

CODING STATE DEPARTMENT HUMAN RIGHTS REPORTS

Fill in the data on the election, date, run-off and any other provided information for the first page of the coding sheet. If it states that the election was transitional (does the report state that the country was in transition), post conflict (was this the first election after a civil or international conflict that the country was involved in?), first multi-party elections (does the report say that this was the first time opposition parties were allowed to run?) and “otherwise high profile”(does the report discuss these elections as particularly important for some reason?), mark this. Also, if there is information about change of government and margin of victory, also mark those.

Country: _____ Date ____/____/____ (Day/Month/Year)
Election: Presidential _____ (Margin of victory:____) Legislative _____ (____Run-off Date ____/____/____)
Transitional election____ / First multi party election____/ post conflict____/ otherwise high profile_____
Change of presidential party/prime ministerial party: YES____ NO____ No information_____

Note the number of pages devoted to the introduction and section 1-3. Note the number of paragraphs devoted specifically to the election in the introduction and in section 3.

Pages coded: ____ (number of pages) into until and including section 3 ____ number of paragraphs on election in introduction and section 3 combined

Write page numbers in the coding sheet as you enter information.

Make sure you pay attention to the date of the election so that you can discount information that is dated after the election.

Then read the introduction and sections 3, the rights of citizens to change their government. After this, return to read sections 1 and 2, paying particular attention to: section 2a, Freedom of speech and press, section 2b, Freedom of peaceful assembly and association.

Relying on the first sentences of section 2a, 2b and 3, note the following

MAIN SPECIFIC CRITICISMS:

Does it say that

- **The constitution gives citizens the right to change their government through peaceful means?** YES____, YES BUT____, NO____
- **There is freedom of peaceful assembly and association?** YES____, YES BUT____, NO____
- **There is freedom of speech and press?** YES____, YES BUT____, NO____

Now, do not fill out the bottom part of the coding sheet page 1, but turn the page over to the detailed sheet on page 2.

The coding on this page goes as follows:

0=good
1=low
2=medium
3=high
7=problems but level not known

Fill in here as much information as you can from reading the introduction, section 2a and 2b and section 3. In the first column you can check off particular problems if they are apparent. Most of the time you will not be able to code an actual level of any of these items, but you may be able to gather information on whether those types of problems were present, in which case you will mark “7”. There may be cases when it is actually feasible also to indicate a level, in which case you can indicate 0 for good, or 1 for low, 2 for medium and 3 for high. This may be particularly evident if the structural legal problems are very prominent as discussed below.

If you cannot tell if a reference is to the pre-election period or the Election Day, mark both. Thus, if it says there was intimidation, but it does not specify when or how much, mark intimidation as “7” in both pre-election period and on Election Day.

Sometimes you may not have specific references to the kinds of fraud. It may simply say that there was a lot of fraud on the Election Day. In that case you can simply mark the box to the far right. If you can determine that it is described as good, low, medium or high, then you can write 1, 2 or 3 in the box.

Thus, you may simply mark the sheet:

Election period (day and after)		Overall
<ul style="list-style-type: none"> • Complaints of explicit cheating 		
<u>Vote padding</u> : inflated vote count/ballot stuffing/ tampering with ballot box/etc		3
<u>Voter fraud</u> : voter impersonation/ double voting /vote buying/etc		
<u>Intimidation</u> : opposition candidates/opposition supporters/international observers/etc		

Or, if present, but level not known:

Election period (day and after)		Overall
<ul style="list-style-type: none"> • Complaints of explicit cheating 		
<u>Vote padding</u> : inflated vote count/ballot stuffing/ tampering with ballot box/etc	x	7
<u>Voter fraud</u> : voter impersonation/ double voting /vote buying/etc		
<u>Intimidation</u> : opposition candidates/opposition supporters/international observers/etc		

If a lot of details are available, you can get more specific:

Election period (day and after)		Overall
<ul style="list-style-type: none"> • Complaints of explicit cheating 		
<u>Vote padding</u> : inflated vote count/ballot stuffing/ tampering with ballot box/etc	x	2
<u>Voter fraud</u> : voter impersonation/ double voting /vote buying/etc	x	
<u>Intimidation</u> : opposition candidates/opposition supporters/international observers/etc		

After filling in as much as possible, turn back to page one of the coding sheet to code:

FILL OUT BACK PAGE AND THEN CODE THIS LAST:

STATE DEPARTMENT: BASED ON ALL THE RELEVANT INFORMATION, WHAT IS THE OVERALL QUALITY OF ELECTION ASSESSMENT

<i>Comment</i>	<i>Does NOT Represent will of people</i>	<i>Extent of problems</i>
Free and fair, no criticisms	0	0
Free and Fair, minor issues	0	1
Reflected the will of the people, major issues	0	2

Fraudulent, but moderate criticism	1	2
Fraudulent, strong criticism	1	3
Ambiguity/ no clear conclusion /unsure if it represented the will of the people	N/A	Problems: 1, 2 or 3

Contrary to the election monitoring reports, these state dept. reports are coded in their entirety. That is, all the information should be considered in making the above assessment. General statements about the freeness and fairness of the election should be reflected in the column of whether the elections represented the will of the people and all the information, even on the more detailed page 3 of the coding sheet, should be considered for coding the extent of the problems.

The goal is to get as comprehensive and objective as possible an assessment of the overall level of fraud. Therefore, even if the state dept report makes some superficial statements about the quality of the elections, if it later makes more specific criticisms, we want to code all that information in the overall assessment.

ASSESS WHETHER THE ELECTIONS REPRESENTED THE WILL OF THE PEOPLE:

If the election represented the will of the people, section 3 will often use the words and phrases, such as:

- Fair and orderly
- Relatively free and fair
- Generally free and fair
- Note that the country is a multiparty democracy and outline the rights and procedures of the election system without offering any criticisms
- “----- have the right and ability to change their government.”
- “The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage”
- Sometimes it will be necessary to distinguish between the reported assessment of international and domestic observers, which the report may mention, but then the report itself may or may not actually concur with in the assessment of other observers.

When elections do NOT represent the will of the people, the reports in section 3 may often say:

- Citizens of (country x) do not have the right to change their governments by peaceful means.”
- “Although citizens have the legal right to change their government democratically, in practice.....(proceeds to list problems)”

- “There were limitations on citizens' ability to change their Government.” (you here have to read further to see whether it says that these limitations were very extensive, or only mild)
- “regarding the parliament as illegitimate”
- “The Constitution and the law allow citizens to change their government by peaceful means; however, the Government continued to restrict citizens' ability to do so by interfering in local and national elections.” (you here have to read further to see whether it says that these interferences were very extensive, or only mild)
- “The election failed to meet international standards due to a number of serious irregularities...” (again, read to see if there is any statement that it nevertheless represented the will of the people).

N/A:

This coding should be used when the report does not itself say whether the elections represented the will of the people, either by not saying that they were free, or by making severe statements without outright condemning the result.

Example: “The Constitution provides citizens with the right to change their Government peacefully; while citizens generally have exercised this right in practice, the elections *failed to meet international standards in a number of areas*”

In particularly harsh cases, the intro may even make statement such as:

“Although the voting process itself generally was peaceful, most election observers agreed that there were widespread and serious irregularities and that the election process was not free and fair.” A 1,3 coding is given to countries that have significant structural flaws, *in addition* to severe intimidation / violence and a complete lack of choice for the electorate. A one-party system that offers some choice and the possibility of replacing an incumbent in a peaceful election is generally coded as a 1,2.

Extent of problems:

Even if the report says that the citizens had the right to change their government, there still may be comments in section 1-3 or the introduction which criticize elements of the election. For example, there may be text about persons who are not allowed to stand in elections, unequal distribution of powers between the executive and the legislative, police intimidation, media bias or restrictions on campaigning, unfair use of government funds etc.

Section three may also note that “The Constitution provides citizens with the right to change their government; however, there were limitations in practice. International observers judged elections to be generally free and fair and there was a marked decrease

from previous years in election related violence; however, there were some problems with underage voting, confiscation of ballot boxes, voter intimidation and election related violence.” In that case, the extent of the problems is clearly not 0, but depending on the discussion, it could be as high as 2. However, it cannot be a level 3 since the report says that there were “SOME” problems and the report says only that there were “limitations” on the rights to change the government, not that citizens outright did not have this right. The coding therefore must be a 1 or a 2, depending on the overall picture.