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PRESERVING FREE AND FAIR ELECTIONS

AbbyMun 2022

Table of Contents

Director’s Letter	3
Introduction to MUN	5
What is Model UN?	5
Recommendations for Choosing a Country	5
Research Tips	6
The United Nations	6
Committee Overview	6
Topic Overview	7
Historical Analysis	8
Timeline	9
Current Situation	10
Bloc Positions	10
Countries Emphasizing Free and Fair Elections.....	10
Countries With Limited Voter Rights.....	11
Countries Opposing Free and Fair Elections.....	11
Potential Solutions	12
Impartial Electoral Frameworks	12
Representative and Competitive Multi-party System.....	13
Sustainable Local Engagement.....	13
Effective Governance by Elected Leaders and Bodies.....	14
Effective Transfer of Political Power.....	14
Informed and Active Citizens.....	15
Guiding Questions	16
Further Research	16
Bibliography	17

Director's Letter

Dear Delegates,

My name is Chetanbir Brar, and I am beyond ecstatic to serve as your Director in the African Union (AU) committee at this year's interaction of AbbyMUN 2022. I am currently a junior at Garibaldi Secondary School and this conference will commence my second year in Model United Nations. With your Chair, David Chen, and your Assistant Director, Gurekum Channi, I would like to extend a warm welcome to all of you. Additionally, I would also like to make it abundantly clear that having an open mind and a cooperative attitude is always useful for meeting new people and taking something out of this experience.

Starting my MUN career in grade 10, I have since developed a passion for the fast-paced debates and dramatic theatrics that are involved in solving simulated global crises. From being thrown extemporaneously into my first conference with not even knowing what my committee name stood for, I have now made many precious memories and friends along the way, and I am sure that will be your case as well.

The topic of discussion for this iteration of AbbyMUN will be the notably conflicted issue of *Preserving Free and Fair Elections*. Vastly relevant in both historical and contemporary times, the political, proactive, and moral connections surrounding elections make this a complex subject that does not have a definite resolution. Therefore, I sincerely believe you will find this subject equally intriguing and thought-provocative. I encourage you to collaborate to present innovative resolutions to solve this global crisis.

We expect each delegate to come to the conference with an understanding of their country's positions and a willingness to forge agreements. The best way to prepare to represent your country well is to read this backgrounder in-depth and do your research. To ensure that you act professionally and diplomatically, please learn and practice the Rules of Procedure, which

you can learn more about in the ‘resources’ section on our website. Moreover, please dress in professional business attire for the conference.

If you have any questions, comments, or concerns, please feel free to contact us at au.abbymun@gmail.com. I am sure you will enjoy your time at AbbyMUN 2022 and we look forward to meeting you.

Sincerely,

Chetanbir Brar

Director of the African Union — AbbyMUN 2022

Introduction to MUN

What is Model UN?

Model United Nations, also known as Model UN or MUN, is a political simulation where students role-play as delegates to simulate the United Nations¹. This is an extracurricular activity and is generally done through MUN conferences which are organized by high schools across Canada. During conferences, you are eligible for awards which include best position paper, best new delegate, honourable mention, outstanding delegate and lastly, best delegate, for which you receive a gavel. Through MUN you gain the skills of research, public speaking, debating, collaborating, and writing expertise. Students are to give detailed speeches on their nation's position and offer possible solutions. Additionally, it is recommended to write a position paper on their given topic describing its history, solutions, etc. Position papers are mandatory for this conference to be considered for an award.

Recommendations for Choosing a Country

When picking a country it is crucial to find one that is the most suitable for you. Consider the following:

- Does my country have the same political views as mine?
- Is my country challenging and can I step outside my comfort zone?
- Is my country involved in the topic at hand or would I be rather less involved?
- Is there substantial information about the country's history and actions on the topic at hand?
- Can I feel comfortable coming up with viable solutions and providing overall quality to the debate within this country?
- Can I provide statistics and reliable information to my fellow delegates

¹ <https://bestdelegate.com/what-is-model-united-nations/>

Research Tips

Research is one of the reasons why some people are reluctant to join MUN. From the lack of available information or the sophisticated use of language, research can prove quite arduous for many beginner delegates. Nevertheless, the more research you do, the more confident and knowledgeable you will feel about the topic and the country you are representing. For many, Wikipedia is seen as an unreliable source. It is a great starting point but it should not be your only source of information. A great way to obtain more information is through the ‘further reading’ section of the backgrounder. Additionally, you should research areas like culture, economics, politics, history and governmental organizations relating to the topic.

The United Nations

The United Nations (UN) is an international body established on October 24, 1945, after World War II. The UN was the second attempt to create an international organization after the failure of the League of Nations, which was created in 1919. The UN’s office is currently located in New York City with additional headquarters in Geneva, Vienna and Nairobi. The officials include Arabic, Chinese, English, French, Russian and Spanish. The objective of the UN is to maintain peace and security, develop friendly relations, and solve global implications concerning the basics of human rights. In addition, the United Nations is split into 6 sections. The Security Council, General Assembly (includes DISEC), Economic and Social Council, International Court of Justice, Secretariat and Trusteeship Council.²

Committee Overview

The African Union (AU) was officially launched in July 2002 in Durban, South Africa, following a decision in September 1999 by its predecessor, the OAU to create a new continental organization to build on its work.³ The decision to re-launch Africa’s pan-African organization was the outcome of a consensus by African leaders that to realize Africa’s potential, there was a need to refocus attention from the fight for decolonization and ridding the continent of apartheid,

² <https://www.britannica.com/topic/United-Nations>

³ <https://au.int/en/overview>

which had been the focus of the OAU, towards increased cooperation and integration of African states to drive Africa's growth and economic development. The African Union is a continental union consisting of 55 member states located on the continent of Africa. The AU was announced in the Sirte Declaration in Sirte, Libya, on 9 September 1999, calling for the establishment of the African Union. The bloc was founded on 26 May 2001 in Addis Ababa, Ethiopia, and launched on 9 July 2002 in Durban, South Africa. The AU intended to replace the Organisation of African Unity (OAU), established on 25 May 1963 in Addis Ababa by 32 signatory governments; the OAU was disbanded on 9 July 2002. The most important decisions of the AU are made by the Assembly of the African Union, a semi-annual meeting of the heads of state and government of its member states.

Topic Overview

Fair and free elections are a method of electing a leader for your nation. In this sense, the citizens or registered voters have the full choice on the matter of their chosen leader. More than half of the world's population live under autocratic or partly free governments, denied full civil liberties and unable to freely participate in political life. A country cannot be truly democratic until its citizens have the opportunity to choose their representatives through elections that are free and fair. To achieve this, elections should be transparent, inclusive, and accountable, and there must be equitable opportunities to compete in the elections. Ideally, these broad principles are buttressed by several electoral process-related obligations, as well as several key rights and freedoms, each of which derives from public international law. The electoral cycle approach depicts elections as a continuous, integrated process made up of building blocks that interact with and influence each other, rather than as a series of isolated events.

Critical development efforts cannot succeed without a legitimate and democratically elected government that is responsive and accountable to its citizens. Elections provide an important opportunity to advance democratization and encourage political liberalization.

- For an election to be free and fair, certain civil liberties, such as the freedoms of speech, association and assembly, are required.

- Elections can be a primary tool to foster political openings and expand political participation.
- Electoral processes offer political parties and civic groups an opportunity to mobilize and organize supporters and share alternative platforms with the public.
- Elections also serve to encourage political debate and public dialogue.

Free and fair elections play a critical role in political transitions by advancing democratization and encouraging political liberalization – helping to promote peaceful, democratic political transformation that leads to increased stability and prosperity.

Historical Analysis

Throughout the last couple of decades, attempts have been made to preserve free and fair elections. Some volunteers handle the ballot boxes and there are measures kept in place to maintain the free electoral process. However, there are occasions when there has been an outside party involved in the outcome of the elections, or with corruption within the different parties. For instance, in the 2018 Egyptian election, President Abdel Fattah al-Sisi suppressed fundamental liberties, detained potential opponents, and rounded up supporters⁴ for a guaranteed victory. This showcases the extent to which free and fair elections are preserved. In Kenya, some threats are often issued during and after the electoral process to the parties involved and particularly the women⁵, which shows that not all elections in the African continent are fully democratic, and thus, free nor fair. Essentially, although there are efforts to keep the electoral processes in the African states free and fair to all candidates, it does not always fall to that. There are often when there is incorrect information or corrupt governmental interference with ballot results for their party to win.

⁴<https://www.hrw.org/news/2018/02/13/egypt-planned-presidential-vote-neither-free-nor-fair>

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<https://www.africanews.com/2022/08/08/kenya-right-groups-warn-of-violence-against-women-during-elections/>

Timeline

1958 - The historical foundations of the African Union originated in the First Congress of independent African States, held in Accra, Ghana, from 15 to 22 April 1958. The conference aimed at forming Africa Day, to mark the liberation movement each year concerning the willingness of the African people to free themselves from foreign dictatorship, as well as subsequent attempts to unite Africa, including the OAU, which was established on 25 May 1963, and the African Economic Community in 1981. Critics argued that the OAU in particular did little to protect the rights and liberties of African citizens from their political leaders, often dubbing it the "Dictators' Club".

Mid 1990's - The idea of creating the AU was revived in the mid-1990s under the leadership of Libyan head of state Muammar al-Gaddafi: the heads of state and government of the OAU issued the Sirte Declaration on 9 September 1999, calling for the establishment of an African Union. The Declaration was followed by summits at Lomé in 2000 when the Constitutive Act of the African Union was adopted, and at Lusaka in 2001, when the plan for the implementation of the AU was adopted.

2002 - The African Union was launched in Durban on 9 July 2002, by its first chairperson, South African Thabo Mbeki, at the first session of the Assembly of the African Union. The second session of the Assembly was in Maputo in 2003, and the third session was in Addis Ababa on 6 July 2004.

2015 - Barack Obama was the first-ever sitting United States president to speak in front of the African Union in Addis Ababa, on 29 July 2015. With his speech, he encouraged the world to increase economic ties via investments and trade with the continent and lauded the signs of progress made in education, infrastructure and economy. But he also criticized a lack of democracy and leaders who refuse to step down, discrimination against minorities (including LGBT people, religious groups and ethnicities) and corruption. He suggested an intensified democratization and free trade, to significantly increase living quality for Africans.

Current Situation

Currently, South Africa is a constitutional democracy, gaining recognition as a proponent of human rights and a leader on the African continent since apartheid was abolished in 1994. The African National Congress (ANC), the country's ruling party, has been charged with eroding state institutions to shield corrupt officials and maintain its power from a dwindling support base. Due to this, reports of corruption among government officials have, frequently surfaced and will continue if not acted upon. Another major problem is gender-based violence. Particularly in Kenya, numerous reports of violence came up post-elections. Hence delegates it is crucial that resolutions are detailed and achievable when considering these circumstances.

Bloc Positions

Countries Emphasizing Free and Fair Elections

In February, Djibouti elected representatives to their national assembly, Guineans voted for their local representatives and Sierra Leoneans chose a new president and parliamentarians. Around the same time, Egypt held presidential elections. In May, Burundians voted to amend their constitution. In Mali, presidential elections were held on 29 July 2018 with the support of the United Nations Multidimensional Integrated Stabilization Mission in Mali, which provided logistical support, including transporting electoral materials across the country, as well as helping to secure the polling stations. Nevertheless, observers reported a low turnout but, “overall, the elections were peaceful,” said Boubacar Keita, a spokesman for West Africa Network for Peacebuilding. In Zimbabwe, elections for president were held on the 30th of July. “The elections will be credible, free, fair and transparent.” As promised by President Emmerson. About 44% of Zimbabweans had been concerned about the fairness of the electoral process, according to a poll by the Accra-based research network; Afrobarometer. “There is nothing more urgent than holding peaceful, free, transparent and inclusive elections,” the chairperson of the

African Union Commission, Moussa Faki Mahamat, said in June. He was referring specifically to the Congo, but his call is easily applicable to other countries.

Countries with Limited Voter Rights

Senegal, Angola, and Kenya all participated in President Biden’s much-debated Democracy Summit in early December 2021. Along with many of the forthcoming programs envisioned in the Summit’s \$424.4 million presidential Initiative for Democratic Renewal, the experiences of the three countries highlight the need to bolster independent institutions, particularly electoral bodies and the judiciary, as well as campaign finance reforms that diversify participation and mitigate patronage. Such efforts are paramount for dissuading citizens in Africa—and elsewhere—from either apathetic disengagement or destabilizing violence as well as for enhancing confidence in the legitimacy of elections as a genuine mechanism to foster democratization. Some people “are eligible” to vote in these countries and some are not. This shows they have an issue with true democratization.

Countries Opposing Free and Fair Election

The political system in the Democratic Republic of Congo (DRC) has been paralyzed in recent years by the manipulation of the electoral process by political elites. Citizens are unable to freely exercise basic civil liberties, and corruption is apparent. Physical security is tenuous due to violence and human rights abuses committed by government forces, as well as armed rebel groups and militias that are active in many areas of the country. In January 2019, Félix Tshisekedi was declared the victor of the preceding month’s presidential election with 38.6 percent of the vote, defeating Martin Fayulu of the Lamuka (Wake Up) coalition, who secured 34.8 percent according to CENI. Tshisekedi, a leader of the Course for Change (CACH) coalition, was believed to have secured the presidency via a backroom deal—meant to preserve political influence for Kabila—under which he allied himself with the Kabila-led Common Front for Congo (FCC). The FCC had previously backed Emmanuel Ramazani Shadary, who received

23.9 percent of the vote as the People’s Party for Reconstruction and Democracy (PPRD) candidate. Several opposition candidates were barred from competing in the poll. The polls were heavily criticized due to voter suppression and electoral fraud. The country’s electoral framework does not ensure transparent elections in practice. Opposition parties and civil society frequently criticize CENI and the Constitutional Court for lacking independence and pro-Kaliba bias. Throughout 2018 and 2019, the political opposition repeatedly protested that the electoral process was unfair, and Fayulu unsuccessfully appealed the presidential election’s result to the Constitutional Court in January 2019.

Potential Solutions

Impartial Electoral Frameworks

An electoral system is based on its legal framework. The legal framework is how a state can establish the basis for “genuine periodic elections ... guaranteeing the free expression of the will of the electorate”. A sound legal framework will provide for impartial and professional electoral administration, and fairly and equally define the rights and responsibilities of participants in the electoral process. They must fulfill this responsibility impartially and objectively, without political bias or interference. Electoral administration should ideally be legally and institutionally established on an autonomous basis that permits independence of operation. Also, the concept of equal treatment applies to the receipt of information, access to the media, ability to communicate with electors through campaigning, involvement in a fair and neutral voter registration process, access to voting facilities and opportunity to pursue remedies through established complaint channels. Larger and smaller parties have different human and financial resources, as well as different organizational capacities and outreach. Even if there is an equal opportunity, therefore, the inequality of resources may still create a sense of unfairness. Additionally, in fighting corruption, good governance efforts rely on principles such as accountability, transparency and participation to shape anti-corruption measures. Initiatives may include establishing institutions such as anti-corruption commissions, creating mechanisms of

information sharing, and monitoring governments' use of public funds and implementation of policies.

Representative and Competitive Multi-party Systems

Many electoral administration systems combine the two approaches, by establishing an independent professional commission and providing for a politically balanced component. In several States which have emerged from the former Yugoslavia, and in some other countries, the professional membership of the opposition or other opposing parties is appointed on a standing basis, while political party representatives need to convince the opposing side of their plans and action, and vice-versa. Two or more parties generally receive substantial numbers of votes during elections. Hence, there is the possibility of alternation in power, in which the party that governs the country at the point of the election loses to an opposition party. Because one or more opposition parties can meaningfully threaten the governing party with removal from power, elections in competitive party systems can serve as contests among various visions for the future of the country. Anthony Downs, in *An Economic Theory of Democracy* (1957), showed that, under certain conditions, the competitive nature of elections causes party systems to become extremely responsive to the ideological and policy desires of the electorate. If elections are decided primarily based on parties' alternative platforms and proposals, then, competitive party systems may outperform one-party systems in terms of representation.

Sustainable Local Engagement

Locally elected officials are charged with making decisions that affect the daily lives of residents, families, the business community and many others. Public participation in local

decision-making is an important aspect of the local government system in B.C. Citizens can become engaged and involved in local government decision-making through several informal and formal processes. Local governments may involve citizens informally in decisions they make by:

- Collecting community and regional opinions
- Accepting petitions
- Holding community open houses or public information-sharing sessions
- Establishing advisory bodies

These informal communication opportunities assist governments and regional district boards to understand better citizens' views or perceptions about a specific matter or bylaw.

Effective Governance by Elected Leaders and Bodies

Good governance and human rights are mutually reinforcing. Human rights standards and principles provide a set of values to guide the work of governments and other political and social actors. They also provide a set of performance standards against which these actors can be held accountable. Moreover, human rights principles inform the content of good governance efforts: they may inform the development of legislative frameworks, policies, programmes, budgetary allocations and other measures. On the other hand, without good governance, human rights cannot be respected and protected sustainably. The implementation of human rights relies on a conducive and enabling environment. This includes appropriate legal frameworks and institutions as well as political, managerial and administrative processes responsible for responding to the rights and needs of the population.

Effective Transfer of Political Power

A peaceful transition or transfer of power is a concept important to democratic governments in which the leadership of a government peacefully hands over control of government to a newly-elected leadership. This may be after elections or during the transition from a different kind of political regime, such as the postcommunist period after the fall of the Soviet Union.^[1] In scholarship examining democratization and emerging democracies, a study of the successful transitions of power is used to understand the transition to constitutional democracy and the relative stability of that government. A 2014 study concluded that 68 countries had never had a peaceful transition of power due to an election since 1788. The first peaceful transition of power in a country is often treated as an important stage in a government transition towards democracy such as seen in elections in the Democratic Republic of the Congo. Successful transitions during tense political moments such as the Velvet Revolution in Armenia in 2018 are interpreted as signs of improved governance within the country, an important milestone in democratization and functioning civil society. Alternately, the lack of peaceful transfers of power, such as in elections in Georgia from 1995 to 2008 in which the only transition between presidents was via the 2003 Rose Revolution, may harm the international reputation of the country as a "democracy".

Informed and Active Citizens

Active citizenship is an umbrella concept regarding the rights and responsibilities of citizens. It urges people to be more engaged with the world around them. Practicing active citizenship can be as simple as volunteering at a food bank or as complex as organizing with others to tackle a serious global problem, such as climate change. Active citizenship is a concept that covers both the rights and responsibilities of citizens. Core values of active citizenship include participation and belonging to a caring community. Advocates urge people to pursue the

public good above the narrower interests of their private lives. They encourage people to be more involved in their neighbourhoods, their social groups and the global community to change the world for the better. Citizenship comes with responsibilities. Citizens are expected to obey Canada's laws and respect the rights and freedoms of others. They are also expected to participate in their communities. This includes voting in elections and engaging in the democratic process.

Guiding Questions

1. What is your country's stance on the problem of free and fair elections?
2. How can developing nations with limited resources provide their citizens with free and fair elections and how can developed nations help them with achieving this right?
3. In the past, has your country ever held unfair or impartial elections? What was the outcome of that terms in governance? What about the effects on the country/state?
4. Can elections be made free and fair in your country if not already? How can your country improve?
5. Does your country support "free and fair elections"? Does it propagate otherwise?

Further Research

1. <https://au.int/en/overview>
2. <https://civicsacademy.co.za/what-are-free-and-fair-elections/>

3. <https://au.int/en/au-nutshell>
4. <https://thepractice.law.harvard.edu/article/fighting-for-free-and-fair-elections-in-africa/>
5. <https://www.liberties.eu/en/stories/free-and-fair-elections/43642>
6. <https://www.ohchr.org/en/taxonomy/term/759>

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