



## Guideline

11 May 2012

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# United Nations Electoral Needs Assessments

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Approved by: *B. Lynn Pascoe, Focal Point for Electoral Assistance*  
Approval date: *11 May 2012*  
Contact: *Policy and Institutional Memory Team*  
*Electoral Assistance Division*  
*Department of Political Affairs*  
Review date: *[10 May 2014]*

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## GUIDELINE ON United Nations Electoral Needs Assessments

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### A. PURPOSE

This guideline outlines how the Electoral Assistance Division (EAD) of the Department of Political Affairs (DPA) assesses whether electoral assistance should be provided by the United Nations (UN) system. Assessments are generally made through a Needs Assessment Mission (NAM), though in some cases the needs may be assessed by means of a desk assessment. (For the purposes of this paper, the guidance given on NAMs applies to desk assessments to the degree practicable. See section D3 below.) The final assessment report recommends whether UN electoral assistance should be provided (or in some instances continued), and if so what form it should take and the parameters and modalities governing such assistance. If the assistance is provided in furtherance of a General Assembly or Security Council mandate, it should not consider whether assistance should be provided but only what form it should take and the parameters and modalities in line with the mandate. The final decision on the provision of electoral assistance rests with the UN Focal Point for electoral assistance, the Under-Secretary-General for Political Affairs, (hereafter "the Focal Point").

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### B. SCOPE

The guideline has been prepared for:

- EAD staff that lead or take part in NAMs;
- Staff of DPA regional divisions, DPKO, UNDP and other parts of the UN system who participate in NAMs; and
- Consultants recruited to take part in NAMs.

Other UN system staff, including those who might provide inputs to desk assessments and those in field missions and country offices who may support or interact with NAMs, will also find the guideline useful.

Four main areas are covered:

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- circumstances which can trigger a needs assessment;
  - practical arrangements for deploying a needs assessment mission;
  - issues to be addressed by the NAM prior to departure and while present in country; and
  - reporting requirements and follow up actions.

Members of NAMs should adhere to this guideline. At the same time, some flexibility is allowed to take account of particular circumstances into which a NAM is deployed, specific needs of the country/territory being visited and any particular focus of the NAM. Any such particular focus will be reflected in the specific terms of reference for that NAM.

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## **C. RATIONALE**

All UN electoral assistance is based on a Security Council or General Assembly mandate or an official request from a Member State and a needs assessment. The Focal Point should consider all requests for electoral assistance before the UN system provides or makes any project commitment to electoral assistance. With regards to decisions on the provision of electoral assistance the responsibilities of the Focal Point include:

- considering all requests for electoral assistance and coordinating a response, in consultation with appropriate departments and agencies, and channelling requests for and decisions on electoral assistance to the appropriate office or programme;
- deciding whether to dispatch a NAM or carry out a desk review;
- in the case of a Security Council or General Assembly resolution, elaborating on the details of the type, parameters and modalities for UN electoral assistance;
- in the absence of a Security Council or General Assembly resolution, approving or deeming inappropriate UN electoral assistance and defining the type, parameters and modalities for UN electoral assistance based on the assessment report;
- where there is already assistance being provided in response to a mandate or request from a Member State, in a situation of armed conflict, heightened political instability, social unrest or reputational risk to the UN, deciding whether the assistance should continue and defining the type, parameters and modalities for any continued support;
- in cases of significant project revisions or extensions that fall outside the parameters set by the previous needs assessment, deciding whether a new assessment is needed and, based on it, whether the revision or extension should proceed;
- developing effective mechanisms for cooperation and strengthening collaboration among parts of the UN system involved in electoral assistance;
- ensuring system-wide coordination, coherence and consistency and avoidance of duplication of UN electoral assistance;
- acting, in his/her role of USG for Political Affairs, as the system-wide leader in conflict prevention;
- informing the Secretary-General, Member States and other parts of the UN system about requests received for electoral assistance and the nature of assistance provided.

In these tasks, the Focal Point is supported by EAD, working closely with other parts of DPA, DPKO, UNDP and other relevant parts of the UN system.

When a needs assessment takes place, the resulting recommendations go to the Focal Point, allowing him/her to make an informed decision on UN involvement in an electoral process.

The aim of this guideline is to facilitate a consistent, comprehensive and high quality approach to the conduct of NAMs.

## **D. GUIDELINES**

### **D1. Background**

The overall goals of the UN in providing electoral assistance are:

- to assist Member States in their efforts to hold genuine and periodic elections in accordance with obligations, principles and commitments outlined in universal and regional human rights and other legal instruments;
- to contribute to building, in the recipient country, sustainable, cost-effective, 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
- to reduce the potential for election-related violence.

The United Nations provides six basic types of electoral assistance. The first two require a General Assembly or Security Council mandate:

- a) organization or conduct of elections;
- b) verification/certification;
- c) technical assistance;
- d) expert panels;
- e) operational support to international observers; and
- f) support to creating a conducive environment.

By far the most common form of support, which reflects the overall goals outlined above, is the provision of technical assistance, including advice to Electoral Management Bodies (EMBs) and other stakeholders. The next most common form of assistance is political support to the process through the use of UN good offices or other diplomatic initiatives, such as the deployment of an expert panel, to support the creation of a conducive environment. Organization or conduct and verification/certification of elections are extremely rare and require a specific mandate from the Security Council or the General Assembly as they can entail significant political risks for the UN as well as very significant responsibilities. Operational support to international observers does not involve the UN observing, taking a position or making an assessment of the process but only facilitating the international observer groups to carry out their function.

In the past, the UN has also provided other types of assistance that have now not been provided for many years, and are only considered in rare circumstances. They both require a General Assembly or Security Council mandate. They are:

- a) supervision;
- b) observation

Details of each type of assistance, as well as the principles upon which UN electoral assistance is based, are contained in the policy directive ***Principles and types of UN electoral assistance*** (Ref. No. FP/01/2012). This guideline should therefore be read in conjunction with the aforementioned directive.

### ***Purpose of a NAM***

The purpose of the NAM is to evaluate the political, legal, institutional, technical, human rights and security environment in the country/territory, the legal and institutional framework governing the electoral process and the capacity and needs of the various election stakeholders, in order to recommend whether or not the UN should provide electoral assistance and the type, parameters and modalities for any UN electoral assistance. If the assistance is provided in furtherance of a General Assembly or Security Council mandate, the NAM should not assess the appropriateness of providing assistance, but only recommend the type, parameters and modalities for the assistance in line with the mandate. A gender and human rights perspective should be included in the assessment of each area. With a view to the appropriateness and parameters of UN assistance, the assessment would include an analysis of the risk, benefits and advisability of the UN providing electoral assistance as well as potential for election-related violence.

In terms of parameters the NAM will consider and make recommendations on the length of support required and within each type of assistance, which areas should and should not be assisted. All subsequent electoral assistance must be based on an updated request and needs assessment. The NAM may also recommend a broad division of labour amongst relevant actors in the UN system, including coordination mechanisms, and how adherence to the principle of integration can be ensured.

NAMs are under the authority of the Focal Point, who will consult with the lead department or agency in headquarters as well as the UN leadership in-country to ensure the appropriate political and programming factors are taken into account. The lead department or agency and the UN representative on the ground (SRSG or Resident Coordinator) will also play an important role in decisions related to timing and modalities of assessments. However, the final decisions regarding the assessment, including the necessity to deploy a mission and its timing rest with the Focal Point.

## **D2. Decision to deploy a NAM**

NAMs are always led by EAD. A decision to deploy a NAM can be triggered by:

1. A decision of the Security Council or General Assembly establishing a mandate for the UN to provide electoral assistance. In this case, a request by an appropriate national authority is not required, but is desirable. In such a case, a NAM will be conducted by EAD in conjunction with the lead department (such as the Department of Peacekeeping Operations). Other relevant parts of the UN system may be included if an integrated mission framework foresees a significant role for it or if other considerations argue in favour of such involvement. The purpose of a NAM in such cases is to detail the type of assistance required and to define the parameters and modalities for provision.
2. Receipt of a request for electoral assistance from an appropriate national authority of a UN Member State or territory. The purpose of the NAM in such cases is to assess whether it is appropriate for the UN to provide assistance and, if the recommendation is in favour, to define what type of assistance that should and should not be provided, who should provide the assistance and the parameters and modalities for provision. In the case of technical assistance or operational support to international observers the details of the assistance or support and the detailed modalities for provision will be elaborated during the project formulation phase, which is conducted by the UN electoral assistance provider.
3. Electoral assistance being contemplated within the framework of a time-bound UNDP Country Programme (CP) or Country Programme Action Plan (CPAP). When this is the case, the approval of the CP Document (CP) and/or signature of the CPAP by the national authorities will be considered sufficient reflection of a national request for UN electoral assistance and another official, written request is not required, but is desirable. UNDP will inform EAD when either CPs, which are submitted for approval to UNDP's Executive Board, or CPAPs, which are prepared and approved at the country level, contain a plan for electoral assistance prior to the finalization of these documents. This will enable EAD to advise whether electoral assistance should be included and also decide whether to deploy a NAM or carry out a desk review if appropriate.<sup>1</sup> Before deploying a NAM, EAD will clarify with the host authorities the type of electoral assistance that is being requested. The purpose of the NAM in such cases is to assess whether it is appropriate for the UN to provide assistance and, if the recommendation is in favour, to define the parameters and modalities for provision. The details of the assistance and the modalities for provision will be elaborated during the project formulation phase. In such cases UNDP will provide the assistance although other UN agencies may assist in appropriate areas.

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<sup>1</sup>In cases where electoral assistance was already included in a CP or CPAP adopted before this Guideline came into effect, EAD will be informed and decide whether to deploy a NAM or carry out a desk review if not already carried out.

4. Situational changes. A number of situations may arise where a review of UN electoral assistance by EAD may be required through a needs assessment or political mission. These include but are not limited to: situations of armed conflict, heightened political instability, social unrest or reputational risk to the UN. The purpose of the NAM in such cases is to examine the appropriateness and orientation of UN assistance and to determine if any areas should be added or discontinued. In those circumstances, NAMs will be undertaken as part of the broader UN strategic response.
5. Significant revision or extension of project. Project revisions or extension that fall outside the parameters of the NAM will be notified to EAD and when EAD, following consultations with the RC/SRSG, consider these significant, they will be treated as point 2 above. In addition, in cases where the government is requesting assistance in an area or for an event that was not previously envisaged, a new written request is normally required. Project extensions of limited duration alone will not trigger a needs assessment.

Following any of the situations outlined above, EAD 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 Coordinator/Representative) as well as appropriate divisions of DPA, DPKO, UNDP and other relevant parts of the system, and submit a recommendation to the Focal Point as to whether a NAM should be deployed or a desk assessment undertaken.

In deciding whether a needs assessment is required and what form it should take (needs assessment mission or desk review) EAD will consult with all relevant parties. In case of any disagreements the final decision rests with the Focal Point. EAD should also consult with the Permanent Mission, or equivalent, of the requesting country in New York. The Focal Point will communicate his/her decision to the requesting member state and relevant parts of the UN system.

The decision on the timing for a NAM will be closely coordinated with the leadership of the UN peacekeeping or political mission and/or country office, taking into consideration the political sensitivities in the requesting country/territory.

Needs will be assessed in line with the specific timeframe as indicated by the Security Council or General Assembly mandate, or requested by the Member State, which will in turn determine the UN electoral assistance programming timeframe. Recommendations will be based on the specific country context, national electoral cycles, and consultations with the requesting Member State and in-country UN partners. Any departure from the recommendation should be agreed with the Focal Point. All subsequent electoral assistance must be based on an updated request and needs assessment.

### **D3. 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 the political circumstances and overall electoral environment warrant a desk review rather than an onsite NAM.

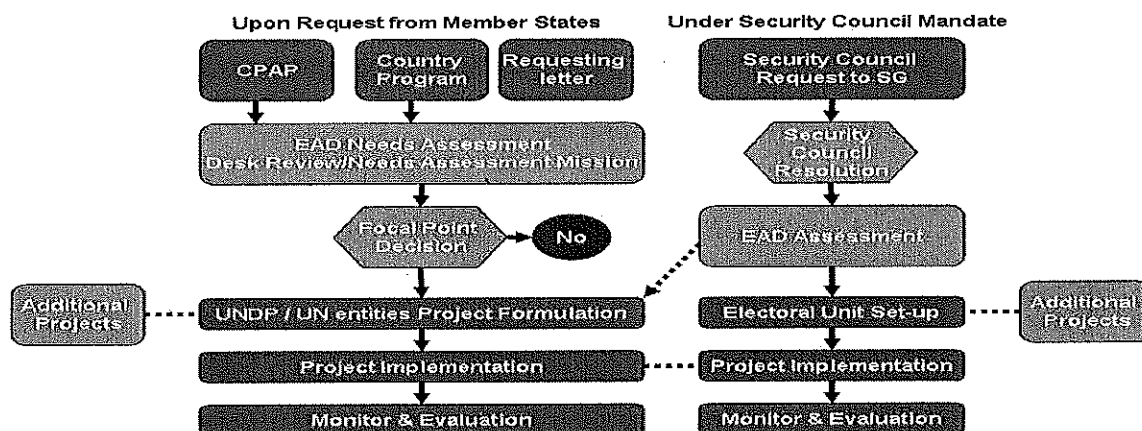
A NAM should always be deployed in cases of a mandate from the Security Council or the General Assembly.

A decision on 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. Potential electoral assistance providers may also request a desk assessment, which should be given careful consideration by the Focal Point and

EAD, particularly in the context of longer project cycles, although the final decision will be that of the Focal Point. Project formulation initiated following a desk assessment will, as usual, be undertaken in consultation with EAD.

Although this guideline has been developed for NAMs it should also provide guidance for desk assessments. When a decision is taken to carry out a desk assessment the documentation and communication processes need to be fully adhered to and all steps in the process documented and filed. This includes the Focal Point informing the requesting member state, and relevant parts of the UN system, that a desk assessment will be carried out, in place of a NAM, and the result of the desk assessment. The EAD desk officer will be responsible for ensuring all processes are fully carried out under the supervision of EAD management.

## UN Electoral Assessment Process



### D4. Practical Arrangements

The following preparatory activities are essential for all missions.

#### 4.1 Preparation of terms of reference

Clear, detailed terms of reference (ToRs) should be produced by EAD in consultation with relevant partners, particularly UN counterparts on the ground. These will outline:

- purpose of a NAM ;
- decision to deploy a NAM
- country context
- timing, composition and leadership of mission ;
- areas of assessment;
- interlocutors the mission should meet with;
- responsibilities of UN office on the ground;
- media relations
- security arrangements (if appropriate);
- funding source; and
- reporting.

These should be based on generic ToRs, which are adapted for each mission (see annex A). Prior to deployment, the ToRs should be shared with relevant UN offices, at HQ level and on the ground for comment, and, once finalized, may be shared with the state and electoral authorities, including the Permanent Mission to the UN, for their information.

#### **4.2 Composition of team**

A NAM is led by EAD, usually by a staff member designated by the EAD Director, but at times by a consultant recruited by EAD. Consultants will, however, not have administrative authority (to do performance evaluations, authorize payments, etc).

Following consultations representatives from the lead department or agency in headquarters, the DPA regional divisions and UNDP may, as appropriate, also be invited to join the mission, as well as representatives from other relevant parts of the UN system. The mission may be joined by an expert/consultant with relevant specialist knowledge, such as legal frameworks, boundary delimitation, gender or human rights expertise, or any other relevant area of recognised expertise. As far as possible, the mission should be gender balanced, comprising both male and female members. DPA will ensure, including through consultations with UN Women, that each NAM will have sufficient expertise in matters of gender and elections.

While UN personnel in the country are not part of the NAM, they may assist, in agreement with the NAM team leader.

#### **4.3 Mission timing and duration**

A NAM should normally be deployed within four weeks of the receipt of a request by the Focal Point. The duration of a NAM is determined by the needs of the particular situation. However, a NAM should generally be scheduled for between one to two weeks. If necessary, one staff or a consultant(s) can remain in country for an additional period to collect any additional information required for the report.

#### **4.4 Advance preparation**

Prior to deployment, significant preparation should be undertaken by EAD and other NAM participants by reviewing key documentation. This should include (i) assessment of the constitutional and legal framework, (ii) review of the political situation and context, in association with DPA regional division desk officers and/or other relevant UN or other partners (iii) review of previous election assessments or other mission reports, and (iv) review of documents related to previous electoral assistance and (v) previously conducted relevant political and /or conflict analysis conducted by the UN in country (in ex, political economy analysis, institutional context analysis, capacity assessments, conflict and development analysis and others) (vi) review of election observation reports from credible organizations.

#### **4.5 Pre-departure briefings**

Mission members should receive a comprehensive briefing pack from EAD and the UN mission and/or UNDP Country Office that includes information on:

- political situation
- constitutional framework
- legal framework for elections
- conduct of previous elections
- pertinent development information, including progress on Millennium Development Goals
- socio-economic data including on current and projected fiscal capacities of the
- human rights situation
- relevant gender equality issues and status of women's representation and participation
- travel logistics
- security
- UN role and programme in the country/territory – including mandates where relevant



- country/territory
- institutional framework analysis
- previous and if appropriate current electoral assistance by UN
- past, current or planned electoral assistance by others
- previous risk analysis

In compiling the briefing pack, EAD will rely on the UN presence on the ground for the constitutional and legal framework and an update on the security situation, DPA regional divisions for an update on the political and human rights situation, in consultation with, and drawing on material produced by, the Office of the High Commissioner for Human Rights (OHCHR), UN Women for an overview of relevant gender issues and gender-disaggregated data (as per the Gender Checklist in annex C) and other UN agencies for any additional information required and an update on the governance programme and issues from UNDP.

Prior to deployment of the NAM, the NAM team leader should organize a teleconference (or a meeting if all NAM participants are available in New York) in which NAM members, EAD, DPA, and, if relevant, DPKO regional divisions, UNDP, any other relevant parts of the UN system and the Country Office can discuss and be briefed on the mission as well as the political/electoral situation in the country concerned.

#### 4.6 Practical arrangements by UN presence on the ground

In the weeks leading up to deployment, EAD should contact the UN entity taking the lead on electoral assistance to request that it makes all necessary practical arrangements for the mission. This should include (i) providing relevant background information, (ii) arranging meetings based on a list of interlocutors provided by EAD, (iii) making visa on arrival arrangements if a visa before departure is not possible, (iv) providing transportation, (v) arranging for a security briefing and security equipment if necessary (vi) booking accommodation, and (vii) arranging interpretation and translation services if required. As far as possible, the NAM should be announced to the UN Country Team at least two weeks in advance of its arrival to provide members of the Country Team with sufficient time to make arrangements and an opportunity to suggest interlocutors for the mission to meet with.

#### 4.7 Selection of interlocutors

Meetings should be held with a wide range of interlocutors, and include a representative sample of election stakeholders. Interlocutors should be drawn from the list below, taking account of time that is available and specific issues that the NAM may need to focus on. The programme should also have sufficient flexibility to incorporate spontaneous/additional appointments. When appropriate, UN partner agencies can be called upon to organise relevant meetings in their area of expertise.

- The UN system:** Representatives of UN entities on the ground, especially those which may have a role in the provision of electoral assistance, or in an election-related process.
- Government authorities:** Relevant government ministry officials involved with the election process (e.g. Ministry of Foreign Affairs/International Co-operation, Ministry of Interior, Ministry of Justice, Ministry in charge of Gender and/or Women's Affairs, Ministry of Information etc), representatives of other relevant departments such as registrar of persons, census, and national human rights commission, local government representatives.
- Electoral authorities:** Commission (or equivalent body), members and senior staff from the election management body/secretariat responsible for managing the administration of elections (Commission, Ministry or equivalent).

- **Political parties:** Representatives from across the political spectrum, including leaders and key figures of political parties represented in parliament and outside parliament, and women members of political parties. If there are many political parties, a sample can be selected. Key independent candidates and political figures should also be consulted.
- **Legislature:** Representatives of the national legislature, including any relevant committees that have addressed, or will address, electoral reform and women members.
- **Judicial authorities:** Attorney General, representatives of courts that deal with electoral dispute resolution, such as the Supreme Court, Constitutional Court, special electoral court, electoral tribunal and law reform commission.
- **Media:** Representatives of a broad range of public and private electronic and print media, including journalist, editors, media owners and representatives of media regulation bodies and journalist unions.
- **Women's groups:** Representatives of organizations and individuals from women's groups, including but not limited to those directly involved in supporting elections and women's political participation.
- **Civil society:** Representatives of organizations representing key groupings in the electorate, including but not limited to those involved in supporting the election process. In particular, this includes disabled persons' organizations, religious organizations, youth organizations, business groups, human rights groups and trade unions.
- **Security services:** Representatives from relevant security services, in particular the police.
- **International community:** Representatives from the diplomatic community, donors, international and regional organizations as well as other international bodies involved in the assessment of the political/human rights situation, including gender advisors.
- **Domestic and international observer groups:** Representatives from various domestic observer groups as well as representatives of any international, including regional observer group that may be present on the ground.
- **Other assistance providers:** Representatives of other bodies (international, regional, governmental and non-governmental) which are involved in or planning electoral assistance.
- **Commentators:** Prominent and experienced commentators on the political scene who could be drawn from journalism, academia or other sources.
- **Minority/marginalized groups:** Representatives of organizations and individuals from minority or marginalized groups.
- **Internally Displaced Persons or refugee populations:** Representatives of organizations and individuals from such groups.
- **The electorate:** Sample of voters both in and outside the capital.

#### 4.8 Media relations

NAMs should not seek out media coverage or hold press conferences unless specifically mandated to do so by the Focal Point. At the same time, they should not give any appearance of acting in a covert manner. Therefore, if approached by the media, the team leader should explain the purpose of the mission and provide basic facts such as its duration and composition. It should be made clear that the mission will report back to the Focal Point, who will decide whether electoral assistance

should be provided, and if so, what form it should take. No comment on meetings or recommendations should be made. Steps can be taken by the team leader or UN office on the ground under the guidance of the team leader, to clarify misrepresentations, either orally or in print, if these are deemed serious enough to warrant action. Senior UN officials on the ground (SRSG/RC) can also explain the purpose of the mission if approached by the media, but should make no further comment unless agreed with EAD.

When arranging meetings for the NAM team the UN office on the ground should make clear that the role of the media extends no further than taking pictures or film prior to the commencement of any meeting and should leave prior to the commencement of the meeting. Meetings cannot be filmed or recorded and only note taking by the participants should take place

#### **4.9 Briefings/debriefings**

At the beginning of the mission, the NAM should receive additional political and technical briefings from UN officials on the ground, particularly on the background of the interlocutors the NAM will be meeting. The NAM should seek to meet with relevant UN Country Team entities and brief them on the mission's objective, if necessary. In meeting other interlocutors, NAM members should, at the outset, brief them on the mission's objectives. The NAM should generally be in listening mode about the situation in the country/territory, including challenges and risks, as well as expectations regarding the electoral process. Briefings should also address pertinent issues of coherence and coordination in the provision of electoral assistance. If appropriate, the NAM should seek to manage expectations and provide a realistic view of what electoral assistance can achieve both in the short and longer terms.

Before leaving the country/territory, the NAM will verbally debrief senior UN officials and should also debrief the state and electoral authorities, on the preliminary findings and conclusions of the mission. It may also debrief representatives of the international community at Ambassadorial level if possible, especially where the NAM may have recommendations concerning international community coherence or concerns about the potential for election-related violence. During these debriefings it must be stressed that all conclusions and recommendations are preliminary and final decisions will be made by the Focal Point .

#### **4.10 Security**

For countries that require security clearance, a request for such clearance will be made by EAD and other UN bodies participating in the mission, through the online Security Clearance and Tracking (ISECT) system (which can be found at <https://dss.un.org>) at least seven days prior to departure. In such countries, mission members must attend any mandatory security briefings upon arrival. During their deployment, NAM members must abide by all instructions from the UN Designated Official in country. For deployment to countries where security is a serious concern, mission members may be required to attend security training prior to deployment. In advance of any travel, all UN staff should complete the basic online security training, and for countries where it is necessary, the advanced online security training. Some NAMs may need to devote particular attention to assessing the country/territory's security situation. In such cases, EAD will consult with the UN Department of Safety and Security (UNDSS) prior to departure to discuss what, if any, further action they are likely to approve. In some cases, a security officer from UNDSS may accompany the assessment mission in order to obtain first hand information about security conditions.

#### **4.11 Funding**

All costs relating to the participation of EAD will be covered by DPA, but may at times also be covered by relevant UN partners. Costs for the participation of DPA or DPKO desk officers from regional divisions must be met from their divisional budgets. UNDP and other parts of the UN system that participate in the NAM will cover the costs of their own participation. The costs of consultants

will be covered by the UN entity deploying them. Costs related to practical arrangements on the ground should be covered by the UN mission or country office.

#### **4.12 Participation by other assistance providers and donors**

NAMs are an internal UN mechanism, carried out exclusively by UN staff members and/or experts holding a UN contract. If electoral missions deployed by other international organizations coincide with the NAM, members of the NAM may liaise with them as appropriate, while safeguarding the reality and perception of UN impartiality.

### **D5. Methodology**

NAMs evaluate the political and electoral situations, as well as related logistics and security issues, in the Member State or territory. In this context, and in consideration of the mandate or request for assistance, the mission looks at the possibility of UN assistance, what form it might take, who may provide it and the parameters and modalities. NAMs may recommend a broad division of labour amongst the relevant actors in the UN system, including coordination mechanisms, and the need to adhere to the principle of integration, while also taking into account national views and other political factors. While the electoral assistance will reflect the parameters set by the needs assessment, the specifics of implementation will be detailed at country level among the electoral assistance implementers. NAMs also assess the usefulness, feasibility, advisability, sustainability and potential impact of UN electoral assistance and ascertain whether electoral stakeholders support UN involvement.

Regardless of whether electoral assistance is provided for in the UNDP CP or CPAP, the NAM will retain the discretion to recommend in favour or against UN involvement in a given electoral process, with the final determination resting with the Focal Point and may as well advise on the risks of UN involvement in providing electoral assistance.

In light of the stated purpose of a NAM, it should assess and make specific recommendations on the following:

- political environment and electoral framework;
- capacity and needs of election stakeholders;
- UN capacity for electoral assistance and coordination mechanisms;
- current and planned electoral assistance by other organizations;
- sustainability and cost-effectiveness of requested or proposed electoral assistance;
- potential risks and benefits in the UN providing electoral assistance;
- potential for election-related violence.

Each area should be assessed from a gender and human rights perspective. The mission report should contain information and analysis concerning women's participation in the political/electoral processes, as well as specific recommendations to ensure gender mainstreaming in all UN electoral assistance and that priority is given to the promotion of the participation and representation of women, traditionally under represented groups, minorities and persons with disabilities. NAM members should be guided in this regard by the Gender checklist in Annex C.

#### **5.1 Political environment and electoral framework**

The depth in which the political(including technical, human rights and security) environment and the electoral framework are assessed will depend on the time available, the kind of request made by the country/territory or the direction provided by the SC or GA mandate, and the focus of the NAM. In conducting the assessment, the NAM should consider obligations, principles and commitments for elections outlined in international and human rights instruments, as well as the particular country context and national capacities on the ground. Measures to increase confidence, strengthen national ownership, increase sustainability and cost-effectiveness and strengthen human rights and gender equality, including for traditionally underrepresented groups, minorities and disabled persons should

be at the heart of the assessment, which should identify elements of the framework that are strong and working well and elements that could be improved through UN electoral assistance.

The political environment for elections should be reviewed to gain an understanding of the extent to which politics has, and will, influence the administration of elections as well as to assess the impact of the overall human rights situation. The level of access stakeholders enjoy to participate and campaign in elections (de facto as well as de jure) should also be carefully evaluated. Particular attention should be paid to assessing whether regulations pertaining to the registration of candidates and political parties, conduct of the campaign period, including limits on spending and use of state resources (if permitted) and coverage by media are equitable. The presence of direct or indirect restrictions on the ability of members of national minorities to participate in the election process should also be looked at. The general human rights climate, including, inter alia, freedom of expression and assembly, is a key part of the review.

In assessing the electoral framework, particular attention should be paid to considering whether it contains adequate regulation of the process. Documents to be reviewed include election-related legislation, relevant provisions of the Constitution, specific laws relating to issues such as the regulation of political parties, candidates, and media, as well as criminal and administrative laws, administrative decrees and election regulations. Where appropriate peace agreements and Security Council resolutions should also be reviewed. Both the letter of the laws and their application in practice should be assessed. The assessment should pay specific attention to the issues of women's representation and implementation of CEDAW, especially temporary special measures (TSMs).

The structures and systems in place to administer the election process should also be carefully reviewed to consider whether they function in an effective, competent, sustainable and cost-effective manner. They should also be assessed as to the degree to which they encourage full citizen participation and equal access by all groups in society. Particular attention should be paid to assessing whether the election administration functions impartially, transparently and commands public confidence. Attention should also be paid to evaluating whether there is sufficient accountability within the electoral structures and systems. The system of voter registration should be reviewed, particularly to assess whether it commands public confidence, achieves a satisfactory level of accuracy, is implemented transparently, inclusively and efficiently, and is appropriate, cost-effective and sustainable. Polling and results management processes should also be reviewed, particularly to assess whether sufficient transparency safeguards are in place to protect the integrity of the process and accuracy of the results.

The complaints and appeals process should be assessed to consider whether citizens have an effective remedy. Particular attention should be paid to evaluating whether the system in place commands public confidence, provides citizens, on an equal basis, with the opportunity for a fair hearing by competent, independent and impartial authorities and operates in a timely and transparent manner.

In line with requirements in the Secretary General's 2010 report on women's participation in peacebuilding, which called for the UN to "ensure that gender discrimination is addressed at every stage in the political process", assessments should address the political environment and electoral framework through this principle, identifying areas that are conducive to promoting gender equality through electoral processes and those where support and assistance is needed to ensure that gender discrimination is addressed and eliminated. Lessons learned from previous electoral events should also be considered. In addition assessments should examine the potential value of various possible temporary special measures. Such an examination should be evaluated within the specific national context and against the specific nature of the problem which they are intended to overcome.

The assessment of the political environment and electoral framework may reveal areas where technical assistance or advice may contribute to improving the framework of the process or where political support can contribute to greater inclusiveness or a wider acceptance of the process.

## 5.2 Capacity and needs of election stakeholders

Key stakeholders to be assessed include the election administration, judiciary, appropriate state and legislative bodies, political parties, security forces, media outlets, and civil society organizations. The assessment of their capacity and needs, which should be limited to their involvement in the election process, should be undertaken with a view to assessing whether assistance should and could be provided. In most cases the focus of any assistance will be on strengthening institutions, organizations and processes so that they can function in an effective, efficient, professional, sustainable and cost-effective manner.

The assessment will focus primarily on the body responsible for election administration, where the issues to be considered will include (i) mission and strategy, (ii) structure and management, (iii) planning and implementation, (iv) human, financial and information resources, (v) infrastructure, equipment and logistics, (vi) interrelationships with other election stakeholders, and (vii) inclusive participation. If considered useful, an assessment can be made of the capacity and needs of particular individuals.

To assess the capacity and needs of the election administration, the views of staff at various levels should be sought on existing capacity, areas in which improvement is required and appropriate assistance that could be provided. When doing this, it may be necessary, particularly in a country/territory that has not received electoral assistance before, to explain the full range of assistance that could be provided by the UN. It will also be important to seek the views of election stakeholders on the needs and capacity of the election administration, the confidence they have in the electoral administration, whether they would like UN electoral assistance to be provided, and if they foresee any problem if this happens. The views of appropriate representatives of the international community present in the country/territory can also be sought on the same issues.

In assessing needs and identifying required assistance, attention should be paid to building on knowledge and capacity that is already present in the country/territory. Sometimes it may be possible to spread skills and capacity that already exist within an organization more broadly or to secure such capacity through secondment from another organisation. Assistance and advice should always have a focus on capacity building with a view to assistance being increasingly reduced and eventually phased out.

The depth in which the capacity and needs of other entities will be assessed will depend on time available and the particular focus of the NAM, but some initial assessment should be made and, to the extent possible, areas of support or intervention identified. The body responsible for dispute or complaints resolution should receive particular attention. The legal framework pertaining to the competency, neutrality and independence of the relevant entity should be examined. Where capacity gaps are identified it will be important to try to identify other assistance providers who may be better placed to provide assistance and support, either to spread the workload, both in terms of effectiveness and risk, or because they have more experience or comparative advantage.

As with all electoral support, engagement with political parties must be designed and provided transparently, in an impartial and equitable manner and in a way which is perceived to be politically neutral. It should generally focus on:

- Multi-party thematic initiatives focusing on issues such as women's political empowerment or conflict prevention
- Support to the development of legal or institutional frameworks related to political parties and electoral processes, including gender-sensitive measures.
- Cross-party dialogue initiatives particularly as they relate to the facilitation of an ongoing dialogue amongst parties to ensure they are talking to each other and addressing relevant issues (potentially conflict-driven).
- Strengthening the communication between the election authorities and the political parties.

- Code of conduct development through the encouragement of parties to create, adopt and respect a Code of Conduct during the election period.

The UN should never provide direct funding to political parties and should generally not engage in electoral assistance activities relating more strictly to political party capacity development or platform development. Exceptions could be supporting parties that want to develop women's wings or youth wings or who want help with internal party regulations to ensure they reflect inclusiveness. This type of assistance should be provided based on assessment of potential risks relating to working with political parties in a certain context, and would depend on the political circumstances in the country at hand as determined by the needs assessment mission.

### **5.3 UN capacity for electoral assistance and coordination mechanisms**

An important element of a NAM is to assess the capacity of the UN presence on the ground to implement the proposed assistance. This will include an examination of previous and current UN electoral assistance activities in country and an evaluation of what additional resources may be required. This assessment will not include an evaluation of individual UN staff. Additional resources that may be required will be determined in consultation with the providers of electoral assistance. In this regard, it is important to first identify the type of assistance that may be required and then identify, to the degree possible, the extent of assistance proposed (in terms of specific areas to be covered and also in terms of timeframes).

Where assistance is to be provided primarily through a DPKO or DPA mission, in addition to identifying the type of assistance to be provided, the NAM will also identify the structure, staffing and any other resource requirements.

The ultimate goal of all UN electoral assistance is to build knowledge, capacity, frameworks and systems that allow the national authorities to administer the process without the need for external assistance. In cases where assistance is to be provided primarily through a DPKO or DPA mission, the medium term goal is for assistance to increasingly take on a more developmental and capacity building focus and be provided by a UN agency, fund or programme, usually UNDP.

Where another UN agency, fund or programme is to provide assistance in addition to the DPKO/DPA mission, the NAM will identify the structure, staffing and any other resource requirements for the DPKO/ DPA component and recommend a broad division of labour amongst relevant actors in the UN system, including coordination mechanisms. The specifics of implementation will be detailed at country level among the electoral assistance implementers.

In such cases all UN electoral assistance will be delivered in a fully integrated manner, regardless of whether the mission is structurally integrated or not. As a norm, and subject to existing guidance on integration, electoral components in structurally integrated missions will report to the SRSG or head of mission through the Deputy SRSG who is also the Resident Coordinator. Integration does not apply in cases where a UN entity is providing monitoring or certification based on a SC or GA mandate.

Where assistance is to be provided only by UN agencies, funds or programmes the NAM will recommend a broad division of labour amongst relevant actors in the UN system, including coordination mechanisms. The specifics of the implementation will then be detailed at country level among the electoral assistance implementers.

In all cases, UN electoral assistance should be delivered according to the principles of "Delivering as One" and should capitalize on the comparative advantages of each UN entity, ensuring that all available resources are utilized. Coordination mechanisms should also be identified to ensure coherence within the UN family and between the UN family and other providers of assistance. Details of the assistance and implementation modalities will be elaborated during the project

formulation phase. Finally, the NAM will as much as possible provide a preliminary assessment of resources that could be mobilised to support the recommended activities.

Foreseeable challenges to UN efficient delivery as one should be examined with a view to identifying measures that can be taken to address them effectively.

#### **5.4 Current and planned electoral assistance by other organizations**

The main purpose of this assessment is to ensure, as far as possible, that electoral assistance by all UN actors is provided in a coherent and harmonious manner, avoids duplication, is cost effective and recognises experience and therefore comparative advantage. In general, but particularly where the UN is present under a Security Council or General Assembly resolution and given an electoral assistance mandate, it should seek to take the lead in providing assistance and other organizations should complement this assistance. The UN should also seek to assist the authorities in coordinating international electoral assistance to ensure all areas are covered and to avoid duplication. The UN's coordinating role should preferably be inscribed in the UN mandate or be formalized through a request from the Government.

In undertaking this assessment, the NAM should examine election assistance projects being implemented by other international and domestic organizations to see what lessons can be learned and determine how future support can complement assistance already being provided. Consideration should be given to the comparative advantage of other organisations in specific areas, and UN assistance should be targeted in such areas only when there is a clear national demand and need that is not being met by any other organization.

Where possible, copies of assistance reports should be reviewed, and experts working for other organizations interviewed. Reports by credible international and domestic observer organizations should also be reviewed, with a view to identifying positive and negative aspects of previous elections as well as specific elements of the electoral process that require particular attention by the NAM and the authorities. Recommendations prepared by international and domestic organizations should be reviewed particularly carefully to determine which might have been addressed and which might require further attention.

If the number of potential assistance providers is significant, the NAM should explore, with UN colleagues, national electoral authorities and other assistance providers, how assistance can be most effectively co-ordinated. The NAM may recommend a model or mechanism for this purpose. Any proposed coordination body must respect national authority and sovereignty, and avoid the reality, or appearance, of being donor driven.

It is the role of the focal point to ensure appropriate working relationships with regional and intergovernmental organizations involved in electoral assistance. Information on emerging electoral assistance partnerships will be shared with the focal point in a timely manner so as to provide an opportunity for the focal point to share relevant concerns.

#### **5.5 Assessment of the sustainability and cost-effectiveness of requested or proposed electoral assistance**

It is a fundamental UN doctrine to support national counterparts to develop the capacity to lead, manage, achieve, fund and account for their national priorities. In a development context, the UN is required to locate its programming within national development plans. Sustainability and cost-effectiveness must therefore be key factors in a NAM's overall recommendations with a view to supporting the goal of elections being fully funded through national budgets as soon as practicable.

To this end, NAMs should seek to assess, as far as possible:

- the degree to which proposed assistance fits with national development priorities and plans;



- a country/territory's likely ability in the immediate and longer-term (covering at least two to three sets of elections) to independently fund its electoral process;
- the degree and duration donor assistance may be required (if relevant and possible); and
- a country/territory's human resource capabilities, including, in particular, institutional and professional experience in running successful elections.

The NAM may include information on the progress a country/territory has made in meeting its Millennium Development Goals, especially in the context of sustainability or in comparing proposed election costs with other development priorities. The NAM may also assess the role of vendors in advising the authorities on electoral matters.

## **5.6 Evaluation of potential risks and benefits in the UN providing electoral assistance**

The NAM should also identify potential risks in the provision of electoral assistance, as well as potential benefits to the electoral process if the UN is involved. Risks are likely to fall into the following areas:

- Political risks, which focus on the potential for the UN to be associated with, or be seen to legitimise, an electoral process that lacks credibility. Specific concerns could include lack of political will by the authorities (obstructing the passage of necessary or adequate laws, lack of independence of the electoral management body and its staff, political intimidation, manipulation of results, discrimination and disenfranchisement of sectors of the electorate etc.), lack of rule of law/culture of impunity, dominance of one political party and corruption.
- Technical risks, which could include an inability to provide assistance of a sufficiently high quality in the time available, resistance to the introduction of new ideas or processes, severe lack of capacity on the part of the electoral management body and its staff or a request for equipment or technology to be provided that is not appropriate for the country/territory, or cannot be procured in time.
- Financial risks, which could include the potential that donors would be unlikely to provide sufficient funds to cover the needs identified, either for an upcoming election or for future elections.
- Security risks, which could include the possibility that certain areas of the country/territory could be too dangerous to conduct electoral operations and for the electorate to participate in the process. There could also be a potential for political violence and physical harassment of electoral stakeholders.

Steps that could be taken to mitigate or remove these risks should be outlined in the recommendations.

Particularly in a difficult context, the benefits of UN assistance in helping a country begin a democratisation process or help lay groundwork for longer-term stability are clear. Potential benefits include:

- elections gain enhanced credibility and acceptance by the electorate if trust is built because of the UN's presence;
- active engagement by the UN with stakeholders, particularly political parties, to encourage their continuous engagement in the process;
- access to technical expertise and comparative international experience that would be otherwise unavailable;
- a multilateral approach to electoral assistance that helps coordinate efforts on the ground;
- decreased risk of violence if the UN acts as a deterrent; and
- the UN's ability to benefit from lessons learned and best practices.

Specific assistance that can be provided to maximise these benefits should be identified where possible.

## **5.7 Evaluation of the potential for election-related violence**

The NAM should pay particular attention to evaluating the threat of violence breaking out during the election process, either directly as a result of perceived or real shortcomings in the framework and environment, or indirectly as a result of systemic, long standing and unresolved grievances (real or perceived). Special attention should be given to issues of violence against women in elections, in particular to women as voters and candidates.

Past experience shows that election-related violence is more likely when:

- a country/territory is in a state of transition;
- democracy is weak or fragile;
- state structures are weak or inadequate;
- there is a lack of adequate or appropriate power-sharing arrangements;
- access to political, social, economic or educational assets is unequal, dominated by certain groups and/or based on and reinforcing of a history of societal division;
- politics is marked by violence and/or there is a history of political violence.

Experience has also shown that elections can aggravate deep-rooted grievances when the electoral system creates, exacerbates or exploits real or perceived inequalities or marginalization, or where there is real or perceived electoral manipulation. Other elements that can raise the risk of election-related violence include high stakes, close outcomes, zero sum politics, fanning of social divisions, human rights violations, lack or significant problems with the rule of law and ethnic, national, religious or other forms of discrimination.

Potential trigger points for violence should be identified along with any electoral assistance or political interventions that could be implemented to reduce this potential.

Experience shows that the following elements of the electoral process can reduce the potential for election-related violence:

- broad trust and confidence in the election management body and other institutions involved in election administration;
- a consultative approach which attempts to make all stakeholders co-responsible;
- a level playing field for political contestants;
- adequate measures to enfranchise all eligible voters;
- transparency in all phases of the process and safeguards against fraud;
- fair, expeditious and accessible dispute resolution process.

Specific recommendations in each of these areas that can reduce the potential for election-related violence should be made in the NAM report.

## **5.8 Preparation of recommendations**

Requests by Member States and territories for electoral assistance are, as a rule, considered favourably. Nevertheless, there may be certain circumstances in which UN assistance is not appropriate, and the NAM report should comment on the balance between the risks and benefits of UN involvement.

If the NAM finds that the risks outweigh the benefits of involvement, and it therefore recommends that UN electoral assistance should not be provided, it should clearly explain the findings that have led to this recommendation so that the Focal Point can take the appropriate decision. These could include factors such as lack of time, or the availability of other actors better suited than the UN to meet the needs identified.

If the NAM finds that the risks do not outweigh the benefits of involvement, and therefore UN electoral assistance is to be provided, recommendations should be developed with three main goals in mind:

- to guide UN electoral assistance to promote a nationally owned, appropriate, sustainable, cost-effective and inclusive democratic election process which includes the promotion of the participation and representation of women, traditionally underrepresented groups, minorities and persons with disabilities;
- to clearly identify the type of assistance to be provided and to identify parameters and timelines, to the extent possible, covering this assistance; and
- to ensure that UN guiding principles are respected in all UN electoral assistance activities, including integration, delivery as one, overall coordination and avoidance of duplication and gender mainstreaming. Any recommendations should ultimately be shaped by the particular needs, political challenges and circumstances of the country/territory seeking assistance.

Recommendations should provide overall strategic guidance, address political considerations as well as technical, material and financial requirements and priority assessment areas. They should also include guidance on assistance that should not be provided because, for example, it may not be sustainable over the long term, particularly as donor support declines and comes to an end, or is not cost-effective, politically appropriate or essential in addressing the real needs of the country/territory. All recommendations made by the NAM must conform to existing relevant UN policies. Seven key areas should be considered.

1. Types and length of assistance and assistance providers: The most important recommendation is whether electoral assistance should be provided by the UN, and if so, the type or form it should take. In cases where it is recommended that the UN provide a number of types of assistance, the rationale and added value of each should be clearly articulated. The scope for each type of assistance should be clearly elaborated. The UN Guideline on Principles and Types of UN electoral assistance may be helpful in this regard (see section F below). Possible coordination mechanisms should also be outlined. For each type of assistance the length of support to be provided should be identified.
2. Assistance Priorities: In addition to the type of support proposed, the NAM should identify targeted areas of support and priorities, which should include attention to gender equality. Specific areas where assistance should not be provided should also be identified. To the extent possible or necessary the length of support within each area should be identified. Areas that could be covered in the area of technical assistance include:

**Technical assistance/advice to the national electoral authorities (and other national bodies where appropriate) on:**

- electoral laws and regulations
- electoral system design
- electoral planning and administration
- electoral budgeting and financial management
- constituency delimitation
- election logistics and operations
- procedural development
- training of election officials
- voter registration (and civil registries as they relate to voter registration)
- polling and counting
- results management
- civic and voter education
- engagement with political parties and observers
- inclusive participation (with a focus on greater participation by women and other underrepresented groups including through the application of TSMs)
- public outreach and engagement with the media
- compliance with the media regulatory environment (where assigned to the EMB)
- compliance with the political finance and campaign finance regulatory environment (where assigned to the EMB)
- political party registration (where assigned to the EMB)
- candidate registration
- electoral dispute resolution
- procurement of election materials

- election security
- professional development of election management bodies
- electoral reform (legal framework, systems, electoral boundaries, electoral management etc)
- building sustainable electoral processes

**Other possible support**

- operational support
- material support
- financial and field administration support
- mobilization and coordination of financial resources for electoral support
- training of judiciary
- support to security forces
- media training/ monitoring/ compliance
- political and campaign finance technical assistance
- political registration technical assistance
- capacity building of civil society organizations
- engagement with political parties (see 5.2)
- coordination of international electoral assistance

- 2a. Draft structures and staffing tables: These should be provided in cases where the assistance is mandated by a Security Council or General Assembly mandate and will be delivered by a UN Mission.
3. Coherence and coordination: This should include general direction concerning UN coherence and coordination in the delivery of assistance with the aim of ensuring timely and effective "delivery as one". Direction should be provided on a division of labour amongst relevant actors in the UN system, based inter alia on the institutional mandates, existing agreements and comparative advantage of each actor, what back-up can be provided by UNHQ, reporting mechanisms and requirements, on the form, substance and implications of proposed UN partnerships with non-UN providers/donors and direction on the overall management, coordination and coherence of assistance, including proposals for international community coordination mechanisms.
4. Sustainability and cost-effectiveness: A number of important points regarding costs and sustainability should be addressed, including (i) implications for programming of current and future fiscal and human resource capabilities; (ii) a cost-benefit analysis from the long-term perspective of any new technology envisioned for use; and (iii) encouraging and moving to a wholly nationally run electoral process without international assistance.
5. Potential for election-related violence: This should cover electoral assistance or political interventions that could be implemented to reduce or mitigate the potential for election-related violence. It should include recommendations as to whether UN good offices or other diplomatic initiatives might, if requested, be useful.

6. Risk mitigation strategy: This should outline steps that could be taken to mitigate or remove any risks that have been identified in the UN providing electoral assistance.
7. Specific recommendations for gender mainstreaming and promotion of the participation and representation of women, traditionally underrepresented groups, minorities and persons with disabilities.

## **D6. Reporting**

The NAM report is critical as it provides the basis on which the Focal Point will take his/her decision. Considerable attention must be paid to producing a high quality report that is well written, clear and comprehensive. NAM reports should also be consistent in terms of approach and content. The report will normally be produced in either English or French, but the executive summary should be prepared in English.

### **6.1 Reporting responsibilities**

Overall responsibility for producing the report lies with the mission leader, who should task other members of the team with reporting duties, but ensure the preparation of a final text. In some cases the consultant will prepare a first draft for submission to the team leader. In any case, at the beginning of the mission, a clear timeframe for preparation of text should be provided to all team members, who must ensure that the deadlines are respected. The timeline for completion of the first and final draft report will be stated in the mission terms of reference, but, unless time is particularly tight, will usually be within two and three weeks of the end of the mission respectively.

### **6.2 Report outline**

The report should consist of a concise executive summary (maximum two to three pages) with a clear political focus, followed by a main report of up to 20 pages, plus annexes if necessary (see annex B for a template).

The executive summary should have a clear political focus and include all conclusions and recommendations made in the report.

The report should include: a background section including information regarding the request and the modalities and participants in the mission; a main body section including assessments of all of the areas listed under the methodology section of this guideline; a conclusion section to include both recommendations in all areas identified in the relevant chapter of this guideline and a specific time window for the assistance, after which a new request is required; annexes listing meetings attended, any special assessments undertaken (for example voter registration or constituency delimitation) and the TORs for the NAM. Gender mainstreaming should be considered systematically across each section.

### **6.3 Completion, submission and approval of report**

Once the draft report has been completed, the mission team leader or the desk officer will share it with the lead department or agency and the UN representative on the ground (SRSG and/or RC/RR) as well as relevant regional divisions in headquarters, for comment before submitting it to the EAD Country Team Leader and then to the EAD Director for approval.

To ensure a timely completion of the process, a first draft should normally be distributed for comments within two weeks of the end of the mission and comments should normally be received within one week. The preferred method is for all parties (EAD, DPKO, UNDP and any other members of the NAM) to agree on the recommendations to be submitted to the Focal Point.

Nonetheless EAD will finalize the NAM report and the Focal Point will make the final decisions on the recommendations.

Once approved by the EAD Director, the report should be submitted to the Focal Point, together with a note (maximum two pages) including (i) the main findings of the mission concerning the electoral/political situation in the country, (ii) a recommendation on whether electoral assistance should be provided, and if so, what form it should take, (iii) any caveats that should be fulfilled before provision of assistance can begin, and (iv) a summary of recommendations.

At the time of submission a letter should also be submitted for the Focal Point signature for the main assistance provider(s). In addition, a letter to the Member State with a summary of the assistance to be provided (or notification if assistance would not be provided) should also be submitted for the Focal Point's signature.

#### **6.4 Focal Point decision and notification**

Based on the needs assessment report, the Focal Point will either approve, or deem inappropriate, UN electoral assistance. If the former, the Focal Point will also approve, or deem inappropriate, the recommendations outlined in the report and may also request modifications before approving.

Where DPKO or DPA will be in the lead in terms of the provision of UN electoral assistance, decisions of the Focal Point will be communicated to DPKO, DPA, the SRSG and DFS. The report, accompanied by a letter from the Focal Point (see 6.3 above) will be provided. The decisions may also be communicated to other UN entities if they are expected to also be providing electoral assistance in such settings or at their request.

Where UNDP is in the lead, decisions of the Focal Point should be communicated to the UNDP Administrator. The report, accompanied by a letter from the Focal point will be provided (see 6.3 above). EAD will in turn inform the RC/RR and provide him/her with the report. . The decisions may also be communicated to other UN entities if they are expected to also be providing electoral assistance in such settings or at their request.

A letter will be sent from the Focal Point to the member state with a summary of the assistance to be provided (or notification if assistance would not be provided).

In cases of disagreement between the UN office on the ground and DPA on the recommendations, a strategy will be decided between both offices to handle the conveyance of the final recommendations to the requesting Member State.

Further follow-up with the member state on the findings and recommendations of the Focal Point should be channelled through the SRSG's or RC/RR's office.

#### **6.5 Distribution of report**

Once the decision of the Focal Point has been received and communicated to the Member State and the lead assistance providers the final version of the report can be distributed within the UN system to any additional appropriate persons, upon approval by the EAD Director. Requests for the NAM report should be directed to the relevant EAD desk officer.

As NAM reports may contain sensitive information they are considered UN internal documents, and are not normally shared with others outside the UN system. However, if for any reason (including if requested by the member state concerned or the donors) there is a real need to share the report, EAD, in consultation with the relevant DPA regional Division and SRSG/RC/RR will prepare a redacted or abridged version which can be then shared with the Member State concerned and the donors upon the EAD Director's authorization.

#### **6.6 Project formulation process**

In the case of a positive decision by the Focal Point, where assistance is to be provided by UN agencies, funds or programmes, the electoral assistance provider, usually UNDP, and possibly other agencies, will work in close collaboration with EAD to prepare an appropriate electoral assistance project(s) which reflects the decisions of the Focal Point and is in line with UN electoral policy. The project(s) 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 final version of the project document before the Local Project Appraisal Committee is held. The length of the project should be in line with the recommendations of the NAM unless agreed otherwise with the Focal Point. EAD will receive a copy of the final project document as soon as it is approved.

In the case of a significant revision or extension of an existing project document, the same process as described above will be followed.

In the case of a project extension of limited duration alone, EAD will simply be informed of the planned extension and given a copy of the revised project document before it is finalized.

When assistance is to be provided by a DPA or DPKO mission, the NAM will prepare a notional staffing chart and budget with TORs etc. That will be the basis for establishing an electoral unit/division in the mission. Often the assistance to be provided by DPA or DPKO will be complemented by another agency in which case a project document will be prepared. This should take account of decision No 2010/23 of the Secretary-General (12 October 2010 meeting of the Policy Committee) that all UN electoral assistance in peacekeeping, peace building or special political mission settings should be delivered in a fully integrated manner from the outset, whether or not the mission is structurally integrated.

## **6.7 EAD support and coordination**

EAD support and coordination, at headquarters level, within the UN system will continue throughout the delivery of assistance. In order to facilitate this responsibility and to ensure the Focal Point is appropriately informed of UN electoral assistance, the UNDP Country Office, and/or other UN entity where appropriate, will submit status reports on a quarterly basis to EAD, or more regularly if requested by the Focal Point. At the conclusion of the project EAD shall receive a final project report from the Resident Coordinator/Resident Representative, and other UN entity where appropriate, within three months of the completion of the project.

Electoral advisory services of a prescriptive nature will be consulted with EAD, if there is no specific UN policy, if the policy is unclear or in situations of armed conflict, heightened political instability, social unrest or heightened reputational risk for the UN.

In line with its mandate to maintain the UN system's electoral institutional memory and archives the relevant EAD desk officer will maintain a file on the process. This file will include the following documents:

- The SC or GA mandate or request from the Member State;
- The response from the Focal Point indicating whether a NAM or desk assessment will be carried out;
- The NAM report or desk assessment;
- All correspondence related to the NAM or desk assessment including communication of the Focal Point's decision;
- The mission's electoral component or the project's operational document(s);
- Periodic reports on the provision of assistance including any requests for additional assistance.

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## **E. TERMS AND DEFINITIONS: N/A**

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## F. REFERENCES

### Normative or superior references:

- GA Resolutions on strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization
- SG decision 2010/23
- SG Decision 2011/23

### Related policy or guidance:

- Policy Directive on *Principles and Types of UN Electoral Assistance*
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## G. MONITORING AND COMPLIANCE

The NAM leader will be responsible, in the first instance, for ensuring that this guideline is adhered to by all members of the mission. At a higher level, the Director and senior officials of EAD will also have supervisory responsibilities, acting on behalf of the Focal Point, in ensuring that the guideline is followed, taking into account flexibility that can be permitted as a result of the particular context and circumstances in which a NAM is deployed.

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## H. DATES

This guideline became effective on 11 May 2012. It shall be reviewed every two years, or earlier if required.

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## I. CONTACT

Policy and Institutional Memory Team, Electoral Assistance Division, UN Department of Political Affairs.

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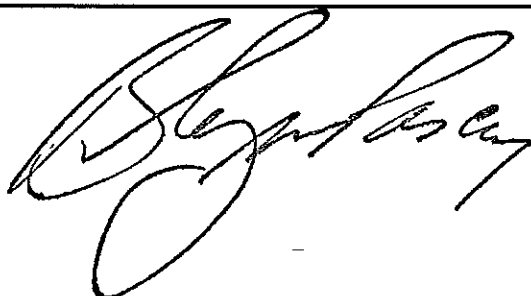
## J. HISTORY

Drafted by the Policy and Institutional Memory Team of the Electoral Assistance Division of the Department of Political Affairs on 1 May 2012.

Consulted with members of the Inter-Agency Coordination Mechanism for UN Electoral Assistance (ICMEA) prior to adoption.

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SIGNED:



DATE:

11/5/2012



## **ANNEX A: Generic Terms of Reference**

### **UN ELECTORAL NEEDS ASSESSMENT MISSION TO [INSERT COUNTRY]**

#### **UNITED NATIONS ELECTORAL ASSISTANCE DIVISION**

**[INSERT DATE]**

#### **I. Introduction**

1. These Terms of Reference (ToRs) are intended to govern the organization, activities and reporting of the United Nations Electoral Needs Assessment Mission (NAM) to [insert country]. They should be read in conjunction with the UN Electoral Needs Assessment guidelines and Policy Directive on Principles and Types of UN Electoral Assistance prepared by the Electoral Assistance Division (EAD) and approved by the Focal Point for electoral assistance activities.

#### **II. Purpose of a Needs Assessment Mission (NAM)**

2. The purpose of a NAM is to evaluate the political and electoral environment in the country/territory being visited, the legal and institutional framework governing the electoral process and the capacity and needs of the various election stakeholders, with a view to recommending whether the UN should provide electoral assistance. The NAM also recommends the type of assistance that should be provided and the parameters, including the length of assistance, and modalities that govern such assistance.

#### **III. Decision to deploy a NAM**

3. The NAM is being deployed following [insert details].

#### **IV. Country Context**

4. [To be inserted]

#### **V. Timing, composition and leadership of the mission**

5. The mission will take place for [insert number] working days. The NAM will be led by [insert name and position], accompanied by [insert name(s) and entities]. It will be deployed to [insert country] from [insert dates].

#### **VI. Areas of Assessment**

6. In close coordination with the UN leadership-in-country (SRSG or ERSG in the case of a DPKO or DPA mission or RC or RR in the case of a non-mission setting), the NAM will assess the following (further details provided in NAM guidelines):

- a. Political, legal, institutional, technical and security environment and electoral framework;
- b. Capacity and needs of election stakeholders and in particular the electoral management body or bodies;
- c. UN capacity for electoral assistance and co-ordination mechanisms;
- d. Current and planned electoral assistance by other organizations;
- e. Sustainability and cost-effectiveness of requested or proposed electoral assistance;

- f. Risks, benefits and advisability of the UN providing electoral assistance;
- g. Potential for election-related violence.

A gender and human rights perspective should be included in the assessment of each area, and the mission report should contain information, analysis and recommendations concerning women's participation in the political/electoral process(es).

Additionally, the mission will also look at [insert any specific areas to be examined for the particular NAM].

## **VII. Interlocutors**

7. Meetings should be held with a wide range of interlocutors and include a representative sample of election stakeholders drawn from (i) the UN system, (ii) Government authorities, (iii) electoral authorities, (iv) political parties, (v) legislature, (vi) judicial authorities, (vii) media, (viii) women's groups, (ix) civil society, (x) security services, (xi) international community, including accredited diplomatic missions, (xii) domestic and international observer groups, (xiii) other assistance providers, (ix) commentators, (x) minority/marginalized groups, (xi) internally displaced persons or refugee populations, and (xii) electorate.

## **VIII. Responsibilities of UN office on the ground**

8. The mission will carry out its duties in close collaboration with [insert most senior UN official], liaising closely with UN staff on the ground as well as the diplomatic/donor community and other relevant national and international stakeholders.

9. The UN Mission or UNDP Country Office will prepare a briefing pack for the mission, including relevant background information, and organize meetings with a list of interlocutors, as described above.

10. The UN office on the ground should make all necessary practical arrangements for the mission. These should include: (i) providing transportation, and if necessary (ii) arranging for security briefings and any mandatory security and communication equipment, (iii) arranging for interpretation and translation services (iv) booking accommodation (v) and making visa on arrival arrangements.

## **IX. Media relations**

11. The NAM should not seek out media coverage or hold press conferences unless specifically mandated to do so by DPA Senior Management. At the same time, it should not give any appearance of acting secretly. Therefore, if approached by the media, the team leader should explain the purpose of the mission and provide basic facts such as its duration and composition. It should be made clear that the mission will report back to the Focal Point, who will decide whether electoral assistance should be provided, and, if so, what form it should take. No comment on meetings or recommendations should be made. Steps can be taken by the team leader, or UN office on the ground under the guidance of the team leader, to clarify misrepresentations, either orally or in print, if these are deemed serious enough to warrant action. Meetings of the NAM may not be recorded or filmed (notes may be taken by the participants) and this should be communicated to all interlocutors in advance of any meetings.

## **X. Security Arrangements**

12. See UN Electoral Needs Assessment Guidelines and add as appropriate to the specific country.

## **XI. Funding Source**

13. All costs relating to the participation of [insert names of EAD staff members] will be covered by [insert as appropriate: EAD, UN peace or political operation on the ground, UNDP Country Office]. Costs for the

participation of [insert names of DPA or DPKO desk officers from regional divisions] will be covered by [insert appropriate divisional budget]. Costs of [insert details of other participants if appropriate] will be covered by [insert details of part of system any other participants are drawn from]. The costs of consultants will be covered by [insert details of the UN peace operation, UNDP, EAD or other relevant parts of the UN system]. Costs related to practical arrangements by the UN presence on the ground will be covered by [insert details].

## **XII. Reporting**

14. Considerable attention must be paid to producing a high quality report that is well written, clear and comprehensive. The report will be produced in the appropriate UN official language (agreed with EAD), but the executive summary should be prepared in English, for submission to the Focal Point. The mission leader is responsible for preparing the report, in close coordination with other members of the team. The report should be submitted to EAD within two weeks of the end of the mission. If EAD is not satisfied with the quality of the report, it may return it to the mission leader requesting improvements to be made.

15. The template for electoral needs assessment mission reports should be used. The report should consist of a concise executive summary (maximum two to three pages), followed by a main report of up to 20 pages, plus annexes if necessary. The executive summary should have a clear political focus and include conclusions on (i) electoral and legal framework and political environment, highlighting any key concerns, (ii) capacity and needs of election stakeholders, and in particular the electoral management bodies (iii) capacity and coherence of the UN in the provision of electoral assistance, (iv) planned assistance by other organizations, (v) sustainability of requested or proposed electoral assistance, (vi) potential risks and benefits of the UN providing electoral assistance, and (vii) potential for election-related conflict.

## ANNEX B: Generic Electoral Needs Assessment Mission Report

**Synopsis:** *An electoral needs assessment mission (NAM) is mandated by General Assembly resolution<sup>2</sup> as the first response to a formal request for United Nations electoral assistance. A NAM is deployed following the receipt of a formal request from a national authority of a member state or territory under the authority of the UN Focal Point for Electoral Assistance, the Under-Secretary General for Political Affairs. The NAM report is critical as it provides the basis for recommending to the focal point whether electoral assistance should be provided and, if so, what form it should take, who should provide it, what parameters it should have and what the priorities should be. A NAM may also be deployed in response to a General Assembly or Security Council mandate.*

**Purpose:** *The purpose of this template is to provide NAM team leaders and members with an indicative guide of the information and format expected for their report of the mission. NAM goals may vary based on the Terms of Reference provided to the mission and sound judgement should be used to identify what aspects of the template are relevant or irrelevant to its substance.*

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<sup>2</sup>GA Res. 46/137.

*(Cover Page)*

**REPORT OF  
THE  
ELECTORAL NEEDS ASSESSMENT  
MISSION**

**COUNTRY NAME**

**Mission Dates:**

# Mission Report

## Structure Overview

### 1. Table of Contents

### 2. Executive Summary (in English - maximum 2-3 pages)

### 3. Mission Background

- Source and background of request (received from, date) or mandate
- Mission composition (mission members)
- Dates and location of mission (deployment dates, locations of deployment)

### 4. Assessment of political environment and electoral framework

- Political environment
  - Political background (political parties, institutions, form of government, security, peace agreements, relevant social, economic and demographic features)
  - Human rights situation (including concerning women, minorities and underrepresented groups)
- Electoral framework
  - Legal electoral framework
  - Possible impact of political environment on the administration of elections
  - Complaints and appeals process
  - Access of women and underrepresented groups to the electoral process
  - Lessons learned from previous electoral processes
- Current electoral schedule

### 5. Assessment of capacity and needs of election stakeholders

- Electoral Management Body
  - Mission and strategy
  - Structure and management
  - Competency and effectiveness
  - Planning and implementation
  - Human, financial and information resources
  - Infrastructure, equipment and logistics
  - Interrelationships with other election stakeholders
  - Inclusiveness
  - Level of independence, (legal, financial, in appointments, in action), including possible political interference
  - Level of public confidence
- Body responsible for dispute or complaints resolution
  - Competency and effectiveness
  - Neutrality and independence
  - Public confidence
- Political parties
- Security forces
- Media outlets
- Civil Society Organizations
- Voters

### 6. Assessment of UN capacity for electoral assistance and coordination mechanisms

- Previous UN electoral assistance activities
- Capacity of the UN presence on the ground

- Possibilities and challenges for coordination

#### **7. Assessment of current and planned electoral assistance by other organizations**

- Non-UN electoral assistance providers and observers
- Current and planned electoral assistance activities
- Possibilities and challenges for coordination

#### **8. Assessment of sustainability and cost-effectiveness of requested or proposed electoral assistance**

- Coherence of national development plans
- Financial issues: Election budget, national capacity to fund electoral processes, necessity of donor assistance
- National human resource capacities

#### **9. Assessment of potential risks and benefits in the UN providing electoral assistance (both in terms of risks and benefits to the electoral process and to the UN)**

- Political risks
- Technical risks
- Financial risks
- Security risks
- Benefits

#### **10. Assessment of potential for election-related violence**

- History of electoral violence
- Future potential issues

#### **11. Recommendations**

- Should the UN provide electoral assistance (if not specifically mandated by SC or GA resolution)?
- Types and length of assistance (a time window should be clearly specified) and electoral assistance providers
- Assistance priorities including specific areas within each type that should be supported and/or prioritised and any areas that specifically should not be supported (recommendations on engagement with political parties must be clear and specific)
- Structures and staffing tables where the assistance has been mandated by the SC or the GA.
- Coherence and co-ordination mechanisms (with national and/or international partners and within the UN)
- Sustainability and cost-effectiveness (including an analysis of the country's capacity to fully fund its electoral process in the medium or longer-term)
- Specific measures to mitigate against election-related violence including UN good offices or other diplomatic initiatives
- Specific recommendations for gender mainstreaming and promotion of the participation and representation of women, traditionally underrepresented groups, minorities and persons with disabilities.
- Risk mitigation strategy (both in terms of risks to the electoral process and risks to the UN)
- Reporting requirements to ensure the Focal Point is kept informed on the progress of the assistance and the political/electoral situation in general

#### **12. Final remarks/ Comments**

#### **13. Annexes:**

- Request from Member State
- Focal Point's response to request
- Terms of Reference
- List of interlocutors or schedule of meetings for the mission
- List of any special assessments undertaken
- Checklist on Gender and Electoral Assistance

**Note:** At the time of submission of the report to the Focal Point the following letters should also be submitted:

- Letter to Member State with summary of assistance to be provided
- Cover letter to main assistance provider for report circulation

*Signature Block*

**Team Leader  
Needs Assessment Mission**

*Insert Date*



## **ANNEX C: Checklist on Gender and Electoral Assistance**

*The following, non-exhaustive list of questions shall help NAM members to address issues related to gender and elections at their meetings with interlocutors. The NAM shall thoroughly analyze the information obtained during the assessment mission and, where appropriate, make "specific recommendations (...) to ensure gender mainstreaming in all UN electoral assistance activities and that priority is given to the promotion of the participation and representation of women (...)" (PC decision 2011/23) in the relevant sections of the NAM report.*

### **A) Questions**

1. Which Gender-Disaggregated Data is collected by national authorities (e.g. women among voting-age population, women in voting registers, women among voters, women in parliament)? Is this data analyzed by national authorities and does this lead to concrete action?
2. Does the constitution, the legal framework and electoral laws/ regulations provide equal rights for women and men in terms of political participation and representation?
3. How conducive is the general environment for women's political engagement? Are there societal, economic, cultural, religious or other impediments to women's participation?
4. Are there any administrative and technical obstacles that hinder women's full participation as voters and candidates in the electoral process (e.g. lack of IDs/documentation, limited opening hours of registration/polling stations, literacy requirements for candidates)?
5. Are electoral authorities, particularly EMBs, aware of factors hindering women's participation and representation in elections? What do they see as the main issues? Which strategies do they have to address them?
6. Are political parties encouraging women's participation and representation, e.g. through specific outreach to women voters and candidates and by taking measures for women to get elected to office?
7. Are Civil Society and media promoting women's involvement in the electoral process?
8. Are there any Temporary Special Measures in place to ensure women's participation and representation (e.g. numerical staffing targets in EMBs, incentives for political parties to place women in electable positions, quotas, reserved seats, targeted voter education programs)?
9. Have there been and are there any UN gender and elections related assistance activities in the country? Which focus did/do they have and what is their impact?
10. What are previous, current and future activities by non-UN actors promoting gender equality in the electoral process? Which are strengths and weaknesses of those activities? Where do other actors have comparative advantages or shortcomings compared to the UN?

### **B) Recommendations**

11. What should be the focus of UN electoral assistance in relation to gender and elections in order to ensure gender mainstreaming in the electoral assistance activities on the ground?
12. What would be the potential value of different measures including TSMs in overcoming specific national problems regarding women's electoral participation and representation?
13. Which risks and benefits may different measures have?
14. Based on this analysis – Which measures are recommended and why?

### **C) Gender-Disaggregated Data table**

A main source of information for analyzing women's participation and representation in the political and electoral process and making recommendations is Gender-Disaggregated Data (GDD). The NAM will consult with UN Women and the UNCT who will provide the data or recommend alternative sources of information such as the EMB, national statistics agencies, or other national and international organizations. This data should serve as an important basis for recommendations for gender-related electoral assistance activities.

	Type of GDD	Most recent electoral process (date)	Previous electoral process (date)	Trends/ Observations	Source of data
VR/VT	Women among voting-age population (%)				
	Women in voter register (%)				
	Voter turnout data by sex				
Nat. Parliament <sup>3</sup>	Women among registered candidates for parliament (%)				
	Women in parliament – Upper house (num. and %)				
	Women in parliament – Single/Lower house (num. and %)				
Nat. Executive	Women in cabinet (number and %)				
	Registered women candidates for president (num. and %)				
Local Government <sup>4</sup>	Women in local government bodies such as local councils (%)				
	Women heading local government such as mayors or heads of local councils (num. and %)				
Pol. Parties	Women among registered members of major political parties (num. and %)				
	Women in party leadership positions (num. and %)				
EMB	Women in the EMB board of commissioners (num. and %)				
	Women in EMB Senior Management Positions (such as heads of departments) (num. and %)				
	Women as staff in the EMB Secretariat (num. and %)				
	Women among polling station staff (num. and %)				

<sup>3</sup> If regional parliaments exist, relevant data should be collected. The same applies to non-elected parliaments.

<sup>4</sup> If regional or federal executives exist, data should be sought for these bodies.