

HEADQUARTERS  
UNITED STATES EUROPEAN COMMAND  
UNIT 30400, BOX 1000  
APO 09128

DIRECTIVE  
NUMBER 45-9

15 January 2001

**LEGAL**

Participation in Foreign Elections by USEUCOM Personnel

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1. **Summary.** This directive delineates USEUCOM policy with respect to USEUCOM personnel participation in foreign elections.
2. **Applicability.** This Directive applies both to military personnel assigned to HQ USEUCOM, including USEUCOM's permanent standing elements, and to USEUCOM's component commands.
3. **Internal Control Systems.** This Directive is not subject to requirements in ED 50-8, Internal Management Control Program.
4. **Suggested Improvement.** The USEUCOM Judge Advocate (ECJA) is the proponent for this Directive. Suggested improvements should be sent to: HQ USEUCOM, ATTN: ECJA, UNIT 30400, BOX 1000, APO AE 09128.
5. **References.**
  - a. 18 U.S.C. Section 1385 *Posse Comitatus Act*
  - b. 18 U.S.C. Section 592, *Troops at Polls Act*
  - c. (S) USCINCEUR Theater Engagement Plan
6. **Explanation of Terms.**
  - a. Participation in Foreign Elections - Any activity associated with the electoral processes of a foreign country. This includes, but is not limited to, monitoring, observing, acting as an electoral judge, or similar actions at a poll station. Excluded from this definition are properly authorized actions designed to maintain a secure environment, including actions designed to ensure the safety of the electorate.
  - b. USEUCOM Personnel - USCINCEUR-assigned military members in the USEUCOM's AOR, other DoD forces who may be involved in recurring deployments, DoD elements and personnel in the AOR for the purpose of performing duties as part of Significant Military Exercises (SME) and/or military operations directed by the National Command Authority, such as Joint Task Forces (JTFs), or other DoD temporary duty (TDY) elements and personnel in support of an element listed above.

7. **Policy.** As part of the democratic process, elections, whether local or national, are uniquely civilian functions. Reference (c) notes that a key part of the CINC's theater engagement plan is to foster the development of military institutions compatible with democratic processes and subject to civilian control. By any standard, a hallmark of a successful democratic state is the extent of civilian control of the military. Vital to the establishment of civilian control is the strict separation of military members from a nation's electoral process. As a reflection of the importance attached to this basic democratic principle, references (a) and (b) make it illegal for U.S. Military members to be present at polling stations, other than when voting, in United States elections. Accordingly, to demonstrate our commitment to this principle, especially in those countries in USEUCOM's AOR where democratic traditions may not yet be strongly rooted, USEUCOM personnel shall not participate in the foreign election process.

8. **Exceptions.** Exceptions to this policy can only be made by the USEUCOM Chief of Staff, or higher authority.

FOR THE COMMANDER IN CHIEF

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