



Policy Directive

29 June 2012

UN Support to International Election Observers

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POLICY DIRECTIVE ON UN Support to International Election Observers

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A. PURPOSE

1. This policy directive outlines the general principles and process for the provision of United Nations support to international election observers to ensure consistency and coherence across the UN system. It sets out the conditions under which such support can be provided, as well as the guiding principles for officials involved in the provision of this type of support to international election observers. Furthermore, this document outlines the basic management and support arrangements both at HQ and in the field.

B. SCOPE

2. This policy directive applies to all entities of the United Nations system that provide support to international election observers. The scope of this support may vary from situation to situation depending on the requirements. For the purpose of this policy directive, United Nations and UN are understood to refer to the entire UN system, that is, all UN departments, funds, agencies, programmes, entities, trust funds, commissions, peacekeeping missions, special political missions, peacebuilding missions, country offices and other bodies.

3. The directive will cover the following key areas:

- The prerequisites and circumstances that may trigger support to international observers;
- The nature of the support;
- The general principles guiding the activities of staff in the field;
- Reporting requirements.

4. This policy directive does not cover any type of support to domestic observers.

C. RATIONALE

5. The UN Focal Point for Electoral Assistance, the Under-Secretary-General for Political Affairs, (hereafter "the Focal Point") is the system 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 policy directive has been formulated as part of the efforts of the Focal Point to develop a complete set of UN system-wide electoral policies. It defines the general principles and process for the provision of United Nations support to international election observers.

6. In 2006 the Focal Point approved a policy entitled "United Nations Coordination of International Election Observers." This policy directive updates the principles governing the UN policy in this regard, clarifies the process for providing this type of support and supersedes the 2006 policy referenced above.

D. POLICY

7. Background

7.1. While the United Nations rarely carries out election observation, it does on occasion provide support to other international organisations that carry out election observation. This most often takes place when two conditions occur: the UN presence on the ground is generally the only practical option for providing this support; and international observation is considered an essential contribution to the credibility of the elections.

7.2. Since 1992, the United Nations has been offering and providing support to international observers. This modality of support was first provided in Ethiopia and Kenya in 1992 and has since been provided in a number of countries including Niger (1993), Lesotho (1993), Malawi (1993), Tanzania (1995), Armenia (1995), Azerbaijan (1995) Sierra Leone (1996), Liberia (2005), Solomon Islands (2006 and 2010), etc. A mandate from the General Assembly or Security Council is not required to provide such support.

7.3. Based on its long term experience and cumulative lessons learned in providing this kind of support, the Electoral Assistance Division (EAD), on behalf of the Focal Point, has developed this policy to guide future activities in relation to providing support to international observers.

7.4. Given the political nature of elections and the possibility of misperceptions of the actual role of the UN while providing this type of support, the decision-making process must be adhered to and care should be taken to maintain the neutrality of the UN at all times.

8. Purpose of Providing Support to International Elections Observers

8.1. The primary goal of providing support to international election observers is to contribute to the efficiency and effectiveness of an election observation effort, thereby contributing to the credibility of the process and the broader democratic development of the country. An essential feature of this kind of support is that UN involvement is limited to the provision of support, and does not entail the actual observation or assessment of an electoral process.

8.2. Support to international election observers can be provided to a single organisation (in which case the benefit is primarily the actual facilitation of that organisation's observation exercise), or to a number of organisations, (in which case there may be more concerted effort to divide up resources and ensure gaps are filled, improving the comprehensiveness of the observation exercise as a whole). It can also help to improve the quality, accuracy and credibility of observer statements and reports

by facilitating the sharing of observer information and analysis (without the UN itself being part of any statement or report by observers).

9. Types of Support

9.1. United Nations support to international observers is of two types: **(i) Operational Support**, and **(ii) Coordination of International Observers**.

9.1.1. Operational Support

International observer groups may request a UN entity to provide logistical and other administrative support to their election observation effort. The request to provide this type of support can be made directly to a UN entity or through a competitive bidding process, in which a UN entity participates and becomes successful. Operational support is most commonly provided to a single international observer group. Below are some of the elements which may be involved in operational support.

- Contracting of personnel, both international experts and local support staff, (taking gender parity targets into account) and ensuring back-up support (such as administrative and medical support), is available;
- Facilitating the accreditation of international observers by the relevant electoral management body;
- Facilitating visas for international observers;
- Installation of fully operational offices for the observer organisation's staff;
- Procuring of office facilities, accommodation and other logistical items such as vehicles and equipment;
- Training observers on the use of communication and other equipment (e.g. VHF radio, satellite phones, GPS equipment, vehicle tracking systems, etc).

9.1.2. Coordination of International Observers

Coordination of international observers involves a wide range of activities that can include operational support and other additional activities such as briefing and facilitation of the deployment of observers, debriefing, etc. This type of support can be provided to a number of observer groups. In addition to the elements of operational support listed above, coordination of international observers can also include the following:

- Developing pre-arrival packages to be sent out when necessary. This may include information regarding health and safety, general travel details, and some general information regarding the elections.;
- Organizing briefings aimed at providing observers with an understanding of the country and the political context, the legal and procedural framework surrounding the election process, the deployment plan, logistical arrangements, and codes of conduct (such as for media, political parties, observers, etc);
- Organizing briefings by key election actors (election management bodies, domestic observer groups, security forces, women's groups, etc) and facilitating liaison between the observer groups and these actors.;
- Facilitation of the development of deployment plans, checklists and reporting procedures to facilitate the observation effort, including ensuring a gender perspective;

- Facilitating the sharing of information and analysis generated by observer groups so that they can improve the quality, accuracy and credibility of their observer reports;
- Facilitating/organizing post-election de-briefing for observer groups.

In both operational and coordination support, the observer groups will decide which elements of support they require. This may include some or all of the elements listed in the two categories above.

10. General Principles Governing Support to International Election Observers

10.1. Due to the risk that the UN might be misperceived as having direct involvement in the actual observation and assessment, the following principles should be observed:

- The UN should only agree to provide coordination support to international observers when there is a request from a Member State and accredited international observer groups that wish to come under the UN's coordination effort;
- The request must be received within a reasonable timeframe prior to an election, permitting effective and efficient planning and implementation;
- Neither the UN nor the Government will oblige observer groups to participate in the coordination effort;
- The UN should maintain a low profile throughout the support process and should bar the use of the UN logo or name in any materials related to observer activities (including t-shirts, hats or vehicle decals, etc.) or in any of the observer statements or reports;
- As a general principle, clearly identified UN assets (like helicopters, planes, boats, vehicles, etc) should not be used in providing support to international observers (exceptions to this principle will be addressed on a case by case basis at field level);
- Where UN procurement processes are to be used, the observer organisation(s) should be made aware of UN rules and regulations (including deadlines) from the outset, to avoid any future misunderstanding;
- The UN should not render an opinion in the form of a statement or otherwise, on the electoral process or seek to influence observer findings or statements. Observer statements should make clear that they do not represent the views or opinions of the UN;
- The UN should ensure that the institutional independence of both the observer groups and the UN is maintained throughout the UN's support to international observers. This principle is applicable in due consideration of the requirement to adhere to UN Security rules, if appropriate;
- UN staff should not be accredited as observers and should only be seen in polling stations on Election day if there is a justified reason for their presence, as decided by the SRSG/RC in consultation with the Director of EAD;
- If UN contracts are issued to international observers, UNDSS approval will be required for deployment plans, pursuant to a Security Risk Assessment. Additionally, any persons on UN contract must at all times strictly adhere to UN Security framework and rules and must comply with UNDSS and other UN directives and codes of conduct.

10.2. This type of assistance can take place alongside United Nations technical assistance; however caution should be exercised to avoid a perception of a conflict of interest. Where possible, the UN entity providing technical assistance to a Member State should not at the same time provide support to international observers in that same country; another UN entity may however assume that role. Where two separate UN entities are providing technical assistance and support to international observers, it is

also advisable that the two offices are not co-located to avoid a perception of conflict of interest.

11. Prerequisite for the Provision of Support to International Observers

11.1. Certain prerequisites must be met prior to the Focal Point's decision on the provision of support to international observers. It is also worth mentioning that whether the UN is providing operational support or coordination of observers, all organisations to which this type of support is provided must be invited and accredited by the host government or appropriate authority to observe the elections.

11.2. Operational Support

11.2.1 As mentioned above, either international observer groups may make a direct request for support to a UN entity, or the entity may take part in a bidding process. If a UN entity is approached to provide operational support to international observers, they should inform the Focal Point for her/his approval before making any commitments to provide this type of support. Similarly, UN entities must obtain approval from the Focal Point prior to the submission of a bid/proposal to provide operational support. Given the time sensitive nature of these activities, the Focal Point will respond within 10 business days of submission of such requests for approval otherwise the UN entity will proceed. It is also advisable that UN entities check with the United Nations Department of Safety and Security (UNDSS) on the security situation prior to bidding for a contract from an observer organisation, particularly if observers are going to be under a UN contract.

11.3. Coordination of International Observers

11.3.1. A request for UN coordination can either be made by a Member State or an accredited international observer organisation.

(i) Request by a Member State

Member States holding elections can directly request the UN to coordinate international observers. The request may be part of a general request for UN electoral assistance or it may be a specific request for this type of assistance. When such a request is received by the UN, a consultative process will be undertaken with all international observer groups that would likely be involved in the process to ensure that such services are required by these groups and that UN support will add value to the electoral process. Consultations will also be done with other relevant UN entities to assess the possibilities of providing this support.

(ii) Request by International Observer Organisations

International and regional organisations that deploy international election observation missions, such as the European Union (EU), the Organisation for Security and Co-operation in Europe (OSCE)'s Office for Democratic Institutions and Human Rights/OSCE Parliamentary Assembly, the African Union, the Organization of American States, the Arab League, etc, who have been accredited to observe a particular election, may make a request directly to the UN to provide coordination support to international observers. When such a request is made, the UN will direct them to consult with the government concerned and ensure that a request by the appropriate national authorities is sent to the UN before it can make any commitment to provide this support.

11.3.2. In either case above, the request for support should be directed to the Focal Point as well as the UN entity envisaged to provide the support. Any eventual memorandum of understanding/letter of agreement or the like, between a UN entity and an observer group on the provision of support, can only be signed after the approval of the Focal Point.

12. Process for Deciding whether to Provide Support to International Observers

12.1. The Focal Point has the responsibility to decide whether or not in a given instance the UN should provide support to international observers. Decisions of the Focal Point are final but will always be based on prior consultations with the relevant UN actors. As mentioned above, a positive response from the Focal Point is more likely in cases where there is no other practical alternative to the UN providing this support, and international observation is considered an essential contribution to the credibility of the elections.

12.2. Operational Support

12.2.1. When a UN entity is approached by an international organisation to provide operational support, they must seek approval from the Focal Point. Following a notification of the Focal Point, EAD will conduct a desk review in a timely fashion and submit a recommendation to the Focal Point, who would then make a decision and inform the UN entity concerned. Similarly, UN entities can only commence a bidding process to provide operational support after an assessment and approval by the Focal Point.

12.2.2. Under most circumstances, approval from the Focal Point for this type of support should be expected. Exceptions could be if the UN has adopted a specific policy decision for that country or political sensitivity of the election or of UN involvement in that country.

12.3. Coordination of International Observers

12.3.1. In the case of coordination of international observers, a needs assessment mission or desk review will be required prior to the Focal Point's decision. Details regarding how needs assessment are conducted are contained in the guideline ***United Nations Electoral Needs Assessments***. When Member States request this type of support, the following steps will be taken:

- The Focal Point (or EAD on behalf of the Focal Point) consults with other UN entities, including those in the country, and relevant observer groups;
- EAD conducts a NAM/desk review;
- EAD makes a recommendation to the Focal Point;
- The Focal Point decides whether to provide support or not. If the response is positive, the Focal Point will also recommend which UN entity is best placed to provide the support, following consultation with possible support providers and the SRSG/RC;
- The Focal Point informs the Member State of his/her decision.

12.3.2. When a request for coordination is from an international organisation, prior to the steps above, the UN will direct the organisation to have the appropriate national authority request the UN to provide this type of support. Following a request from the appropriate national authority, the steps listed above will be undertaken. If the Focal Point eventually decides that the support is to be provided, the Focal Point will inform the Member State and the UN entity envisaged to provide the support, so that negotiations on funding arrangements and other modalities can commence. The entity will communicate the decision of the Focal Point to the requesting organisation.

12.4. Developing the Support Framework Documentation

12.4.1. Prior to the commencement of support, the UN implementing entity will develop the appropriate project documentation that should be signed with the international organisations and/or the Member State and reflect the parameters of the Focal Point's decision.

13. Coordination and Reporting Requirements

13.1. Any UN entity providing support to international observers must keep the SRSG/RC and EAD informed of progress with implementation and at the end, submit a brief report to the SRSG/RC and EAD.

E. TERMS AND DEFINITIONS

F. REFERENCES

Related guidance

Policy Directive: Principles and Types of UN Electoral assistance, FP/01/2012

Policy Guideline: United Nations Electoral Needs Assessments, FP/02/2012

G. MONITORING AND COMPLIANCE

14. 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.

15. 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.

H. DATES

16. This policy became effective on the date of signature. It shall be reviewed every two years or as necessary.

I. CONTACT

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

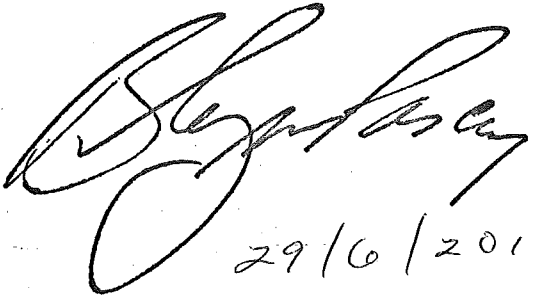
J. HISTORY

18. Drafted by the Policy and Institutional Memory Team of the Electoral Assistance Division of the Department of Political Affairs on 25 June 2012.

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

SIGNED:

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29/6/2012

DATE:

