

# Transparency and Accountability in the Electoral Process

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## **Overview**

Transparency measures equip states with practical tools to exchange information, build trust, and reduce tensions at the bilateral, regional, and global levels. According to Janssen and van den Hoven, transparency is a condition for good governance and a “mechanism for balancing power between the government and the public” (2015). Easy access to information on government activities allows citizens to make informed decisions and participate more effectively in the democratic process. Institutional and procedural transparency also builds trust between constituents and leaders and strengthens leaders' credibility. Broader challenges of transparent reporting revolve around the difficulty of obtaining good-quality, long-term data. In some cases, the data can be incomplete, unreliable, inaccessible, or biased. To encourage greater transparency within governance frameworks, states must implement policy strategies that advance the Sustainable Development Goals (SDGs).

## **Identifying issues**

Transparency in elections in low- and middle-income countries (LMICs) is challenging due to inadequate legal frameworks, restricted access to information, and limited independent oversight (USAID, 2021). These issues directly impact progress toward achieving SDG 16, which aims to promote peaceful and inclusive societies (*THE 17 GOALS | Sustainable Development*, n.d.). Additionally, gender barriers limit women's participation in the political process and undermine SDG 5's goal of achieving gender equality. A non-transparent electoral process erodes public trust and hinders policy implementation in critical areas such as health, education, and economic growth, challenging the objectives of SDGs 3, 4, 8, and 10. Enhancing

the transparency of electoral processes is essential for low- and middle-income countries (LMICs) to achieve substantial progress in meeting the Sustainable Development Goals (SDGs).

### **Use of Technology**

States can leverage the power of technology to build transparent and accountable institutions. Aikins and Krane note that “the use of Internet technology to further citizen participation is believed to hold great promise to enhance citizen participation and democratic governance by allowing citizens to access public information and interact with government officials, by promoting better accountability of public officials to citizens through efficient and convenient delivery of services, and by producing fertile ground for reinvigorated civil society” (2010, p. 87). Halachami and Greiling corroborate that a greater use of technology and e-government can increase governmental transparency (2014). Governments may implement technologies, such as digital platforms and e-government services, to streamline administrative processes, reduce bureaucratic barriers, and enhance service delivery. Centralized access to data on government spending and investment equips citizens with the knowledge necessary to hold governments accountable.

The effectiveness of e-government services is contingent on the transparency of these tools and citizens’ trust in the digital realm. A study conducted in Romania found that citizen’s higher perception of technologies, the quality and usefulness of e government services, the Internet experience and propensity to trust, directly enhanced the trust in e-government (Colesca, 2008). Furthermore, when unregulated, emerging technologies can infringe on an individual’s right to privacy and right to information and can exacerbate the risk of disinformation. For example, AI-powered technologies, such as deepfakes and generative texts, are increasingly

being employed in political campaigns, undermining the transparency of electoral processes (Helmus, 2022). To safeguard against these harms, governments will need to promote media literacy skills and build resilience against disinformation.

### **Campaign Laws**

Globally, countries are adopting more stringent campaign finance and disclosure laws to meet the growing demand for election transparency. These laws require candidates to disclose funding sources, allowing voters to understand the influences behind campaigns and preventing affluent donors from having an outsized impact. Some form of reporting obligation exists in 88% of countries for which data is available, though the depth of information available to the public varies significantly (Ohman, 2012). In developing countries where political parties do not function well, indirect and direct donor support has increased, in turn increasing the use of campaign finance reporting as an instrument to ensure that candidates comply with local laws.

### **Remaining Gaps:**

As more countries introduce technology to elections, rules governing privacy, political advertising, and false information, some remain unenforced or undeveloped. The threat that candidates will provide inaccurate information during audits is likely to increase in countries without consequences for violating campaign laws. It proves challenging for stakeholders to oversee political financing adequately without access to financial disclosure. In 21% of countries, campaign finances did not need to include details about the sources of income for political parties and their campaign funds; in 28%, these statements do not need to be publicly available (Ohman, 2012).

## **Case studies**

The Brazilian Superior Electoral Court was founded to reform Brazil's campaign finance system following corruption scandals (Mancuso et al. 2023). In 2015, the Supreme Federal Court made a landmark decision banning corporate donations to political campaigns, shifting the focus to individual donations and public funding. The TSE has implemented several other measures to increase transparency, including mandatory reporting of campaign contributions and expenditures, real-time disclosure of campaign finance data, and strict spending limits for campaigns.

India has several reforms to increase transparency in electoral financing, including the introduction of "Electoral Bonds" to anonymously donate to political parties. Any individual or corporation can purchase these bonds from authorized banks and donate them to a political party, which can then cash them anonymously.

Through the Election Campaign Financing Act, Kenya aims to limit the influence of wealth in politics by setting expenditure limits and requiring detailed financial reporting from candidates. The implementation is overseen by the Independent Electoral and Boundaries Commission, which enforces compliance amidst political resistance.

Other policy solutions include sponsorship disclosure in advertisements; traceback mechanisms for campaign spending; and "citizen report cards." Monitoring such reports are independent bodies that may issue guidance and work with international observers such as GRECO and may use varying technology levels.

## **SDG 5: Achieve gender equality and empower all women and girls**

Election officials may boost female participation through voter education, the introduction of straightforward voter registration processes, access to polling stations, adequate security measures at polls, and simplified ballot designs and voting procedures, guaranteeing the secrecy of each individual's vote, and offering accessible voting facilities for illiterate individuals (Carina Perelli, 2004).

### *Rec 1: Specialized Observations*

While electoral observation is crucial, methodologies must consider gender dynamics and assess how different aspects of the electoral process impact women. Ideally, observer groups should have equal gender representation with specialized efforts. Suggestions include legal reforms, capacity building for women candidates, targeted voter education campaigns, and improvements in the safety and accessibility of polling places.

### *Rec 2: Holistic Review of Laws*

Centralized party control and laws can directly or indirectly hinder women's political participation, warranting a holistic review of all laws. Laws that affect education, employment, and access to resources can limit full participation. In some countries, for example, only men, not women, can pass on nationality to children.

### *Rec 3: Gender Quotas*

Transparency in candidate selection and quotas can build public trust and contribute to gender equality in political representation. Governments can outline the process for selecting candidates. Countries with gender quotas have seen notable increases in women's political

participation. Other experiments show that quotas influence agendas and contribute to inclusive governance.

## **SDG 10: Reducing Inequalities**

To advance progress towards SDG10, LMICs can implement targeted measures designed to level the electoral playing field for all citizens. These measures include developing voter education programs tailored to reach underrepresented groups, simplifying the voter registration process, strengthening legal frameworks and policies, establishing an independent oversight mechanism, and implementing robust security measures at polling locations to prevent intimidation and ensure the safety of all participants.

### *Rec 1: Strengthening Legal Frameworks*

Creating laws that ensure equal access to the electoral process for all, regardless of gender, socioeconomic status, or minority status. Policies that mandate fair representation of marginalized groups in governmental institutions can increase political participation.

### *Rec 2: Enhancing Access to Information*

Educational programs tailored to increase marginalized communities' political awareness and participation. Ensuring that all citizens, especially women and girls, have access to comprehensive information about their voting rights, how to register to vote, and details about candidates and their platforms.

### *Rec 3: Encouraging Media Engagement*



Free independent media are pillars of democracy that can help reduce inequalities by holding those in power accountable and ensuring that the voices of marginalized and underrepresented groups are heard. Encouraging the participation of civil society organizations in the electoral process as observers and advocates and safeguarding media freedom to report on elections and political issues without censorship or intimidation.

### **SDG 16: Peace, Justice, Strong Institutions**

SDG 16 lays the foundation for a collaborative effort among governments, civil society, and various stakeholders to establish robust, efficient, accountable, and transparent institutions across all levels of governance. SDG 16 promotes societies that respect and uphold human rights such as the right to privacy, freedom of expression, and right to information.

#### *Rec 1: Promote just and fair rule of law*

The rule of law guarantees electoral rights like the right to vote, the right to run for office, and the right to access information on candidates. Regulations on voter registration, candidate eligibility, campaign finance, and electoral dispute resolution strengthen the legal framework for elections. To safeguard against undue process, states must implement oversight of court systems, train legal professionals, and advance legal reforms to improve court infrastructures.

#### *Rec 2: Create public access to information*

Public access to information guarantees that voters understand the election process and make informed decisions. States can implement information laws that guarantee citizens' right to

access government-held information. The state could facilitate public consultations, hearings, and online forums to provide learning opportunities and promote a culture of transparency.

*Rec 3: Develop accountable and transparent institutions*

To design transparent institutions and reporting, the state can improve independent oversight mechanisms, such as audit bodies and anti-corruption agencies, investigate complaints, and hold officials accountable for misconduct. The state can also ensure whistleblowers have legal protections, access to confidential reporting channels, and safeguards against reprisals.

*Rec 4: Design responsive, inclusive, participatory, and representative decision-making*

The state must make decision-making processes accessible to all individuals, including those with specific vulnerabilities and disadvantages. Decision-making authority must be shared with local governments through participatory governance methods. This includes participatory budgeting initiatives, community-led development projects, open forums, town halls, etc.

## **Conclusion**

While global strides have been made towards enhancing transparency in electoral processes, significant challenges undermine the integrity of elections and, by extension, the likelihood of achieving the UN's Sustainable Development Goals (SDGs). The adoption of rigorous campaign finance and disclosure laws, enforcement of regulations, and the implementation of technology represent crucial steps forward. Moreover, the application of technology in elections, while beneficial, necessitates strict regulation to prevent misuse.

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