

The Issue of Foreign Involvement in National Elections

Foreign electoral interference is the covert or overt attempt by one state to influence elections and political decision-making in another country. External powers have always held an interest in the outcome of foreign elections, but the process has become far more sensitive and secretive. It can take a wide range of forms, such as the use of cyberattacks, campaign donations, and the spread of misinformation. Other, more covert, methods might include sudden provision or withdrawal of foreign aid or the removal of existing trade. Foreign interference has greatly increased since WW2 and currently may become the most significant threat to the development and integrity of democracies around the world.

The Charter of the United Nations establishes sovereign equality and political independence as key features of international law. It has developed these principles through the Friendly Relations Declaration (1970) which reaffirms that no state “has the right to intervene directly or indirectly in the internal or external affairs of any other state.” However, it is clear that these noble principles are presently not being adequately respected. Throughout the Cold War the USA and USSR became heavily involved in electoral interference. It was estimated that their intervention increased the vote share of their favoured candidate by around 3% by a study conducted by political scientist Dov. H Levin in 2016. But there are many member States that have historically been associated with foreign interference such as the United States, Russia, China, and Iran. Frequent victims of such interventions include Italy, Germany, and Japan, but many other democracies have been targeted.

Foreign interference in national elections rose greatly in prominence in the western world following the 2016 Presidential elections in the United States, where it was clear that Russian organisations and agents had sought to influence the election in favour of Donald Trump. This included the use of fake social media account and agents acting as grassroots organisations without ever revealing their Russian identity. Furthermore, it was alleged that Russian hackers were involved in hacking the Democrat National Committee and the Clinton campaign and releasing their emails on the website WikiLeaks. This interference is believed to have continued, with interference alleged in the 2020 Presidential election from Russia, China, and Iran.

Outside of the US election interference has increased. Notable cases of intervention in recent years include the Russian cyberattacks compromising the Central Election Commission network in the 2014 Ukrainian election. Another example can be seen in the appeal of the Turkish President, Recep Tayyip Erdoğan, to ethnic Turks living in Germany not to vote for the county's two ruling parties in the 2017 election. In 2018, there were strong allegations of China having used social media to spread disinformation about Su Chii-cherng, a Taiwanese diplomat, in the Taiwanese election.

However, the extent to which these interventions effected the outcome of the elections is not truly known. In a study published by political scientist Dov. H Levin in 2016, he attempted to examine some of these instances. He found that 11.3% of all competitive, national-level executive elections between 1946 and 2000, or about one of every nine competitive elections since the end of the Second World War, have been the targets of an electoral intervention.

We have only recently begun to understand the full effects of foreign interference in elections. Foreign involvement is relying more and more on deception and misinformation, intending to exploit and manipulate voters. Thus, intervention can undermine trust in election results, resulting in reduced faith of the electorate in democratic processes and create the possibility of lower turnout in future elections. Increasingly, a culture of misinformation and partisanship is also linked to a rise in the formation of domestic terrorist groups, increasing the chance of unrest, especially in less well-established democracies. So, with all that being said, it is clear that this topic is of a high importance to be discussed and resolved today.

Points to consider:

- Are any forms of foreign electoral interference ever justified? If so, where is the limit between legitimate and illegitimate influence?
- How has technology influenced 21st century electoral interference? What can be done to combat disinformation and misuse of personal data?
- Is it legitimate for Member States to regulate news sources or promote what they deem more authoritative sources to combat fake news?
- Can the United Nations introduce any form of accountability to punish Member States that interfere in foreign elections? How would state responsibility be proven?
- What role does the United Nations have in regulating democratic elections and sanctioning foreign involvement in elections?
- What restrictions can be placed on news sources to prevent the spread of disinformation?

Useful websites:

- [The history of Russia's 2016 election meddling in 4 minutes](#)
- [Oxford Statement on International Law Protections Against Foreign Electoral Interference through Digital Means - Just Security](#)
- [Foreign Intervention in Elections - How does it work? \(polyas.de\)](#)
- [The Case for Foreign Electoral Subversion - Ethics & International Affairs : Ethics & International Affairs \(ethicsandinternationalaffairs.org\)](#)
- [Foreign Cyber Interference in Elections: An International Law Primer, Part I – EJIL: Talk!](#)