

Department of Political Affairs of the United Nations Secretariat and the United Nations Development Programme: Revised Note of Guidance on Electoral Assistance

Background

1. The previous version of the note of guidance on electoral assistance was signed by the Department of Political Affairs (DPA) of the United Nations (UN) Secretariat and the United Nations Development Programme (UNDP) in January 2001 with the objective of clarifying respective roles and standard procedures.

2. This is a revised version of the January 2001 note, which takes into account developments and lessons learned in the field of electoral assistance. Its main objective remains to establish clear guidance on the roles and responsibilities of DPA and UNDP in this area. This revised note of guidance replaces all previous guidance.

Overview

3. The UN system is engaged in a wide range of activities that are intended to support the efforts of Member States to promote democratic electoral processes and build sustainable democratic institutions. Member States often request advice and assistance on the legal, institutional, technical and administrative aspects of organizing and conducting elections or seek election observation, or coordination of observers, by the UN.

4. A number of trends and challenges in electoral assistance have been recognized in recent Secretary-Generals' reports on "Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization". In 2007, the Secretary-General noted that requests to organize or observe elections continued to decrease, while technical advice and assistance to electoral authorities and other institutions have become the norm. There is an increasing realization that building capacity to organize credible elections may require assistance over a sustained period and over several electoral cycles. The electoral cycle refers to the entire electoral process, from the pre-election preparation period to polling to

the post-election period. It takes account of entry points and partners that the UN engages with (electoral management bodies, domestic observer groups, political parties, the judiciary, parliament, etc.) depending on where a country is in the cycle and its needs. The concept behind the 'electoral cycle' approach is to provide support to a country's institutions and processes over time in a sustained manner so that international support is reduced and eventually concluded, rather than provide significant support from scratch before each new election event.

In 2009, the Secretary-General also noted a number of challenges such as the potential for elections to be overshadowed by political discord or violence, especially after results are announced; concerns regarding the cost of elections and sustainability; and, following the increase of actors involved in electoral assistance both inside and outside the UN, the need to ensure coordination and cohesion and safeguard the Organization's impartiality. The UN must therefore continue to make adjustments in its practices in order to meet such emerging trends and challenges.

Objectives

5. The objectives of UN electoral assistance are three-fold:

(a) To assist Member States in their efforts to hold democratic elections in accordance with obligations, principles and commitments outlined in universal and regional human rights instruments;

(b) To contribute to building, in the recipient country, a sustainable institutional capacity to organize democratic elections that are genuine and periodic and have the full confidence of contesting parties and candidates and the electorate; and

(c) To reduce the potential for election-related violence.

Roles and responsibilities within the United Nations system

6. In view of the increasing demand for electoral assistance and in order to ensure consistency in the

handling of requests of Member States, the General Assembly (GA), in resolution 46/137 of 17 December 1991, took steps to create an institutional framework to support activities in this area, while also recognizing and affirming the role of each of the main UN electoral assistance actors:

(a) **Focal Point for Electoral Assistance**

Activities: In accordance with GA resolution 46/137, in 1992 the Secretary-General appointed the Under-Secretary-General for Political Affairs as a focal point for electoral assistance activities (hereafter “the focal point”) “to ensure consistency in the handling of requests of Member States organizing elections ... to channel requests for electoral assistance to the appropriate office or programme ... to build on experience gained to develop an institutional memory, to develop and maintain a roster of international experts ... and to maintain contact with regional and other intergovernmental organizations to ensure appropriate working arrangements with them and the avoidance of duplication of efforts”. In 2007, GA resolution 62/150 (2007) reaffirmed the role of the UN focal point in ensuring system-wide coherence and consistency and in strengthening the institutional memory and the development and dissemination of electoral policies.

(b) **Electoral Assistance Division:**

The Electoral Assistance Division (EAD) of DPA was established by General Assembly resolution 46/137, initially as the Electoral Assistance Unit, to provide technical support to the focal point in carrying out his/her functions. As described in subsequent reports of the Secretary-General, the main tasks of the Division are to evaluate requests for electoral assistance, assist the focal point in coordinating electoral assistance activities within the UN system, formulate UN policy and guidelines on electoral matters, undertake needs assessment missions, assist the organizations of the UN system and other appropriate bodies in the design of electoral assistance project activities, develop operational strategies for electoral components of peacekeeping operations, maintain contact with regional and other inter-governmental organizations to ensure appropriate working arrangements with them and avoid duplication of efforts, maintain a roster of electoral experts and serve as the institutional memory of the UN in the electoral field. EAD works in close co-

ordination with DPA regional divisions and regional offices.

(c) **United Nations Development Programme:**

The General Assembly, by resolution 46/137, recognized the role of UNDP in the provision of technical assistance for electoral activities and underscored the importance of collaboration among actors in the UN system. At the country level, UNDP plays a lead role in the provision of policy advice and programmes in democratic governance.¹ The emphasis of its role and interventions in the electoral area is on long-term capacity-building of electoral institutions and processes, as well as promoting inclusive participation of traditionally marginalized groups, such as women, youth or people living with disabilities, and providing assistance to stakeholders such as political parties, civil society and media. At any time during the implementation of an electoral assistance project, EAD retains the potential, in its role of supporting the focal point, to provide electoral guidance and/or operational support. UNDP also plays a key role at the country level in the coordination of electoral assistance among donors and national and international actors. This includes financial coordination of donor funds for electoral support as well as the coordination of electoral support through meetings and donor coordination forums. In most cases, when UN electoral assistance is provided to a country, the Resident Coordinator/Resident Representative represents the UN system in such an undertaking. At UNDP headquarters and through a network of Regional Centres, the Bureau for Development Policy (BDP) works with the Regional Bureau concerned to provide support for the priorities and needs identified at the country level, in close liaison with EAD.

(d) **Policy:** As reiterated in GA/RES/64/155, the focal point’s responsibilities include ensuring system-wide coherence and consistency and the development and dissemination of UN electoral policies. For the purposes of this note, policy is defined as the UN normative framework and prescriptive guidance that sets parameters, procedures or standards that apply to all UN entities providing electoral assistance. Development of policy in the field of electoral

¹ See <http://www.undp.org/governance/> (public) and <https://teamworks.undp.org/> (internal) for more on UNDP’s work in democratic governance.

assistance will be undertaken jointly, or in close cooperation, between DPA and UNDP. The Inter-Agency Coordination Mechanism for UN Electoral Assistance (ICMEA) will be a forum to facilitate policy formulation. Given the role of the focal point in ensuring system-wide consistency and coherence, UNDP will seek DPA input on the development of UNDP knowledge products in the service area of electoral assistance.

Procedures for providing electoral assistance

7. The provision of UN electoral assistance can be triggered by (i) a decision of the Security Council or General Assembly establishing a mandate for the UN to provide electoral assistance; and/or (ii) a request for electoral assistance from an appropriate national authority.

Before the UN system can provide any type of electoral assistance the UN must first carefully assess the pre-electoral conditions in the requesting country or territory. Such an assessment must be made prior to any type of project commitment in order to measure the appropriateness, necessity and potential impact of UN assistance on an election process. With this in mind, the procedure for obtaining UN electoral assistance is as follows:

(a) **Official request:** In cases where electoral assistance is being contemplated within the framework of a time-bound UNDP Country Programme (CP) or Country Programme Action Plan (CPAP), the signature of the CP and/or CPAP will be considered sufficient reflection of a national request for UN electoral assistance. In these cases, another official, written request is not needed.

In cases where electoral support is anticipated from a country or territory for the first time, from a country or territory where the UN has not provided electoral assistance in a long time, or from a country or territory where electoral support is not indicated in the CP and/or CPAP, the appropriate national authority (Government or electoral authorities) should send an official request for assistance to the UN focal point. If the support requested is to a specific election event, the request should be made at least four months prior to the scheduled election date to allow for meaningful

involvement. Ideally more lead time (6-12 months) should be provided in order to reduce both risks and costs and enable thorough, high quality assistance to be provided.

In cases where electoral assistance is being provided in the framework of Security Council or General Assembly mandates, a request for assistance by the relevant State and/or electoral authorities is not required, but is desirable.

(b) **Initial review of the request:** Once an official request has been received, EAD staff will consult with relevant UN entities, such as the head(s) of the UN presence in-country (e.g., the Office of the Special Representative of the Secretary-General, or Resident Co-ordinator/Resident Representative), as well as appropriate divisions of DPA, DPKO and UNDP Headquarters, and submit a recommendation to the focal point as to whether a needs assessment mission (NAM) should be deployed.

(c) **Needs Assessment Mission:** If the focal point determines that an on-site needs assessment is required before deciding whether the UN should provide assistance, and if so what kind of assistance it should be, EAD, in cooperation with UNDP, will dispatch a NAM to evaluate the political, electoral and security situation in the requesting Member State. The mission will also assess the usefulness, feasibility, advisability, sustainability and potential impact of UN electoral assistance and ascertain whether electoral stakeholders support UN involvement. It will also look at the potential for election-related violence. Regardless of the scenario described in section 7(a), the NAM will retain the discretion to recommend in favour or against UN involvement in a given electoral process. Further details of what the NAM covers are provided in the EAD/DPA NAM Guidelines.

(d) **Desk Assessment:** In certain circumstances, a desk assessment may be undertaken in place of a NAM. This should be considered in cases where *inter alia*:

- the assistance is not further to a mandate from the Security Council or another UN organ;
- the UN has provided electoral assistance for more than one electoral cycle, and there is no material change in the proposed continued assistance;

- EAD considers that political circumstances and the overall electoral environment warrant a desk review rather than an onsite NAM.

A decision as to whether a desk assessment would be sufficient will be taken by the focal point or EAD in consultation with UNDP and/or the UN mission. UNDP may also request a desk assessment, and such a request should be given careful consideration by the focal point and EAD, particularly in the context of longer project cycles.

(e) **Focal point decision:** Based on the needs assessment, the focal point will either approve, or deem inappropriate, UN electoral assistance. If the former, the focal point will also approve, or deem inappropriate, a list of recommendations made in the assessment report. In the case of a positive decision, UNDP will work in close collaboration with EAD to prepare an appropriate electoral assistance project which reflects the recommendations and guidance of the approved needs assessment and is in line with UN electoral policy. The project will focus on providing the highest quality assistance possible aimed at achieving sustainable, cost-effective, outcomes. EAD will be consulted at the start of the project formulation process and given 10 business days to comment on a finalized version of the project document before the Local Project Appraisal Committee is held. UNDP Country Offices and EAD will make every attempt to address each others' comments in designing the project.

Approval of the project document and implementation of the project are governed by the normal procedures laid out in the UNDP Programme and Operations Policies and Procedures, the UNDP Electoral Assistance Implementation Manual and other relevant documents.

(f) **Other Assessment/Political Missions:** In line with its normal functions as part of DPA, and to support the focal point, EAD may, at any time, conduct a mission to review progress of a programme, assess the political situation, particularly with regard to the potential for violence, and/or offer support to the Special Representative of the Secretary-General (SRSG) or Resident Coordinator/Resident Representative. Other parts of DPA, including the Mediation Support Unit, may participate in such missions as appropriate, which will be closely

coordinated with the SRSG or Resident Coordinator/Resident Representative.

(g) **Advisory services:** If the Resident Coordinator/Resident Representative deems it necessary and appropriate, with or without a formal request for electoral assistance from the state/electoral authorities, s/he may request EAD to provide internal advice on electoral processes by dispatching an expert advisory mission. These are typically small, low-profile missions intended to provide early intervention and expert advice to the Resident Coordinator/Resident Representative on electoral matters, including the coordination and operation of electoral assistance projects.

(h) **Medium and long term activities:** GA resolution 62/150 recommended that the UN provides electoral assistance throughout the electoral cycle, including before and after elections, based on a needs assessment. It is recognized that medium and long-term capacity development of electoral institutions is an integral aspect of the democratic governance activities of UNDP through the country programme. These activities are usually planned over the country programme period as a result of intensive discussions with national stakeholders. In these contexts, EAD and UNDP will discuss the best timing and method for a needs assessment to guide project formulation.

(i) **Implementation arrangements:** Given the political and often sensitive nature of the electoral environment, special caution should be exercised in the national execution/implementation of electoral assistance projects. This arrangement should be limited to cases in which there has been full consultation with DPA, UNDP Regional Bureaus, UNDP/BDP and where an assessment reveals sufficient capacity and impartiality on the part of the executing agent. Discussion about implementation arrangements should be undertaken during the needs assessment process and reflected in its recommendations.

(j) **Roster of electoral experts:** For assistance in identifying specialized expertise, EAD will provide qualified technical consultants from its roster of electoral experts, as required. UNDP will use the EAD roster as a key source of expertise, in addition to other sources. UNDP agrees that the use of the EAD roster housed in Galaxy to identify suitable candidates

satisfies the necessity for competition (as well as the other foundational recruitment principles of transparency, diversity, accountability, fairness and merit). Upon the completion of the assignment, or on an annual basis in the case of long-term projects, the Resident Coordinator/Resident Representative should submit to EAD and the hiring unit (if different from the Country Office), an assessment of the performance of the consultants and/or experts on the EAD roster. This assessment will serve to enhance the effectiveness of the assistance provided and enable EAD to improve future performance and better anticipate future country needs.

(k) **UN impartiality:** Representatives of the Secretary-General, Resident Coordinators/Resident Representatives and other UN staff will maintain a clear position as regards UN impartiality. In providing electoral assistance, coordinating international observers, or any other election-related activity, the UN will not make public statements of a political nature or express an official view on the conduct or outcome of an election, unless such statements are prepared with UN headquarters.

(l) **Reporting:** In order to keep the focal point informed about the political and technical status of electoral assistance projects, the UNDP Country Office will submit status reports on a quarterly basis to EAD, with a copy to BDP, or more regularly if requested by the focal point. These reports will contribute to the report that the Secretary-General is mandated to submit to the General Assembly every two years. At the conclusion of each project EAD, UNDP/BDP, and the UNDP Regional Bureau and Centre concerned shall receive a final project report from the Resident Coordinator/Resident Representative within three months of the completion of the project. As appropriate, EAD and BDP will support the UNDP Country Office in undertaking evaluation missions of electoral assistance projects.

(m) **Electoral observation:** UN electoral observation requires a specific mandate from the General Assembly or the Security Council. The UN rarely observes elections. When it does, EAD will take the lead role in design, staffing and implementation in cooperation with the Resident Coordinator/Resident Representative and the UNDP Country Office. As a rule, the UN should not observe an electoral process it

is giving technical assistance to, in order to avoid a conflict of interest. For UN electoral observation, a separate project is prepared by EAD.

(n) **Coordination of international election observers:** While the UN has been involved in the coordination of international election observers on a number of occasions since 1992, this practice is not encouraged because it can give the impression that the UN itself is conducting electoral observation. Coordination of international election observers consists of providing administrative assistance to organizations that are observing an electoral process by organizing briefings, assisting the electoral body in accreditation, facilitating the sharing of information among the various observer groups, as well as providing logistical and operational support, including deployment plans, to avoid duplication of efforts. The DPA Guidelines on the coordination of observers must be adhered to. If UNDP provides this service, it should maintain a low profile throughout the coordination activities and should not provide an opinion on the electoral process or otherwise seek to influence or coordinate observer findings or statements.

(o) **Integrated Missions:** In line with the principle of integration, as established in 2008 by the UN Policy Committee,² the UN will offer electoral assistance in an integrated manner within such missions. There will be one Chief Electoral/Technical Adviser who will usually report to the Deputy Special Representative of the Secretary-General (DSRSG) who also is the Resident Coordinator/Resident Representative.³ The Adviser will be responsible for electoral staff and activities carried out under the integrated mission and UNDP, ensuring a 'one UN' approach to electoral assistance. The DSRSG and Chief Electoral/Technical Adviser will also ensure the eventual smooth transition of electoral portfolio leadership from peacekeeping and political missions to UNDP.

² Policy Committee Decision 2008/24 (26 June 2008).

³ This reflects the arrangement generally considered most efficient for delivery of electoral assistance in an integrated mission context. However, decisions related to integration remain subject to relevant decisions of the Policy Committee and other applicable guidance.

Coordination of electoral assistance among donors

8. Effective coordination of technical assistance is crucial in situations in which bilateral and multilateral donors, specialized institutions, non-governmental organizations and the UN are providing electoral assistance. When a Special/Executive/Personal Representative of the Secretary-General is resident, s/he is responsible for overall political coordination. When there is no resident Special/Executive/Personal Representative, UNDP plays the lead UN role at the country level as both a coordinating mechanism for donor assistance and a forum for coordination of the activities of a broader range of international and national actors. Specifically, at country level, the Resident Representative is responsible for ensuring an effective and coordinated response to requests for electoral assistance in line with the UNDP Strategic Plan. This coordination role is most often exercised through a UNDP-administered 'basket arrangement' using trust fund and/or cost-sharing agreements, and is important for maximizing impact and avoiding potential difficulties, such as duplication or overlapping of assistance, competition among organizations overburdening national counterparts, or over-funding some aspects of the electoral process to the detriment of others.

Coordination of other electoral initiatives

9. In response to a general desire among UN actors of electoral assistance for enhanced coordination, an Inter-agency Coordinating Mechanism for UN Electoral Assistance (ICMEA) was established in 2009. The ICMEA provides a forum at headquarters level for coordination of UN electoral assistance activities among the various UN actors involved in this field. It aims to foster greater system-wide coherence and consistency, based on more systematic exchange of information, clearer division of labour and improved harmonization of activities, more intensive policy dialogue, the adoption of common positions on policy and issues of common concern, and the promotion of stronger partnerships within the UN system. The ICMEA is guided in its work by principles drawn from international human rights instruments. EAD and BDP are integral members of the ICMEA and will continue to use this mechanism to foster cooperation in a variety of activities, including elaboration

of policy, guidelines, strategic orientation for UN electoral assistance and coordination of activities.

Other

10. In addition, the following provisions will apply:

(a) **Review:** Recognizing that the UN system and UN electoral assistance is constantly evolving, UNDP and DPA shall review (and if necessary revise) this Note of Guidance within 12 months from signature; and every two years thereafter.

(b) **Disagreements:** Disagreements that arise in interpretation or implementation of the Note of Guidance, or during the processes of review and revision, shall be resolved first through collegial dialogue between DPA and UNDP. Disagreements of a serious or system-wide nature will include recourse to the USG level.

Further contact

12. The Electoral Assistance Division of the Department of Political Affairs, United Nations Secretariat, may be contacted at:

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