

Forum:	Special Political and Decolonization Committee
Issue:	Measures for the prevention of fraud in election procedures
Student Officer:	Katerina Seni
Position:	Co-Chair

PERSONAL INTRODUCTION

Dear Delegates,

My name is Katerina Seni, I am 16 years old and I am in the 11th Grade at the German School of Athens. Until this point I have participated in 6 Model United Nations conferences overall and now I have the honor to serve as the Co-Chair of the Special Political and Decolonization committee in the 7th PS-MUN Conference. MUN has been a unique inspiration and experience in my life and therefore I would like to participate in this conference as well hoping for a fruitful debate, an effective cooperation and resolutions that could maybe contribute to solving some of the most alarming issues of our era that are included in this year's agenda. This study guide will provide you with some basic information for the topic of "Measures for the prevention of fraud in election procedures", however, I would like to remind you that your research on the topic shouldn't be based solely on this study guide. It is of utmost importance that you also make yourselves aware of your country's policy and extend your research to different sources in order for you to gain insight into the topic and be able to actively participate in the debate. Please do not hesitate to contact me for any questions or problems that might arise. I will be approachable for any assistance (katerinaseni00@gmail.com) and I am really looking forward to meeting you all in the 7th PS-MUN Conference.

Sincerely,

Katerina Seni

INTRODUCING THE TOPIC

The electoral fraud, the covert and illicit effort to shape election results, is a topical and alarming issue with a great magnitude, since it causes significant social and political disorder, instability and corruption and disrespects Article 21 of the Universal Declaration of Human Rights which has been adopted by the United Nations in 1948 and states 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."

Fraud in election procedures has various forms which are influenced by each country's cultural and political ambience and can range from procedural violations of electoral law such as ballot rigging to an illicit pressure and manipulation of the voters or even to the outright use of violence against them.

As a result there is a violation in the pillar of democracy, representation, transparency and liability because elections are widely considered to be not only an essential element of representative democracy but also its principal element because



this way the people of a country can exert their fundamental right of taking part in the governance of a country. Additionally, apart from leading to a disintegration of democracy the fraud in the electoral procedures also weakens a country's development and it can reduce the voters' confidence in the democratic regime and in the government or diminish their support for institutions that enhance democratic participations.

It is worth mentioning that detecting and proving fraud is a very challenging task even for the experts due to the complexity of the issue and the difficulty in distinguishing between blatant efforts to manipulate and shape electoral results and unintentional incidents and irregularities. What is considered as "electoral fraud" differs from country to country and this makes the research on the issue but also its detection and prevention a rather crucial and arduous task. Furthermore, due to the variety of the voting or electoral systems between the countries it is apparent that fraud can take place with various means in each case.

There have been many times in the international history when the electoral procedures in a country have been considered as controversial such as those in Nigeria in 1999, 2003 and 2007, the presidential elections in the United States of America in 2000, in the presidential elections Italy and Mexico in 2006 and many more.

DEFINITION OF KEY TERMS

Election

A procedure through which the people of a country express their will through voting about whom they wish to give a (political) position among candidates.

Fraud

Illegal behavior or cheating intended to result in personal, political or financial advantage.

Democracy

A regime in which the supreme power is vested in the people of a country and is exercised by them directly or indirectly through a system of representation usually involving periodically held free elections.¹

Vote

An official and formal expression of preference for a proposed resolution or a candidate for a potential position or office.

Ballot

An instance of voting, usually in secret using ballot papers or a voting machine.²

Ballot rigging

The practice of using illegal methods to obtain a particular result in an election.³

Electoral/ Voting system

A legal system through which democratic choices are made and election procedures run.

HISTORICAL INFORMATION

Historically, the phenomenon of the electoral fraud dates back to the ancient Greece and was also prevalent during the colonial era. Candidates used to promise land to the voters in exchange with their votes and officials manipulated the qualification of the voting either by the manipulation of poll locations and times of voting or by just shaping the results of the election. It also believed that George Washington's spending of 40 pounds on booze for his neighbors led to the winning of his seat in 1758.

In the South, after the Civil War, a large number of African Americans were prevented from voting and exercising their civic rights through extreme forms of violence and killings whereas a great variety of voter fraud incidents was occurring within the 20th century.

¹ Merriam-Webster. Merriam-Webster, n.d. Web. 15 Jan. 2017. <<https://www.merriam-webster.com/dictionary/democracy>>.

² "Ballot." The Free Dictionary. Farlex, n.d. Web. 15 Jan. 2017. <<http://www.thefreedictionary.com/ballot>>.

³ "Ballot Rigging Meaning in the Cambridge English Dictionary." Ballot Rigging Meaning in the Cambridge English Dictionary. N.p., n.d. Web. 15 Jan. 2017. <<http://dictionary.cambridge.org/dictionary/english/ballot-rigging>>.

In 1908 in New York City a voting registration on the Jewish Sabbath and Yom Kippur, the holiest day of the year for Jews quenched their turnout and again in southern countries poll taxes and fraudulent literacy tests where an “alternative” instead of beating and the use of bullets that managed to prevent blacks from voting. In regions like Georgia, South Carolina, Kentucky, Louisiana, Illinois and Florida electoral fraud incidents such as vote buying, vote tampering and mischievous activities concerning voter-registration were prevalent especially in the last quarter of the 20th century.

In the last centuries, decades and years there have been observed many controversial election procedures with many claims of fraudulent results or voter manipulation. However as mentioned in a previous section it is highly difficult to prove or reject the claims and as a result there are many cases where fraudulent incidents were thought to have taken place in election procedures over the time but the majority of which remains just a claim and a controversial issue. Some of these incidents are the following:



Fire Degree and Enabling Act, Germany 1933

Adolf Hitler captured and killed all the Members of the Parliament from the Communist Party of Germany which were unable to flee and some from the Social Democratic Party of Germany. Furthermore, he gained the support of other members of the parliament through intimidation and then assisted the National Socialist German Workers Party (NSDAP) in getting the required two-thirds majority for passing the enabling act which gave to him dictatorial powers.

Romanian General Elections 1946

The Romanian General Elections in 1946 resulted in a victory for the Romanian Communist Party (PCR) and its allies. However, there have been several claims and accusations by political commentators that the BPD, an ally of PCR, not only won the elections by illicit means such as intimidation tactics and other electoral malpractices but also that it changed the results and didn't actually meet the required number of votes for forming the government.

Claims of voting fraud in Russia poll 2016

There have been several claims and reports of voting fraud which support those election officials stuffed ballot boxes in the Russia poll, backed by the President Vladimir Putin.

The 2000 Presidential Election in the USA and the controversial election of 2016

In the presidential elections of 2000 in the United States of America between the republican George W. Bush and the Democratic Al-Gore when the final results of the election almost depended on the voting in Florida It was until independent investigations supported several irregularities chiefly against ethnic minorities and low income residents who mainly gave their vote to the Democratic. There are also claims for some other incidents such as the turning away of some newly registered voters due to the fact that their names had not been added to the voter rolls by the Florida's Secretary of state who had been an active member of the republican candidate's campaign committee. Other voters that were mainly incorrectly declared "convicted felons" have also been turned away while in many democratic election districts the polls had been early closed by state officials with lines of residents waiting to vote.

Another controversial election for the United States of America has been the presidential elections of 2016 from the one side with the one candidate Donald Trump supporting that his opponent Hilary Clinton and her media campaign manipulated the public against him and characterized this action as a form of vote rigging. Generally many accusations of ballot rigging and other fraudulent actions surrounded the elections but with no yet-proved arguments.

Other examples of claims and accusations of fraudulent elections concern the Ukrainian Election of 2004 where it has been supported by the country's media that incidents such as voter intimidation on all sides and ballot rigging took place during that period. Other controversial elections would be The United Kingdom General Election 2001 and 2005 with accusations of postal fraud, the Ugandan Election of 2006, the Kenyan election of 2007, the Nigerian Elections of 1999, 2003, 2007 and the Presidential Elections in Italy and Mexico of 2006.

Forms of Electoral Fraud

There are two main types of electoral fraud namely the prevention of the voters from the free casting of their vote or the casting of their vote at all and changing of the electoral results. The most common fraud species are the following:

Electoral Fraud and Voting Machines: It is apparent that the technology which is supposed to enhance election procedures is often becomes a “tool” for the that can lead to electoral fraud through many ways such as tampering with the software and hardware of a voting machine to alter codes or voting results or even abusing the administrative access to the machine and thus enabling individuals to vote multiple times.

Intimidation: This form of fraud intends to pressurizing the voters for the sake of specific candidates and can have multiple forms such as:

- a) The use of violence and attacks on polling places or threat of violence;
- b) Legal threats: manipulation through fraudulent references to the law;
- c) Economic threats: mostly in company towns where employers threaten workers with many actions if they do not vote for a specific candidate.

Vote Buying: the commercialization of the voting process by exchanging money or other rewards with a specific voting behavior while taking into advantage mostly poor workers. Sometimes the offering of other rewards except for money is called “electoral treating”.

Misinformation: the act of giving incorrect information about a candidate or political party through campaigns in order to affect the electoral result or even misinforming the public about the time and the place of the polling in order to prevent the people from voting.

Ballot stuffing: the act of casting more votes than someone is supposed to do.

Alteration, Destruction or Invalidation of Ballots: The process of just altering the results of the election through incorrectly presenting them or even just destroy the ballots of an “opponent” candidate or party.

Gerrymandering: this form of fraud is most popular and effective under plurality voting systems where the winning candidate should will the majority of the electorates rather than the majority of votes overall. Specifically, through the organization of electorates one group of people (for example the poor) can be



concentrated under a small group of electorates with that meaning that parties or candidates supported by that group would clearly win in those electorates whereas they would lose in a larger number of electorates. A candidate or a party could easily take advantage of that situation by focusing their campaign in those specific groups and manipulate them in order to win the election through the system with the electors. Gerrymandering can also occur within or be the result of electoral law. However, in case of broken laws that draw the electoral boundaries or bribed officials who change the electoral boundaries for the sake of a candidate or political party it is apparent that we deal with another form of electoral fraud.

Disenfranchisement: By disenfranchising some groups of people, rendering them unable to vote, there is an opportunity of altering the composition of an electorate. This disenfranchisement can take place both at a legislative level for example passing laws that prohibit specific groups of people such as felons from voting or by instituting specific tests (such as literacy ones) which these specific groups are most likely going to fail. Generally, there is great variety of ways for excluding a specific type or group of people to abstain from the election procedures in an effort to shape the outcome for the shake of one candidate or political party.

Voter impersonation: in this case a voter claims to have an incorrect identity when casting a vote.

Dead Voters: the act of leaving the name of a deceased person still registered on a state's official list of voters and another living person casts a vote in their name.

Registration fraud: submitting a registration card for a person that doesn't exist or voting and signing on the card with the name of a real person without their personal consent.

Double Counting or miscounting: miscounting the votes either on purpose or negligently

There are many other types of fraud in the election procedures that have been used during the past years and still occur, however the above mentioned are the most commonly used ones.

Electoral Systems

Electoral systems are political institutions of utmost importance since they set the basis and determine the rules under which democracy is practiced in a country or state. However due to the fact that the change of an electoral system often involves new legislation it can be easily a subject of manipulation. The most electoral systems are the following:

- 1) Majoritarian electoral systems
 - a) Plurality Systems
 - b) Second Ballot Systems
 - c) Alternative Voting Systems

- 2) Semi-proportional systems
 - a) Single transferable vote systems
 - b) Cumulative Vote
 - c) Limited Vote

- 3) Proportional Representation Systems (Party List Systems)

- 4) Mixed Systems (Additional Member System that combines majoritarian and proportional elements)

In order to gain insight to the different electoral systems please follow the link that describes them thoroughly. ⁴

⁴ "Chapter II: Elections and Electoral Systems." Stasiology and Electoral Systems (n.d.): n. pag. Web.

COUNTRIES AND ORGANIZATIONS INVOLVED

UN Electoral Assistance Division (EAD) of the UN Department of Political Affairs (DPA)

The United Nations has many times intervened and provided assistance in election procedures. Specifically, the Electoral Assistance Division (EAD) created by the Department of Political Affairs mainly focuses on consistently dealing with the requests of the Member States, providing assistance with electoral issues and guiding the member states to an appropriately structured program. Moreover, it aims at maintaining contact with other organizations (regional or intergovernmental) in order to ensure a proper cooperation and working with them. The significance of its electoral assistance and the coordination skills of other UN entities that provide such assistance have contributed a lot to the eradication of the problem.

United States of America

The United States of America has a broad background of alleged controversial elections that have been in the limelight of the world stage in the last centuries. It is also worth mentioning that the electoral system of USA namely the popularity system enhances the possibilities of fraudulent actions especially due to the high possibility of Gerrymandering actions and so is the case in other countries where this electoral system is applied. However, the country has significantly cooperated with the international community for finding a solution to the issue globally.

Russian Federation

The Russian Federation has many times been accused of fraudulent election procedures. According to CIA and NSA Studies the Russian Federation has manipulated the elections in the USA of 2016 by secretly interfering in the election campaign in an effort to ensure Donald Trump's victory and also covertly hacked the democratic national convention favoring one candidate and opposing the other.

Nigeria

The 1999, 2003 and 2007 elections in Nigeria were characterized by national and international election observers as "disorganized and fraudulent" with covertly stolen and rigged votes and several other illegal actions. However, the 2011 Nigerian general elections were considered to be the most credible, peaceful and transparent.

TIMELINE OF EVENTS

Date	Event
10 December 1948	The Universal Declaration of Human Rights was adopted by the United Nations.
24 March 1933	Fire Degree and Enabling Act in Germany
19 November 1946	Romanian General Election
7 November 2000	United States Presidential Election
2011	United Nations Resolution: A/RES/58/189
2012	United Nations Resolution: A/RES/66/163
8 November 2016	United Nations Presidential Election

POSSIBLE SOLUTIONS

The United Nations has shown great interest and involvement in solving the issue of preventing fraud in election procedures and especially through active UN peacekeeping operations by providing assistance in election procedures in different countries and regions such as Haiti, DR Congo, Cote d'Ivoire, Timor-Leste, Democratic Republic of the Congo, South Sudan and Liberia. The UN has not only provided technical and logistical support and security but do also play a prime role in the election process. In these assisting efforts the UN General Assembly has created several resolutions such as UN: A/Res/66/163 of 2012 about strengthening the role of the UN in enhancing periodic and genuine elections and the promotion of democratization and many more such as A/Res/58/189 of 2011 and many more that can be found and read in the following link ("Elections | Department of Political

Affairs." United Nations. United Nations, n.d. Web. 15 Jan. 2017. <<http://www.un.org/undpa/en/elections>>.)

The UN also assists member states in forming an appropriate electoral system and generally investigates and responds to countries that need assistance concerning their electoral acts.

However even after extensive efforts by the United Nations and the global Community for the prevention of fraud in election procedures the insistence of the phenomenon is an apparent sign that more intensive action has to be taken.

Specifically, the global community has to ensure that every singly citizen rich or poor has a legal right to take part in democratic procedures through casting a vote. It is of utmost importance that the public is educated about the phenomenon of fraud in elections and how it endangers not only their fundamental right of voting put also



their right of expressing their will in a democratic regime. A possible way of achieving these could be creating several campaigns that would not only inform the public but also encourage people from any region and any social group to cast a vote an express freely their own will and beliefs.

Another aspect that has to be tackled is transparency. It is essential that the global community achieves adequate control and sufficient mechanisms of transparency in order to keep track of election procedures and thus prevent fraudulent actions. It is apparent that these transparency mechanisms should be "objective" and enhance the democratic character of the electoral procedure.

Apart from controlling the electoral procedure it is of very high importance to prevent actions such as vote buying, manipulation or intimidation. So once again the global community should adopt frameworks in order to protect the citizens and detect or prevent such actions from taking place.

Last but not least it is highly necessary that the global community strengthens already existing legislations, security and appropriately reforms any system or procedure concerning electoral processes that have been proved to allow fraud to take place.

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MULTIMEDIA RESOURCES

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Figure 3: "Election Fraud: This Is How Elections Are Stolen." OnlyMarco.com. N.p., 16 May 2016. Web. 15 Jan. 2017. <<http://www.onlymarco.com/electionfraud/>>.

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