used as voting compartments. They did not fully provide secrecy as marking of the ballot was visible for those standing near or behind the voter.

In most of the cases the booths and voting compartments were installed in a row. As they were not covered by the curtains or shield, it enabled electors marking their ballots in adjacent compartments to consult and learn each other's preferences easily. As a result, multiple cases of family or group voting were recorded. The polling station staff rarely intervened and prevented such irregularities. Remarkably, the presiding officer of one of the polling station stated that family voting did not violate principles of free and fair elections.

In one of the polling stations, the voting compartments were installed against transparent window which made possible for any person from outside to see the choice of a voter. In other polling station the voting compartments were set against a mirror wall which also made possible to people inside the polling station to learn the preference of an elector.

Though the presence of special voting booths for physically challenged people was noted by most of the observers, it appeared that the construction of such booths provided even less privacy for a voter. Such booths were usually placed lower and were wider than regular booths; the absence of curtains or shields did not provide privacy for the voters using such booths. In other cases the table was used instead of a booth.

In spite of voters' culture, some observers reported on cases of people marking their ballots openly on the tables in front of other voters or polling station staff. At some of polling stations the voters did not fold their ballots which allowed other people to see their choices when casting the ballot in the ballot box.

Few of the voters showed the polling station officials the backs of their ballot, as required in the Electoral Code. At the same time few of the presiding officers demanded that.

The observation groups made a notice of the lack of established practice in regard to **voter identification**. Only in few locations the polling station officials required voters to introduce their identification documents. In many cases, producing of the voting card without personal identification document was sufficient for voter identification. A number of polling station officials did not require any documents from the voter in order to issue ballots.

The observer teams noted that the polling station officials offered the voters to use a **pencil** for marking their ballots. Some of the electors expressed their concern in this regards and opted for using their personal ink pens rather than pencils offered by the polling station officials. The irregular use of pens and pencils was noted during the closing procedures: some of the papers were filled in pen and others in pencil. The observers noted that pencil-written text is not as durable and permanent as ink-written text and can be erased or re-written, which could affect the accuracy of results and alter the final numbers. The use of ink pens, on the other hand, might minimize the possibility of such situations.

There were several shortcomings concerning **opening and closing procedures**. For example, in one of the polling station in Dublin county the presiding officer prohibited the observers to be present during the opening procedures. In another polling station in Dublin the group of the observers who arrived half an hour before the opening of the polling station was not able to see the sealing of the ballot box, as it had already been sealed. In several other cases, the observers were restricted in their will to monitor the opening procedures, as the polling station personnel did not always have the understanding of observers' functions and role. It is due to the fact that election observer as the subject of electoral process is not outlined in the legislation of Ireland.

Some irregularities appeared during the closing procedures as well. Two groups reported that the observed polling station closed 15 to 20 minutes before the official closing time. The polling stations staff was confused about the closing procedure and the latter differed from place to the other which was caused by absence of direct instructions regarding these procedures.

The **construction of ballot boxes** did not often provide the security of the ballots. For instance, some boxes could be open without breaking the seal, others did not have seal at all. The groups also recorded the plastic leads used by the polling station staff were not unique. The leads were not marked or signed in any way, and could therefore be easily substituted once being broken. Bearing in mind that the boxes are stored overnight before the counting, the safety of the boxes is important.

Several cases of **campaigning** were noted. Most such campaigning was found in the form of posters of the candidates which were placed in the area of less than 50 meters from the polling station. There were also several cases of agitation materials present at the polling station.

A group monitoring Dublin West county, informed that a campaigning car stopped near the polling station. A candidate of by-elections entered the polling station with his agent. Both of them had campaigning signs on them. Similar case happened at several other polling stations in the county.

Some of the monitoring teams noted problems with the **premises** where polling stations were located. Several polling stations were not big enough to comfortably accommodate all the voters; thus the process was hampered by overcrowding and disorganization. Usually, it was complicated to identify polling station officials, as they wore no signs or name badges on them.

Based on the deviations listed above the Belarus Watch Election Observation Mission would like to set forward the following **recommendations** to improve the voting process.

To ensure secrecy of the ballot is preserved at all stages it is necessary to:

- Introduce standard of the polling booth that would be screened from all the sides which would make it impossible for the others to see the voter marking the ballot;
- Place the booths in the best possible position inside the polling place that would favour secrecy and privacy;
- Instruct the polling station officials to explain the principle of secret voting and encourage voters to come in the polling booth by one;
- Equip the booths for physically challenged persons with special covers/compartments to guarantee secrecy.

To make sure the principle of equal treatment of the voters is applied it is necessary to:

- Instruct the commission members to check personal identification of each voter before giving out the ballot.

To advance the trust in elections it is recommended to:

- Introduce the practice of using pen instead of a pencil during opening, voting, closing and counting procedures;
- Ensure the immunity of the ballot boxes by introducing uniform practice of sealing them and making sure the seal is impossible to break without visible damage.

To make sure the voting process is carried out smoothly it is essential to:

- Pay attention to better organization of a polling place that would accommodate all the voters without disturbances and place the booth in the position which guarantees secrecy for every voter;
- Specify in detail the opening and closing procedures and train the commission members in accordance with it;
- Provide commission members with badges or name tags so that they are better recognized by the voters and other authorized people present at the polling station.

To make sure the elections are open for observation by both national and international bodies it is recommended that the status of an election observer is specified in the national legislation.