

United Nations



Focal Point for Electoral Assistance  
Ref. FP/01/2015

## Policy Directive

4 August 2015

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# Conduct of UN personnel in and around electoral sites

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Approved by: *Jeffrey Feltman, UN Focal Point for Electoral Assistance*

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Contact: *Policy and Institutional Memory Team  
Electoral Assistance Division  
Department of Political Affairs*

Review date: *After two years of date of approval, or later as necessary*

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## **A. PURPOSE**

1. This directive sets out United Nations policy for the conduct of UN personnel, including uniformed personnel, in and around electoral sites, particularly on election day itself. It focuses on what UN personnel should not do and say in order to avoid certain misperceptions. This is particularly relevant for those UN personnel who do not normally have election-related tasks. The purpose of the directive is to ensure coherence and consistency in UN actions and comments, to ensure respect for national sovereignty, and to make certain that the public perceives the UN to be independent and impartial.

## **B. SCOPE**

2. This directive applies to all entities of the UN system and all UN personnel with respect to their actions around an election, particularly on election day itself (taking into account the particular circumstances mentioned further below). For the purpose of this directive, the UN is understood to refer to the entire UN system, that is, all UN departments, funds, programmes, entities, agencies, trust funds, commissions, peacekeeping missions, special political missions, peacebuilding missions, country teams and other bodies. This also applies to advisory missions or services of a limited duration. This directive covers all settings, including where the UN is providing electoral assistance, and where it has a presence but is not providing electoral assistance. For the term “UN personnel”, see the definition below.

3. This directive should be read in conjunction with existing UN electoral policy, especially the Policy Directives on the Principles and Types of UN Electoral Assistance (Ref. No. FP/01/2012), on UN Electoral Assistance, Supervision, Observations, Panels and Certification (Ref. No. FP/01/2013), on UN Support to International Electoral Observers (Ref. No. FP/03/2012), and on UN Statements and Public Comment around Elections (Ref. No. FP/02/2014). For guidance on professional standards of conduct of UN staff members, including their political activities, reference is made to the relevant provisions of the UN Charter, the Staff Regulations and Rules, the Standards of Conduct for the International Civil Service as contained in ST/AI/2002/13, other administrative issuances specific to different UN entities, and guidance issued by the relevant ethics offices of UN entities.

## **C. RATIONALE**

4. The UN Focal Point for Electoral Assistance is the system-wide lead in the development, issuance and dissemination of UN electoral policy. UN electoral policy is defined as the normative framework and prescriptive guidance that apply to all UN entities providing electoral assistance. This directive has been developed as part of the efforts of the UN Focal Point to develop a complete set of UN system-wide electoral policies.

5. An important motivation behind this directive is to avoid a perception among national actors that the UN may be engaged in election observation when in fact it is not. UN election observation is carried out only when there is a mandate from the General Assembly or the Security Council. It entails the deployment of a mission to observe each phase of an electoral process and report back to the Secretary-General on the election’s credibility. Observation normally entails a systematic collection of data and analysis over a sustained period of time, using standardized methodologies, and usually covering a statistically significant number of polling stations on election day. This should be carried out by trained personnel. Observer missions generally result in a public statement by the UN on the strengths and weaknesses of an election (although in some cases they can provide an internal report to the Secretary-General). The legislative and policy framework for UN electoral activities leaves no space for “incidental” electoral observation or monitoring. Furthermore, the UN does not generally observe elections in countries where it is also providing technical assistance, to avoid a conflict of interest. UN election observation missions are rare.

6. The presence of UN personnel at or in an electoral site can easily be misrepresented or misunderstood, and can raise expectations that the UN has an official observation role in the election, for example to assess the “quality” of the process or even to intervene in the event of irregularities. Such expectations could be raised even further by comments by UN personnel on the process. More

seriously, these comments may be misused for political self-interest by competing parties or candidates.

7. The potential for misperceptions is greatest on and around polling day, and in and around polling stations and other locations where national authorities carry out electoral activities. In addition to polling stations, there are count centres, warehouses, operation rooms, results centres, data entry centres, election media centres as well as other venues. They are collectively referred to in this directive as “electoral sites”.

8. This directive recognizes that UN entities may have related mandates that touch on elections, such as the promotion and protection of all human rights, and the responsibility to support the maintenance of international peace and security. It also recognizes that such entities may have internal reporting requirements, including on developments related to an election. This policy directive is not intended to undermine these mandates or to dilute established requirements.

## **D. POLICY DIRECTIVE**

### **D1. PRINCIPLES**

9. **Principles:** UN electoral assistance, and UN engagement in national elections in general, is guided by a number of principles, as set out in the Policy Directive on the Principles and Types of UN Electoral Assistance, all of which need to be taken into consideration in relation to national electoral processes. The following principles are particularly relevant:

- ***National sovereignty and ownership.*** Unless specifically mandated by the Security Council or General Assembly the UN does not organise, certify, supervise or observe an electoral process. Rather UN electoral assistance promotes and supports national ownership of electoral processes. While the UN encourages and supports Member State’s efforts to comply with their international obligations and commitments the UN generally does not comment on the validity of an electoral process and/or the legitimacy of the electoral outcome. It is for others, particularly the citizens of the concerned Member State, to determine whether the process is credible and the outcome reflects the will of the people. In this respect, a genuine election is ultimately one in which the outcome reflects the freely expressed choice or choices of the people.
- ***Objective, impartial, neutral and independent.*** All UN electoral assistance is provided with these principles in mind. They must also be reflected in the behaviour of all UN personnel – regardless of their role – as their conduct can affect perceptions about the Organization’s integrity.
- ***Political perspective and the management of election-related conflict.*** Elections are fundamentally political events where political power is allocated based on the decisions of citizens based on voting processes. UN electoral assistance must therefore be cognizant of this fact and sensitive to its implications. The UN must ensure that it is, and is perceived to be, politically neutral and that its assistance contributes to political pluralism and longer-term stability and is not abused by any political grouping or used as a cover for electoral processes that do not allow for political pluralism or real competition.

### **D2. POLICY DIRECTIVES**

10. Given the sensitivities highlighted earlier, all UN personnel should avoid the impression that the UN is observing an election if no such observation mandate exists. UN electoral personnel who are fulfilling a technical assistance mandate should also be mindful of possible misunderstandings about their role, which is different from observation.

11. This means that UN personnel should not, in principle, be entering electoral sites on and around an election day, or be in the immediate vicinity (see for exceptions below, para. 13). There is, broadly stated, no role for non-electoral UN personnel in watching or attending an electoral process as conducted by national election officials. This rule also applies to the immediate vicinity because

polling centres are often located in public venues such as schools, and they often attract a lot of voters and supporters, who tend to congregate just outside the polling venue itself.

12. UN *electoral* personnel who provide technical assistance and whose presence at certain electoral sites may be required should limit their presence to what is strictly necessary, in consultation with the electoral management body, and then maintain a low profile.

13. There are, nevertheless, some special situations to be considered:

- a) Governments or electoral authorities occasionally ask UN entities to visit polling stations on election day or other election-related “witnessing” or “poll-watching” activities. Often the motivation is the hope that a UN presence will increase public confidence or that the UN will endorse the process. The UN entity concerned should notify the Head of Mission (in a peacekeeping or political mission context; this will generally be an SRSG) or the Resident Coordinator, as the case may be, who will convey the request or invitation to the UN Focal Point through EAD. The UN Focal Point will consider such requests on a case-by-case basis in consultation with the SRSG or Resident Coordinator and the UN entity concerned. The UN Focal Point will consult the SRSG or Resident Coordinator on different options, including the option of deploying a small number of electoral/political staff to follow the process and report to the UN Focal Point. This modality may be considered especially in cases where the Secretary-General’s good offices might be offered in mitigating potential conflict, and/or where the SRSG or Resident Coordinator wishes to maintain distance between the work of the UN mission or country team and the requested activity.
- b) The leading UN entity on human rights, the Office of the United Nations High Commissioner for Human Rights (OHCHR), can independently conduct human rights monitoring and provide technical assistance on human rights issues in the context of elections, particularly through human rights field presences. OHCHR may decide to deploy human rights monitors to assess the human rights aspects of electoral processes, and provide relevant advice and support to national and international counterparts on related human rights issues. UN activities on elections and on human rights issues in the context of elections should be consistent and mutually reinforcing. While taking timely and firm positions on human rights issues in the context of elections is critical, these should be consulted, to the extent possible, with relevant entities (the UN leadership in the country concerned and, as necessary, DPA/EAD or the EOSG).
- c) UN entities are also not prevented from authorizing staff to engage in activities that do not require accreditation by national electoral authorities, that do not involve access to electoral sites, and that are instead intended to get “a general sense” of how the election day is going. This will often be the case, for example, for UN peace operations and for the ongoing activities of their political and civil affairs sections. These cases require prior clearance by the Head of Mission or the RC as the case may be, and must of course be in line with UN security arrangements. No accreditation from the national electoral authorities should be sought for this kind of activity, as it should not entail access to areas inside electoral sites. Information generated by such activities should not be used to make any qualitative statement about the election.
- d) Members of UN military and police components of peacekeeping missions may be mandated by the Security Council to directly contribute to security during elections (including the protection of electoral materials and sites) or support the host state through advice and capacity-building. In such instances, members of UN military and police components may enter electoral sites to the extent necessary for the fulfilment of these specific security roles.
- e) There is no objection to UN personnel entering a *media* centre or other similar venue at which national authorities typically present information on an electoral process to the public, if there is a clear purpose for the UN personnel to do so as part of their official duties (and taking into account that these spaces are primarily for a domestic audience, that is, any UN presence should remain low key). There is also no objection to UN personnel being present in or at public spaces where political rallies, campaigns or civic education efforts are held, again if required as part of their official duties, although the usual caution should be exercised when attending events that involve large crowds.

14. In case of doubt about these and similar situations, the first point of contact should be either the SRSG or the RC, as the case may be. In mission settings the SRSG is the most senior UN representative in country and he/she represents the Secretary-General. He/she speaks on behalf of the UN. In non-mission settings, the Resident Coordinator is usually the most senior UN representative in country and he/she represents the Secretary-General. He/she also represents the UN Country Team (UNCT) as a group. In these settings he/she speaks on behalf of the UN.

15. Proper accreditation by the national authorities is always required if access to electoral sites is granted under the circumstances described in this directive. In the process of accreditation, it is again important to avoid wrong impressions: unless the UN is specifically mandated to observe an election, UN staff who have been given approval to be present in or at electoral sites under the terms of this directive (including UN electoral personnel providing technical assistance) should request accreditation as “(special) guest” (or other appropriate category), and not as “observer”. OHCHR human rights monitors have separate procedures for obtaining accreditation and ensuring their freedom of movement for their mandated functions, in agreement with the governments of host countries. UN personnel who are accredited to enter electoral sites should familiarize themselves with the basic procedures and abide by standards of conduct expected by the electoral management body.

16. UN personnel who are present in or around electoral sites (in situations endorsed by or under this directive) are likely to come in contact with media representatives, party agents, observers, polling officials, voters and others. It is also likely that they will be asked about their role or their views on the process. Media inquiries should be referred to the appropriate UN authorities. Further guidance is in the policy directive on United Nations Statements and Public Comment around Elections (Ref. No. FP/02/2014).

17. For questions from persons not affiliated with the media, it is important to be transparent and to avoid suspicion. If necessary/appropriate under the circumstances, UN personnel should give a brief and strictly factual explanation of their role there, while refraining from evaluating or commenting on the process, either positively or negatively. UN personnel should state their name and UN affiliation, explain in neutral terms the role being played by the UN in the context of the election. (For example, they should emphasize that this is based on a General Assembly or Security Council mandate and/or a request from the national authorities (as the case may be), and stress that the UN is acting strictly in support of national authorities and to strengthen credible processes). Overall, responses to questions should be short, diplomatic, and factual, and should direct further inquiries to either authorized UN spokespersons or the relevant national authorities. UN personnel should not be seen as, and should avoid any references to, “observing”, “supervising”, “overseeing” or “evaluating” the election (except, of course, where there is a mandate to do so).

18. Voters, agents, observers and others may present concerns and complaints about the election to UN staff, particularly about alleged violations of the polling or counting process. UN staff should politely decline to receive such complaints or to commit to taking any action. They should refer the complainant to established national processes, mostly involving electoral officials, law enforcement agents or a judicial appeals process. OHCHR personnel monitoring the human rights situation around an election may have separate internal procedures related to complaints about alleged human rights violations.

19. UN personnel should not intervene in the electoral process<sup>1</sup> even where they believe electoral violations are taking place. Instead, the incident or violation should be reported immediately to the head of the UN electoral team in the country or, if there is no such team, to the SRSG or the RC. UN electoral personnel may discretely raise the issue with their relevant counterparts in the electoral management body if this is appropriate. In all cases, security related incidents should be reported and treated in accordance with the applicable UN security framework. Human rights violations should also be brought to the attention of the UN leadership in the country and OHCHR.

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<sup>1</sup> “To intervene” is understood as directly interrupting, blocking, or steering the actions of national actors involved in an election, and other ways of directly and actively changing the course of a process.

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## **E. TERMS AND DEFINITIONS**

For the purpose of this policy directive:

“Electoral sites”: all such locations and venues where national authorities carry out electoral activities, including polling stations, polling centres, count centres, warehouses, operation rooms, result centres, data entry centres, election media centres and others.

“UN personnel”: all persons engaged by the UN system to provide services on behalf of the Organization, remunerated or not, including staff, consultants, individual contractors, uniformed personnel, UNVs, seconded personnel, and interns.

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## **F. REFERENCES**

### **Normative or superior references**

- The Universal Declaration of Human Rights
- The International Convention on Civil and Political Rights
- The International Convention on the Elimination of All Forms of Racial Discrimination
- The Convention on the Elimination of All Forms of Discrimination against Women

### **Related Policy or Guidance on elections**

- Policy Directive: Principles and Types of UN Electoral Assistance (FP/01/2012)
  - Policy Guideline: United Nations Electoral Needs Assessments (FP/02/2012)
  - UN Support to International Electoral Observers (Ref. No. FP/03/2012)
  - UN Electoral Assistance. Supervision, Observation, Panels and Certification (Ref. No. FP/01/2013)
  - Policy Directive: UN support to electoral system design and reform (FP/02/2013)
  - Promoting Women’s Electoral and Political Participation through UN Electoral Assistance (FP/03/2013).
  - Policy Directive: United Nations Statements and Public Comment around Elections (FP/02/2014)
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## **G. MONITORING AND COMPLIANCE**

The Focal Point is tasked with ensuring coordination within the United Nations system with regard to electoral assistance and will therefore help to ensure that the principles outlined in this document are adhered to.

Managers of UN electoral assistance programs and projects will also be responsible to ensure compliance with this directive by all UN electoral staff under their supervision.

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## **H. DATES**

This policy became effective on 1 July 2015.

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**I. CONTACT**

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

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**J. HISTORY**

Drafted by the Policy and Institutional Memory Team, Electoral Assistance Division, Department of Political Affairs in March-June 2015.

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

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**SIGNED:**

**DATE: 4 August 2015.**