



Working together in electoral assistance



Formulating and implementing electoral assistance projects
in the context of the EC-UNDP partnership

FIRST EDITION
February 2013



EC-UNDP Joint Task Force on Electoral Assistance



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Operational Paper II

This operational paper has been produced with the assistance of staff and experts working for the European Union and the United Nations Development Programme (UNDP).

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LIST OF ACRONYMS

AWP	Annual Work Plan
CSP	Country Strategy Paper
EAD	Electoral Assistance Division - UN Secretariat
EC	European Commission
EEAS	European External Action Service
EIDHR	European Instrument for Democracy and Human Rights
EMB	Electoral Management Body
EU	European Union
EU EOM	EU Election Observation Mission
DEVCO	Directorate General for Development Cooperation - EuropeAid
FAFA	Financial and Administrative Framework Agreement
ICT	Information and Communication Technology
IfS	Instrument for Stability
JTF	EC-UNDP Joint Task Force on Electoral Assistance
NAM	Needs Assessment Mission
NIP	National Indicative Programme
PMU	Project Management Unit
ProDoc	Project Document
SCA	Standard Contribution Agreement
SPA	Strategic Partnership Agreement
UN	United Nations
UNDP	United Nations Development Programme



1.

INTRODUCTION

The purpose of this Operational Paper, published by the EC-UNDP Joint Task Force on Electoral Assistance (JTF) in the context of the EC-UNDP partnership in electoral assistance, is to i) build upon the experiences gained by the European Commission (EC) and United Nations Development Programme (UNDP) in formulating electoral assistance projects, ii) draw lessons learned from that implementation that can improve current and future projects, and iii) guide EU and UNDP staff in the formulation and implementation of electoral assistance projects. This is the second Operational Paper in the series. The first Paper was devoted to procurement aspects of introducing information and communications technology (ICT) in electoral processes, focusing mainly on voter registration.¹ This second Operational Paper is intended primarily for the staff of European Union (EU) Delegations and UNDP Country Offices that are either currently cooperating in electoral assistance or considering such cooperation. It aims to assist them by discussing the steps involved in the design and formulation of electoral assistance projects and the administrative framework documents that govern that cooperation. The success or failure of electoral assistance projects where the EC contributes to an UNDP-managed basket fund has an impact most importantly on electoral processes in programme countries, but also on the global partnership between the two organizations. It is therefore important to ensure that mutual expectations are met and that each project is effectively designed, implemented and adequately monitored.

1 The first Operational Paper, titled Procurement Aspects of Introducing ICT Solutions in Electoral Processes – The Specific Case of Voter Registration is available online at www.ec-undp-electoralassistance.org

In 2006, the European Commission and UNDP strengthened and formalized a de facto partnership in the field of international electoral assistance that had been in place on the ground, with the signature of the Operational Guidelines on the Implementation of Electoral Assistance Projects and Programmes (available at www.ec-undp-electoralassistance.org/index.php?option=com_content&view=article&id=115&Itemid=129&lang=en). The revised Operational Guidelines (2008) formalized the EC-UNDP Joint Task Force on Electoral Assistance, an informal, Brussels-based coordination mechanism that “has the aim of increasing the overall efficiency and adherence of the projects to the common EC-UNDP strategic approach. The JTF is coordinated by the UN/UNDP Brussels Office and is composed of the relevant EC and UNDP staff and advisors dealing with electoral assistance at HQ level...The focus of the JTF is on identification, formulation, implementation support and monitoring of all the EC-UNDP projects of electoral assistance...The lessons learned are consolidated and codified so that they can effectively feed into the implementation of the new electoral assistance projects (and) into the joint EC-UNDP trainings....” (Operational Guidelines, Article 3.1).

Currently (as of January 2013), the EC-UNDP partnership on electoral assistance has 16 ongoing projects in 29 countries.²

For further information and to access the publications, face-to-face trainings and the eLearning courses, you can visit the dedicated webpage:

www.ec-undp-electoralassistance.org

² A broader treatment of the history of the EC-UNDP Partnership in Electoral Assistance, including the number and type of projects the EC and UNDP have collaborated in and the “electoral cycle approach,” can be found in the Participants Guidebook provided to participants in the series of EC-UNDP-International IDEA Training Workshops on Effective Electoral Assistance, which is available for download at www.ec-undp-electoralassistance.org. The eLearning portal can also be accessed from the website.

The Paper also provides tips and advice on how to ensure a smooth collaboration between the two parties during a project's formulation and implementation. Stakeholders working closely with such projects, particularly national partner electoral management bodies (EMBs), may also benefit from the paper.



RECOMMENDATION

If you need any further information about the content of this publication or you need any related assistance, you can contact the JTF by sending an email to:

info@ec-undp-electoralassistance.org

The Operational Paper has been prepared taking into account:

- the outcomes of the Joint EC-UNDP Workshop on Formulating and Implementing Electoral Assistance Projects in the Context of the EC-UNDP Partnership, which took place in February 2011;³
- the two assessments of the EC-UNDP Partnership on Electoral Assistance — one global and one at country-level — that were carried out from 2009 to 2011; and
- feedback from UNDP and EC staff, based in Brussels and in the EU Delegations in the field, involved in formulating and implementing electoral assistance projects within the framework of the EC-UNDP partnership.

The EC-UNDP Joint Task Force on Electoral Assistance has also developed an eLearning course on the same topic as this Operational Paper. Those who take the course ('eLearners') can go through the different chapters of this paper in an interactive manner, and, upon successfully passing a final text, get a certificate stating that they have completed the course. To access the eLearning version of this Operational Paper, please visit the eLearning portal of the EC-UNDP Joint Task Force on Electoral Assistance website at: www.elearning.ec-undp-electoralassistance.org

³ Information about the various editions of the training workshops is available at the Partnership website at http://www.ec-undp-electoralassistance.org/index.php?option=com_content&view=article&id=150&Itemid=141&lang=en

The image shows a screenshot of an e-learning course interface. At the top, there is a blue header bar with a graduation cap icon on the left. The text in the header reads: "Working together in electoral assistance" in a white, bold font, followed by "Module 2: Getting ready to provide electoral assistance: request's approval and formulation" in a smaller white font. Below the header is a navigation bar with 27 numbered tabs, where the first tab is highlighted in blue. The main content area is divided into two columns. The left column has a light blue background and contains the heading "Prior to start working..." followed by a paragraph: "Both the EU and the UN systems require certain prerequisites to be met (usually in the form of an official request from the host government) prior to deciding upon any electoral assistance." The right column has a white background and also contains the heading "Prior to start working...". Below this heading is an illustration of a classical building with four columns and a pediment, with two blue cartoon puzzle pieces standing in front of it. The puzzle piece on the left has the UN logo, and the one on the right has the EU flag logo. Both puzzle pieces are pointing upwards with their right hands.

Figure 1. Image of the e-learning course on:

Working together in electoral assistance: Formulating and implementing electoral assistance projects in the context of the EC-UNDP partnership

Source: www.elearning.ec-undp-electoralassistance.org

2. EU/EC⁴ and UN/UNDP collaboration and the FAFA

4 Readers will see use of both “European Union” and “European Commission” throughout the Operational Paper. This is because Delegations of the European Union in partner countries expend funds programmed by the European Commission.

The United Nations (UN) and EU share the same core values, laid out in, for example:

- the 1945 UN Charter;
- the 1948 UN Declaration of Human Rights;
- the consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union,⁵ and;
- the Charter of Fundamental Rights of the European Union.

In his foreword to the 2010 EU-UN partnership report, Secretary-General Ban Ki-moon highlighted Millennium Development Goal 8, writing that it “embodies our collective promise to meet the urgent needs of the world’s most vulnerable people.” He added, “This shared commitment is at the heart of the collaboration between the UN and the EU. Our vibrant partnership spans all three pillars of the work of the UN — peace and security, human rights and development. Joining forces in over 100 countries, the UN and the EU have achieved much more than either could have separately.”⁶ The same ideas and emphasis are reflected in the EU’s summary of its partnership with the UN: “The European Union’s commitment to effective multilateralism, with the United Nations at its core, is a central element of its external action. This commitment is rooted in the conviction that to respond successfully to global crises, challenges and threats, the international community needs an efficient multilateral system, founded on universal rights and values.”⁷

Increased collaboration between the EU and UN since 2001 is based on an EC communication from that year on ‘Building an effective partnership with the United Nations in the fields of development and humanitarian affairs,’⁸ which was reinforced in 2003 by a further communication titled ‘The European Union and the United Nations: The choice of multilateralism’.⁹ The 2003 document called for, among other things, exchanges on country-level policies, the furthering of policy dialogue and cooperation (including the establishment of formal strategic partnerships aimed at furthering policy dialogue and strengthening cooperation), and regular exchange of draft documents between the EC and the UN. Subsequently, six strategic partnership agreements (SPAs) have been signed between the EU and UN partners, including with UNDP in June 2004.

The EC-UNDP SPA outlines the objectives of the partnership in terms of i) collaboration and common policy approaches; ii) facilitation of joint identification of programmes; iii) enhanced knowledge sharing; and iv) maximizing each other’s ‘competitive advantages’ to advance aid effectiveness.¹⁰ The focus of the partnership lies in the

6 ‘Improving Lives – Partnership between the UN and the EU in 2010,’ foreword by the UN Secretary-General.

7 See www.eu-un.europa.eu/articles/en/article_9389_en.htm

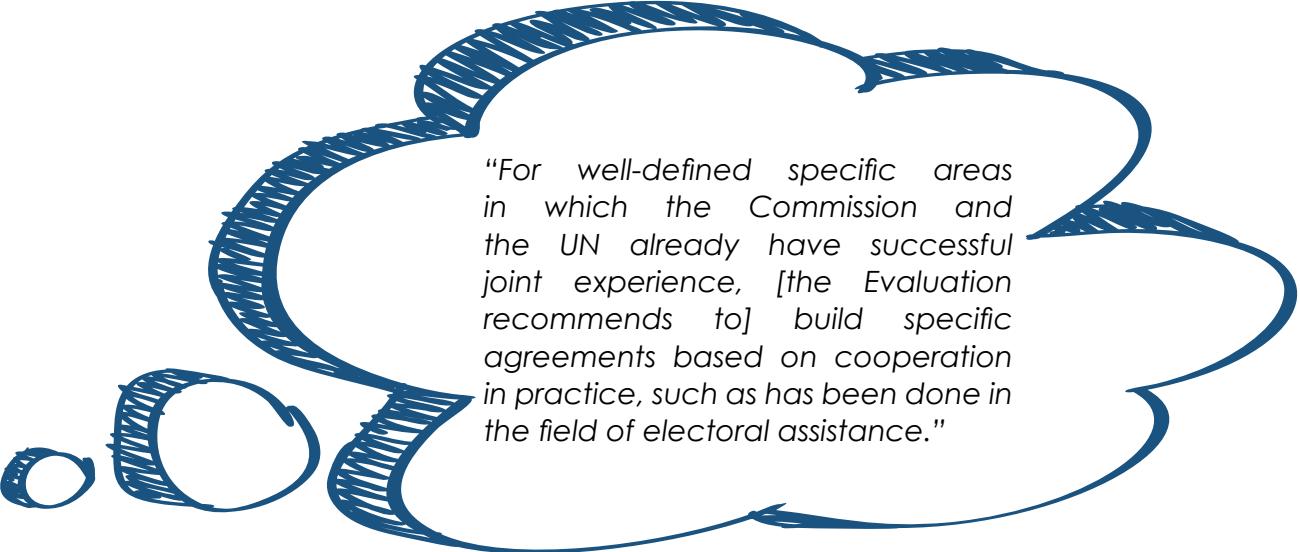
8 COM(2001)231: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2001:0231:FIN:EN:PDF>.

9 COM(2003)526: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2003:0526:FIN:EN:PDF>.

10 The SPA in full-text format is available at <http://www.undp.org/content/dam/brussels/docs/Strategic%20Framework/UNDP%20Bxl%20MOU%20-%20Establishing%20a%20Strategic%20Partnership.pdf>

areas of governance, conflict prevention and post-conflict reconstruction, with human rights and gender issues being highlighted as cross-cutting thematic areas. With regards to the governance area (which includes elections), the SPA establishes that *“cooperation in the area of governance will aim to help countries develop institutions, policies and capacities that help to eradicate poverty. This includes fostering political systems that respect human rights, ensure participation, decentralize power, offer equal access to the law, remove gender and minority discrimination, and provide free and fair multiparty elections.”*

In 2006, the EC's 'Evaluation of Commission's external cooperation with partner countries through the organizations of the UN family'¹¹ covered the 1999-2006 period. The main findings confirmed that the EC's contributions proved decisive in the setting up of a number of multi-donor interventions and that its interventions through the UN have produced positive impacts. The evaluation highlighted electoral assistance as an area that benefitted extensively from the cooperation:



“For well-defined specific areas in which the Commission and the UN already have successful joint experience, [the Evaluation recommends to] build specific agreements based on cooperation in practice, such as has been done in the field of electoral assistance.”

11 The evaluation is available online at http://ec.europa.eu/europeaid/how/evaluation/evaluation_reports/2008/1252_docs_en.htm.

The Financial and Administrative Framework Agreement (FAFA)

To further improve and facilitate the programmatic cooperation between the EU and the UN, the 2003 Financial and Administrative Framework Agreement (FAFA) provides a single shared legal, financial and administrative framework, which sets out the rules of implementation of EU-funded projects and programmes by the UN. The EU's contribution to UNDP's non-core budget (non-regular) has risen from approximately 3 percent in 2002, the year prior to the signing of the FAFA, to 10.2 percent in 2011 (€396 million). The 2011 contribution amounted to 8.2 percent of total UNDP income for that year. Moreover, since its entry into force, the FAFA has made cooperation more efficient, ensuring faster start-up of activities and administrative consistency across operations.¹²

12 The FAFA in full-text format is available online at http://ec.europa.eu/europeaid/work/procedures/financing/international_organisations/other_documents_related_united_nations/document/un_ec_fwc_en.pdf.

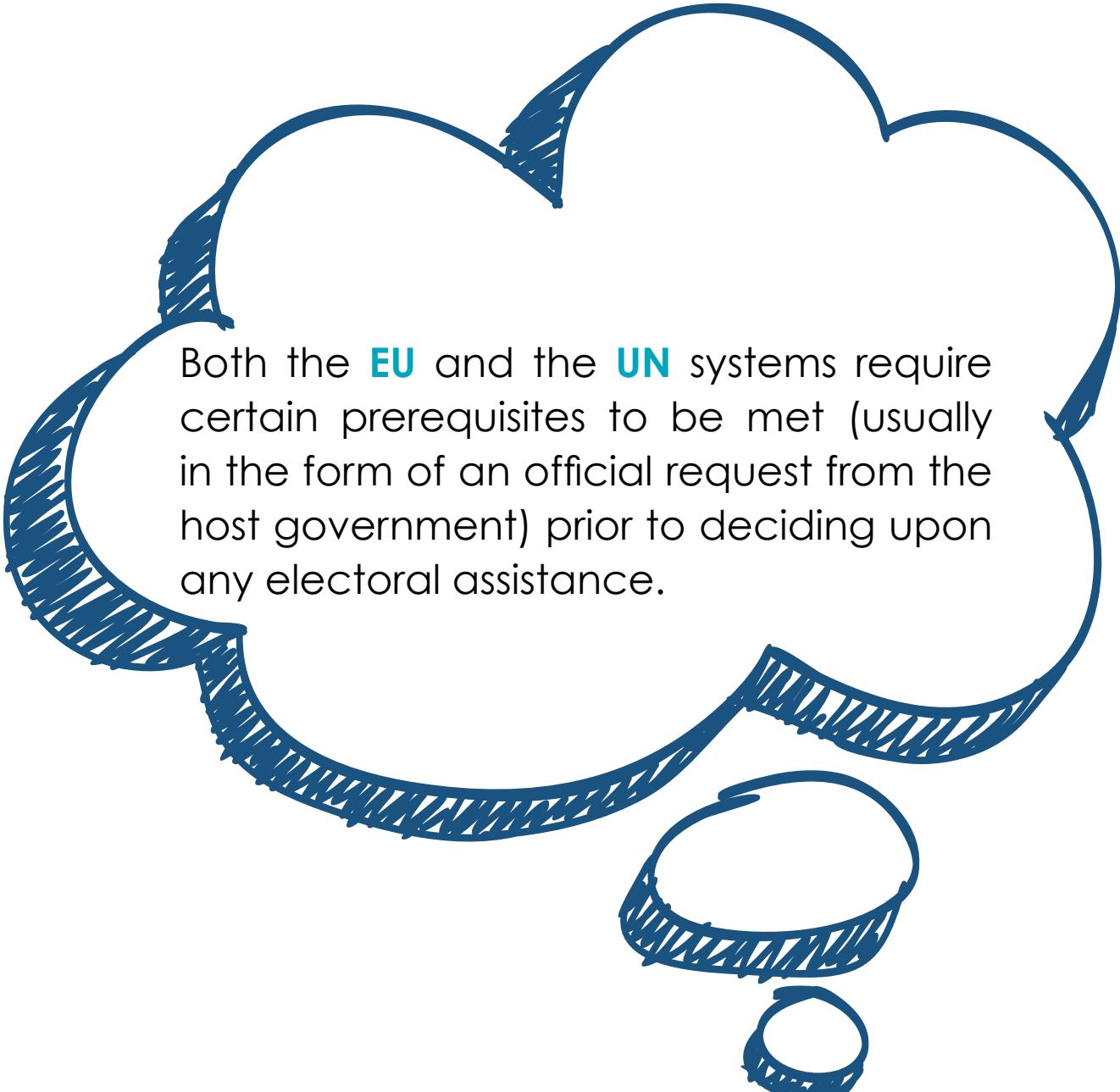
MAIN ASPECTS REGULATED BY THE FAFA

- UNDP management of EC financial contributions.
- Procurement of goods and services — management criteria have been simplified to clarify that the UN may use its own procedures for such purposes.
- Contracting — recognizing that the UN works with other entities to implement its activities and that contracting arrangements should be, to the degree possible, reflected in the project proposals submitted to the EU for funding. Regardless of the implementation method applied by the UN, the UN remains solely responsible for the carrying out of the action.
- Definition of eligible direct and indirect costs of an action.
- Reporting — financial and narrative reports are developed as per UN standards, taking into account the EC's minimum requirements.
- Payment schedules — establishes the framework for advanced payments and the payment of balances.
- Visibility and publicity requirements are clarified.
- Consultations — establishment of a working group to guarantee appropriate exchange of information on all FAFA matters.
- Settlement of disputes — establishes the 'amicable principle' for the settling of disputes and the use of arbitral proceedings.



3.

**FORMULATION
OF ELECTORAL
ASSISTANCE
PROJECTS**



Both the **EU** and the **UN** systems require certain prerequisites to be met (usually in the form of an official request from the host government) prior to deciding upon any electoral assistance.

3.1 FROM NATIONAL REQUEST TO UN DECISION

All United Nations electoral assistance must be based on either a resolution of the Security Council/General Assembly,¹³ or on an official request from a UN Member State or territory. Following a national request, a needs assessment must be carried out by the UN Focal Point for Electoral Assistance, the Under-Secretary General for Political Affairs (this task is delegated to the UN Electoral Assistance Division [EAD] in the Department of Political Affairs, which then makes a recommendation, on the request, to the USG), in consultation with relevant UN entities.

Request

- Requests should be made sufficiently in advance to ensure there is adequate time to assess the request, and, in the event that assistance is approved by the USG, provide adequate time for the implementation of meaningful assistance. The more time the UN has to respond to a request, the better it is able to process the request and provide assistance.
- Requests for electoral assistance can be made by the head of government or the minister of foreign affairs. In some circumstances, requests from other entities (such as a ministry involved in the delivery of electoral assistance or an independent electoral management body such as a national electoral commission) may also be considered as acceptable. Requests cannot be made by individuals or bodies within the legislature, nor by civil society or other non-governmental entities.

13 Some agreements that end conflicts, for example, specifically mandate the UN to assist national authorities in the holding of elections within a specified timeframe (such as in Liberia in 2005, where Resolution 1509 of the Security Council [Art. 3(s)] mandated the UN Mission in Liberia [UNMIL] to “assist the transitional government, in conjunction with ECOWAS and other international partners, in preparing for national elections scheduled for no later than the end of 2005.”)

Assessment by the UN Focal Point for Electoral Assistance

- If the assistance is provided in furtherance of a General Assembly or Security Council mandate, the Focal Point does not assess the appropriateness of providing assistance, but instead should set the parameters for the assistance in line with the mandate. In other cases, the Focal Point first decides whether it is appropriate for the UN to provide assistance and then sets the parameters for UN electoral assistance.
- Needs assessments¹⁴ are carried out by EAD, in its role of supporting the Focal Point, in consultation with appropriate UN entities (which, in the majority of cases, includes UNDP). Each needs assessment should result in a report and recommendations, which serves as the basis for decisions made by the Focal Point. Needs assessments can be done through a desk review or an in-country Needs Assessment Mission (NAM).

During a NAM, which usually lasts over a one-to-two week period, the mission members meet with a range of different interlocutors. These include representatives of:

- the various agencies of the UN system;
- state and electoral authorities;
- political parties and members/staff of the legislature;
- constitutional authorities;
- civil society;
- media institutions;
- representatives for women and minority groups;
- security services;
- representatives from other international and regional organizations, including potential funding partners for any eventual UN electoral assistance; and
- other potential electoral assistance providers

14 UN Electoral Needs Assessments are the subject of a Guideline from the Focal Point, issued on 12 May, 2012, available at www.un.org/wcm/content/site/undpa/main/issues/elections/request_assistance.

Any other experienced local commentators may also be consulted.

The recommendations of the needs assessment — as put forward in the final report — provide overall strategic guidance. The recommendations should take into consideration the political environment and its impact on the electoral process in general and the potential support of the UN specifically. The assessment report reflects on five key areas:

- 1. Assistance priorities:** The most important recommendation is whether electoral assistance should be provided by the UN, and if so, what form it should take (broadly speaking) vis-à-vis the request made by the Member State or territory.
- 2. Coherence and coordination:** This should include i) general direction concerning UN coherence in the delivery of assistance (who does what in the UN system), with the aim of ensuring timely and effective 'delivery as one'; ii) guidance on the form, substance and implications of proposed UN partnerships with non-UN providers/donors; and iii) direction on the overall coordination and coherence of assistance, including proposals for international community coordination mechanisms.
- 3. 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; and ii) long-term targets for the handover to national capacity of the project or constituent elements.
- 4. Risk mitigation strategy:** This should outline steps that could be taken to mitigate or remove any identified risks that could potentially hinder the UN electoral 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.

On the basis of the needs assessment report and its recommendations, the decision of the Focal Point is transmitted both to the Member State and to the relevant UN agencies at national level. Where multiple UN actors are mandated to provide electoral assistance in a given country – typically in peacekeeping or political mission settings where roles are shared – the report is transmitted to the Secretary-General's representative on the ground, as well as through the UNDP Administrator to the UN Resident Coordinator (if different from the Secretary General's representative), who is also the UNDP Resident Representative.¹⁵ In non-mission settings, it is the UN Resident Coordinator/UNDP Resident Representative who receives the report, again through the UNDP Administrator. If the UN is involved in providing electoral assistance to a given Member State, UNDP will likely be involved given its status as by far the largest provider of UN electoral assistance, its mandate in leading the UN system in democratic governance support, and its universal presence. UN assistance providers are required to follow the assessment recommendations when formulating their electoral assistance projects.

Support to an election within the context of a General Assembly or Security Council decision mandating a UN electoral assistance role is usually led by peacekeeping missions (under the overall management of the Department of Peacekeeping Operations, or DPKO) or via special UN political missions (under the overall management of the Department of Political Affairs), with complementary roles being played by other UN actors, such as UNDP, UNOPS, UN Women, etc.. Examples of the former include, in recent years, the missions in Liberia (UNMIL) and Sierra Leone (UNAMSIL), and an example of the latter is the current mission to Libya (UNSMIL). In these cases, the Special or Executive Representative of the Secretary-General heads the overall mission and is supported by one or two deputies responsible for political and development/humanitarian areas.

15 As the custodian of the Resident Coordinator system, the UNDP Resident Representative is by default also the UN Resident Coordinator.

The response is different in non-mission settings. In such cases, UN-provided electoral assistance is typically provided by and through UNDP. Depending on the country, other UN actors may also be involved directly in the UN's electoral assistance or in activities that are relevant to electoral assistance. Frequently the contributions of other UN actors are channelled through UNDP's project of assistance. Other actors include the United Nations Volunteers programme (UNV), the UN Entity for Gender Equality and the Empowerment of Women (UN Women), the UN Population Fund (UNFPA), the UN Office for Project Services (UNOPS) and the UN Educational, Scientific and Cultural Organization (UNESCO).

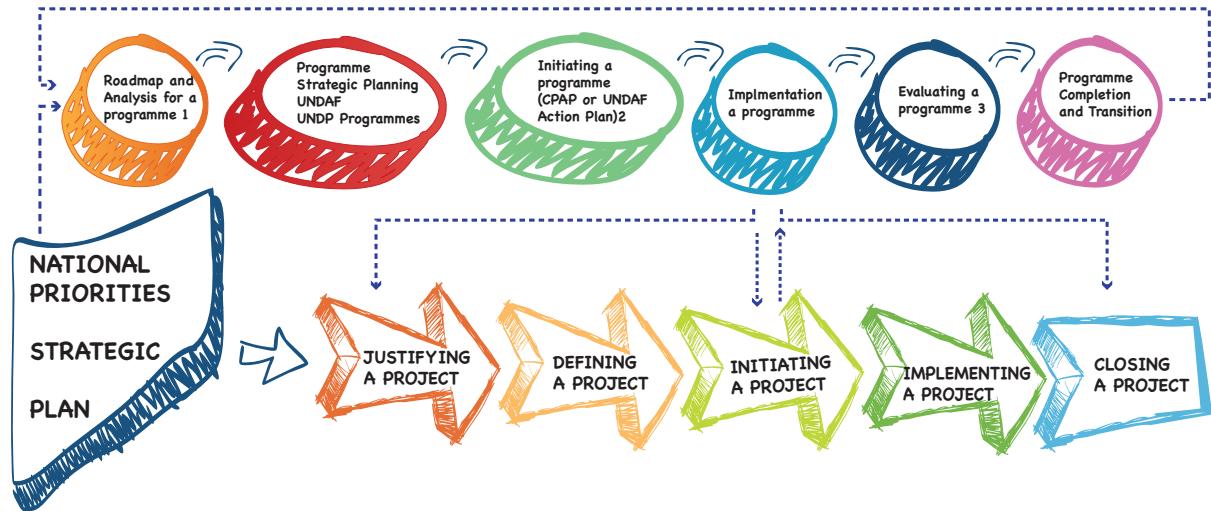
3.2 UNDP PROJECT FORMULATION

Where UNDP Country Offices implement electoral assistance, they are supported by the relevant expertise from the Bureau for Development Policy (BDP) in New York, the UNDP Regional Bureaux, the UNDP Regional Centres, or the UNDP office in Brussels (when the matter is related, as in the cases under discussion here) to the partnership with the EU.

The UNDP project formulation phase is initiated when the UN Focal Point for Electoral Assistance has made the final decision that UN support to the electoral process is appropriate. The UNDP Project Document (ProDoc), formulated by the UNDP Country Office together with the signatory party,¹⁶ is the key programming document and serves three core functions. Firstly, it specifies the strategy and expected results of UNDP's engagement. Secondly, the document provides a vehicle through which UNDP provides financial and technical support to achieve the identified results. Thirdly, the ProDoc articulates an agreement between the government and UNDP on the implementation of the project in accordance with the Standard Basic Assistance Agreement (SBAA) and UNDP corporate policies and procedures. The project document can take the form of stand-alone document format for countries without a

¹⁶ It is important, however, that all relevant stakeholders are involved in the formulation and design of the new electoral assistance project. An inclusive process increases the chance for building sustainable results that are in line with the needs and requirements of the country.

Country Programme Action Plan (CPAP) or projects falling outside the CPAP, and the CPAP Annual Work Plan format for CPAP countries that include electoral assistance in the CPAP. Given interest among national and international stakeholders, some country offices with CPAPs featuring electoral assistance still select to have a stand-alone electoral project document.



(1) UN/UNDP country analysis takes place as part of and in accordance with the CCA/UNDAF process.

(2) Not applicable for regional and global programme.

(3) A country programme evolves from the previous cycle and rolls over to the next cycle. In this process, learning and knowledge management is continuous. As a given country programme cycle reaches the end, lessons learned including especially from evaluations should be systematically used to shape the next programme and to decide which of the existing programmatic work would roll over and which would not.

Figure 2. UNDP Country Programming Cycle

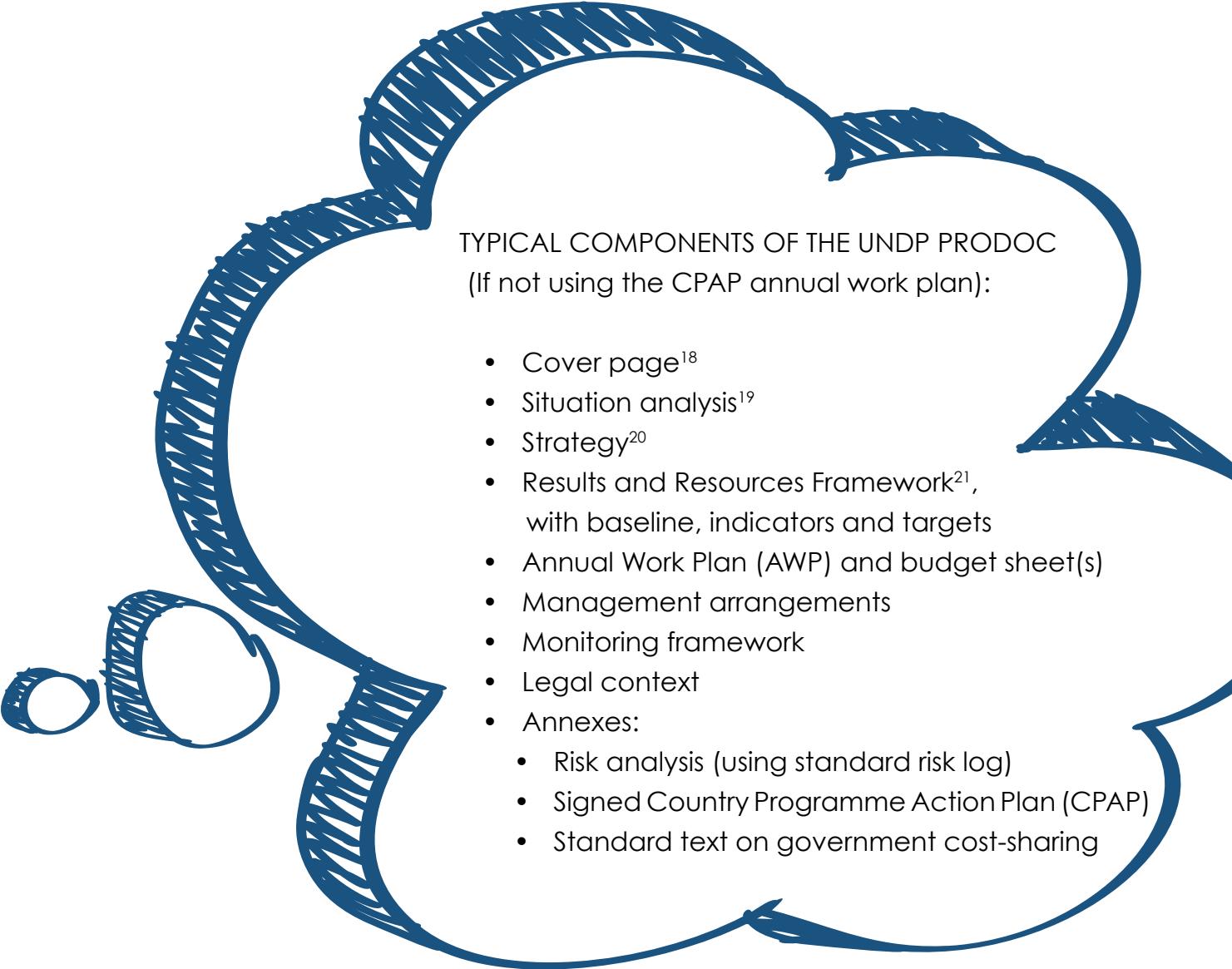
The formulation phase is based on the 'SMART' strategy: the establishment of specific, measurable, attainable, relevant and trackable indicators. The formulation of the narrative sections of the ProDoc is made easier when an overall results and resources framework is established.¹⁷

¹⁷ The purpose of the UNDP Results and Resources Framework (RRF) is to assist in the definition of project results to support the planning, management and monitoring of development activities. The RRF places the project in its larger framework within the country programme, and serves as a useful tool for ensuring consistency among outcomes, activities and inputs.



**The following page
summarizes the required
formats and contents for
a ProDoc:**





TYPICAL COMPONENTS OF THE UNDP PRODOC
(If not using the CPAP annual work plan):

- Cover page¹⁸
- Situation analysis¹⁹
- Strategy²⁰
- Results and Resources Framework²¹,
with baseline, indicators and targets
- Annual Work Plan (AWP) and budget sheet(s)
- Management arrangements
- Monitoring framework
- Legal context
- Annexes:
 - Risk analysis (using standard risk log)
 - Signed Country Programme Action Plan (CPAP)
 - Standard text on government cost-sharing

18 To be signed by UNDP and the implementing partner in countries where a Country Programme Action Plan (CPAP) is signed by the government and UNDP; to be signed by UNDP, the government and the executing agency in countries with no CPAP.

19 Only in non-CPAP countries.

20 Only in non-CPAP countries.

21 Only in non-CPAP countries.

3.3 FROM NATIONAL REQUEST TO EU DECISION AND FORMULATION

EU development cooperation funding is allocated through multi-annual strategies and programmes, which are jointly prepared by the European External Action Service (EEAS) and the European Commission Directorate General for Development Cooperation EuropeAid (DEVCO). The EU (via the EU Delegation) then consults with the national authorities and different stakeholders in each partner country and region. During the **programming** phase, the situation at national and sectoral level is analysed to identify problems and constraints, and an EU response strategy is established. Based on dialogue, consultation and analysis, a multiannual Country Strategy Paper (CSP) is agreed. The CSP lays out the overall framework for EU cooperation to development in the country, possibly including democracy support and electoral assistance.²² The key elements of the CSP are:

- a description of EU co-operation objectives;
- the policy objectives of the partner country;
- an analysis of the political, social and economic situation;
- an overview of past/ongoing EU cooperation;
- an EU response strategy that identifies intervention sectors; and
- translation of the response strategy into the **National Indicative Programme (NIP)**, which is often laid out within the CSP and includes:
 - a. global objectives,
 - b. financial envelopes for each of the intervention sectors identified,
 - c. specific objectives and results, including conditionalities and indicators,
 - d. how cross-cutting issues such as gender will be dealt with, and
 - e. programmes to be implemented, target beneficiaries and type of assistance.

22 EC Project Cycle Management Guidelines, 2004, pp. 26-27. Available online at http://ec.europa.eu/europeaid/multimedia/publications/publications/manuals-tools/t101_en.htm.

The EC Communication 191/2000 laid out five criteria for EU electoral assistance, with an additional four added in a supplementary working paper SEC(2003) 1472. The nine criteria are as follow:²³

1. a request from the host government for EU electoral assistance;
2. the general agreement of the main political parties and other stakeholders to a programme of EU electoral assistance;
3. the existence of previous political monitoring or EU development programmes in the host country;
4. an adequate time-frame for preparation;
5. freedom of movement, access to information and safety of any international technical assistance team;
6. complementarity — whereby resource mobilization of the EU to support beneficiary countries needs to be complementary to state funding;
7. enhanced definition of results — whereby focus is placed on the ultimate objective of organizing electoral processes that produce results reflecting the will of the people;
8. conflict-prevention — whereby EU support is required to be assessed according to conflict-preventing measures in the context of volatile environments; and
9. political advisability of assistance — whereby an assessment should be made of whether there is minimum 'democratic space' and genuine will in a country to allow and conduct genuine elections.

If electoral assistance is one of the overall governance development objectives of the EU in the CSP, the identification and formulation of relevant election-related projects follow. Both identification and formulation are carried out in close association with national stakeholders and beneficiaries.

23 Commission staff working paper, 'Implementation of the communication on election assistance and observation,' SEC (2003) 1472, available online at http://eeas.europa.eu/human_rights/election_observation/docs/sec_2003_1472_en.pdf.

3.4 EU PROJECT FORMULATION

The identification, formulation, and implementation of programmes is the responsibility of the EU Delegations and the partner country authorities.²⁴ Based on a provision of electoral assistance to the partner country indicated in the CSP and NIP, the EU Delegation, under the lead of the national authorities and associating the beneficiaries, prepares a **project identification fiche** and later an **action fiche**. Action fiches are first reviewed by EuropeAid services before undergoing inter-service EC consultation; after that they are submitted to EU Member States for approval, and, finally, adopted by the College of Commissioners as part of Annual Action Programmes (AAPs), which serve as financing decisions. Following a financing agreement between the EU and the beneficiary country, the EU can enter into agreements with implementing partners.²⁵

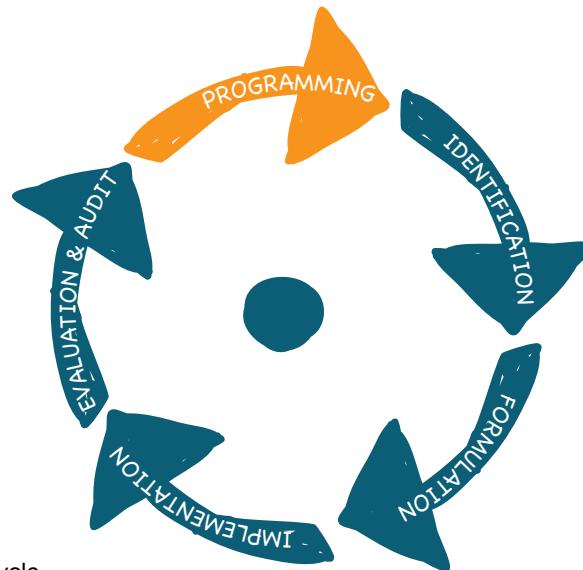


Figure 3. EU Programming Cycle

²⁴ Additional detail may be found in Section 3.4 of this paper.

²⁵ There are also instances where there is no Financing Agreement (i.e. when the action is being funded under crisis conditions using the Instrument for Stability, or where thematic funds are being used). In these cases, the Contribution Agreement can be concluded as soon as the Action Fiche is approved.

EuropeAid's geographical and thematic services are responsible for providing support to the Delegations over the operational phases. EU Delegations can request missions from the Human and Society Development Directorate of EuropeAid (specifically the EuropeAid Unit B1 [Governance, Democracy, Gender Equality and Human Rights] to assist in the assessment of electoral cycle-related needs as well as to support project identification and formulation exercises). Such support may include operational guidance; developing implementation strategies; providing assurance on the use of quality systems/tools in programme design and implementation; training; content development; and dissemination of information.

Alternatively, the Delegation can rely on the support of external independent experts. EuropeAid support missions can also be requested in the context of a programme follow-up.

It is important that the identification and formulation phases are coordinated with other development partners. In cases where it is expected that programmes are to be implemented by the UN, a formulation mission by the EU can be carried out jointly with the relevant UN services (such as from the EC-UNDP Joint Task Force in Electoral Assistance). Findings from such missions form the basis for the preparation of the EU's financing proposal; that proposal in turn is the basis for the EU's Financing Agreement with the government of the beneficiary country and the SCA to be signed with the relevant UN organization.

Management modes for the implementation of the EU's external assistance funds

The management mode establishes the entity that acts as contracting authority and which is responsible for, among other things, concluding service/grant contracts, financial management and payments. The EC currently has different management modes²⁶ that can be used for implementing electoral assistance:

a. Delegated cooperation — when the EC delegates the management of tasks regarding expenditure of EU funds to another entity. There are three options for delegated cooperation:

b. Direct centralised management — when the EC manages the programme or action directly at its headquarters or Delegation level.

²⁶ These management modes are expected to change from 2014 onwards

- 1. Joint management** — when EU funds are entrusted to an international organization (such as UNDP). Despite its name, the EC funds entrusted to an international organization under joint management are not jointly managed between the EC and the international organization. Instead, the management of the tasks related to the implementation of these funds is delegated by the EC to the international organization, which should manage the funds in line with its own policies, rules and procedures (all of which have been a priori assessed by the EU as per the so-called four pillar assessment. The EC, however, keeps some prerogatives of control and verification, as required by their financial regulations). The legal instrument used for this purpose is the Standard Contribution Agreement (see Section 3.6.1 of this publication for detailed information).
- 2. Indirect centralised management** — when, following a Delegation agreement, EU funds are managed by a national (public or private) body of another donor country, often that of an EU Member State.
- 3. Decentralised management** — when EU support is managed/implemented directly by institutions of the beneficiary country.²⁷

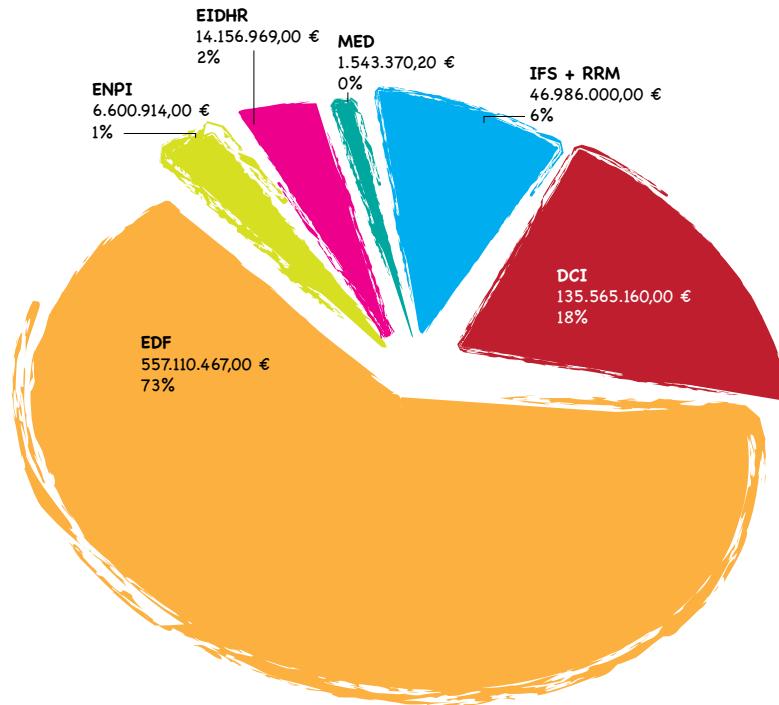
²⁷ For example, current electoral assistance in Ghana is to a large extent done through decentralised management through a direct grant awarded to the Ghana Electoral Commission and the National Commission for Civic Education.

EU financial instruments

EU electoral assistance is funded through the EU's geographical financial instruments for external cooperation such as the European Development Fund (for African, Caribbean and Pacific countries), the Development Cooperation Instrument (for Asia and Latin America), and the European Neighbourhood Policy Instrument (for countries on the eastern and southern borders of the European Union).

When geographical instruments are not available, or following unforeseen events that require an immediate response, electoral assistance might exceptionally be funded through the Instrument for Stability (IfS), a strategic tool designed to address a number of global security and development challenges in complement with geographic instruments. The IfS' short-term component, tackling early recovery in emerging crisis situations, amounts to €1.487 billion (72 percent of the IfS total budget) for the 2007-2013 timeframe and includes among its possible activities support to the development of democratic and pluralistic state institutions. Projects funded under the short-term component of the IfS cannot exceed 18 months. The IfS short-term component is administered by the Foreign Policy Instrument service (FPI), an EC service co-located with the European External Action Service (EEAS).

In addition, the EU can support electoral assistance activities by local, regional and international organizations and institutions through thematic instruments such as European Instrument for Democracy and Human Rights (EIDHR) which can cover issues such as domestic observation, civic education and media support.



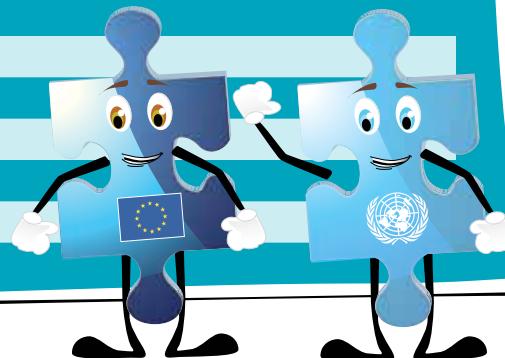
DCI	Development Co-operation Instrument
EDF	European Development Fund
EIDHR	European Instrument for Democracy and Human Rights
ENPI	European Neighbourhood and Partnership Instrument
IFS	Instrument for Stability
RRM	Rapid Reaction Mechanism

Figure 4. EU electoral assistance funds per instrument, 2003-2010

3.5 Formulating electoral assistance projects: areas of support

The most frequent areas of electoral assistance supported by the EU and UNDP are listed below:

- electoral laws and regulation reform
- electoral system design/redesign
- electoral administration and planning
- electoral budgeting
- voter registration
- constituency delimitation
- professional development of EMBs
- training of election officials
- civic and voter education
- inclusive participation (with a focus on greater participation by women and underrepresented groups)
- working with political parties
- electoral dispute resolution
- training of judiciary on electoral justice and electoral dispute resolution
- training of security forces on electoral security
- domestic observation
- election logistics and operations
- procurement of election materials
- electoral security
- media training/monitoring
- capacity-building of civil society organizations
- public outreach



Moreover, a number of tools and approaches have been developed in the past years within the area of electoral assistance to enhance the effectiveness of the support given. The **electoral cycle** is a planning tool that provides useful input to the formulation phase. It assists the responsible parties to consider not only what is required for successful voting operations on election day, but also encourages assistance providers to consider a range of different activities that may need to be supported over a longer period, in order to build the capacity of the national authorities to ultimately manage their entire electoral process without the need for international electoral assistance. Together with the strategic plan of the EMB (if already existing), the electoral cycle can also facilitate the translation of a strategic plan into a clear implementation plan and identification of operational concepts. And in addition, the electoral cycle can contribute to a participatory and inclusive process whereby all relevant stakeholders take part in formulating the strategic plan for longer-term objectives, continued capacity building and thorough post-election reviews.

Mainstreaming cross-cutting issues allows issues such as gender, environmental impact and the needs of disabled persons to be thoroughly considered in the electoral process and for appropriate actions to be formulated. Notably, the integration of such issues may highlight the usefulness of close correlation with other UNDP and EU projects. Such a possibility raises important opportunities to benefit from linking activities across projects to maximize the overall outcome.

With regards to **women's electoral participation**, for example, enhancing the participation of women in politics is essential to attaining gender equality and genuine democracy. Increasing the voice and participation of women in politics is critical for putting women's issues on national agendas, and ensuring that policies are more responsive to women's needs and requirements.

Women hold just 20 percent of seats in parliament around the world, and there are stark regional and national variations. The obstacles to women's effective participation are defined by the political, social, economic and cultural environment within which they live, ranging from lack of party support, lack of financial resources and political education, as well as the dual burden of domestic and professional tasks, women's traditional roles and a perception of politics as "dirty business".²⁸

Ensuring a gender mainstreaming perspective in electoral assistance programming is crucial to enhance participation of women in electoral processes. Gender mainstreaming involves ensuring that gender perspectives and attention to the goal of gender equality are central to all activities - policy development, research, advocacy/ dialogue, legislation, resource allocation, and planning, implementation and monitoring of programmes and projects.

In practical terms, this means that electoral assistance programming should look at the differential impacts of policies, programs and legislation on women and men. Ensuring equal participation in electoral processes may be addressed at three key levels:

1. The participation of women as voters;
2. The participation of women as candidates;
3. The functioning of the EMB, including women as elections administrators and policies of work of the EMB to promote gender equality.

Specific examples include:

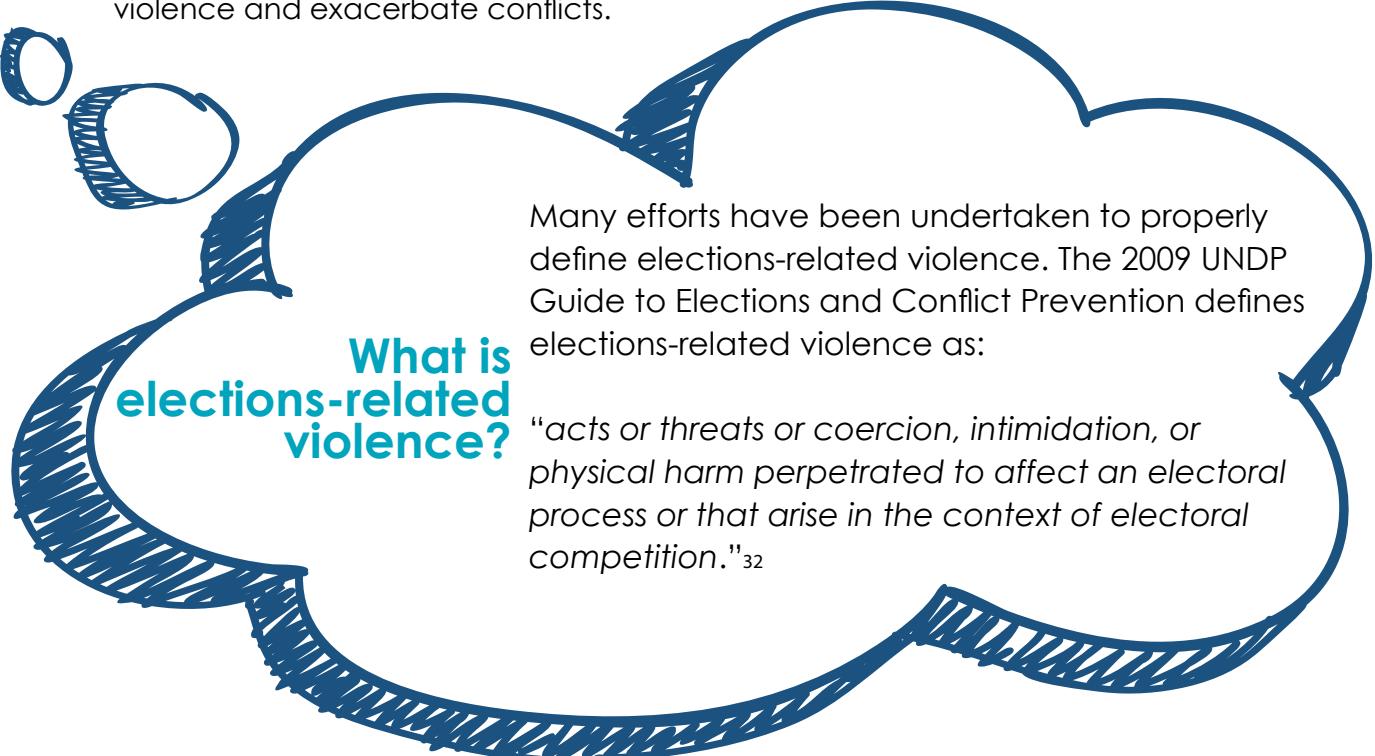


1. Participation of women as voters: It cannot always be assumed that women are able to cast their ballots without facing specific obstacles. In some instances, women may be deterred from voting because of the local culture, the practicalities of going to the voting centre or lack of knowledge about the voting process. Civic and voter education programmes may therefore be designed that emphasize equal rights and responsibilities for taking part in elections, and take into account the socio-cultural situation and education levels of women in designing outreach programmes.
2. Participation of women as candidates: Worldwide, women stand and are elected at lower rates than men. One in five parliamentarians today is a woman. As many women face challenges in standing for election as outlined above, different strategies might be considered. For example, as political parties are the primary vehicle through which women can access elected office and political leadership, working with political parties can have a profound impact on the level of women's participation in political life of their country. Specific assistance can target support to women in party caucuses, capacity development of potential women candidates and party leaders, and gender awareness training of party leaders.²⁹ In addition, in over 50 countries, parliaments have adopted reforms to the electoral system to include mechanisms for the election of more women, specifically through the use of temporary special measures, including gender quotas.
3. Functioning of the EMB: Finally, through targeted interventions vis-à-vis the EMBs, assistance programmes may facilitate the increase of women's participation in the administration of the electoral process – as Commissioners, district officers and/or polling workers. As per the IDEA Handbook on Electoral Management Design, “[e]nsuring that there is gender balance in its own personnel and activities, whether or not this is required by electoral legislation or government policy, will promote an EMB's credibility and allow it to fully tap the available resources for its membership, professional and support staff, permanent and temporary or ad hoc staff, consultants and advisers.”³⁰ In addition to staffing levels, there are several measures that EMBs can take to ensure gender sensitive electoral administration, including in the policies and the work of the EMB itself.

29 UNDP Handbook on Working with Political Parties (accessible online at http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/electoral_systemsandprocesses/a-handbook-on-working-with-political-parties.html)

30 IDEA Handbook on Electoral Management Design, pg. 70 (available online at http://www.idea.int/publications/emd/upload/EMD_inlay_final.pdf)

Another cross-cutting issue, and one that is often focused on by conflict prevention experts in both organisations, is the issue of **elections-related conflict and violence**, which was the subject of two EC-UNDP Joint Task Force thematic workshops in 2010 and 2011.³¹ Though elections are generally intended to provide a peaceful and inclusive means for deciding who will govern, elections may also fuel existing underlying conflicts and societal divisions because of the high stakes involved. The prominence of elections-related conflict and violence in recent elections in Afghanistan and Côte d'Ivoire, for example, exemplifies the way in which elections may contribute to violence and exacerbate conflicts.



What is elections-related violence?

Many efforts have been undertaken to properly define elections-related violence. The 2009 UNDP Guide to Elections and Conflict Prevention defines elections-related violence as:

“acts or threats or coercion, intimidation, or physical harm perpetrated to affect an electoral process or that arise in the context of electoral competition.”³²

31 Both workshops were hosted by the Barcelona International Peace Resource Centre. The summary report of the 2011 edition of the workshop, held from 20-24 June 2011 in Barcelona, is available online at www.ec-undp-electoralassistance.org/index.php?option=com_content&view=article&id=152&Itemid=139&lang=en

32 The guide is available online at http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/electoral_systemsandprocesses/elections-and-conflict-prevention-guide.html.

In a UN report on elections-related violence and killings released in May 2010,³³ Special Rapporteur Philip Alston provides an overview of the existing research material and lists key questions that should be considered when analysing violence and killings related to electoral processes and outcomes:

- At what point in time is violence taking place?
- Who are the perpetrators?
- Who are the targets or victims?
- What are their motives?
- What methods, means and forms of violence are used?
- What are the causes and the enabling factors?
- What are the effects of such violence?

These questions are helpful background issues for electoral assistance providers to consider as they develop and integrate measures to tackle potential elections-related violence during the pre-and post-electoral periods as well as incidents that may take place on election day. This is particularly important in countries that have recently emerged from a war or civil strife as well as in societies where deep divisions persist along ethnical or religious lines and politicians are ready to exploit those divisions in their campaigns to maximize support.

Through comprehensive risk assessments, strategy development and implementation of corresponding targeted interventions, responsive measures may be designed to prevent, mitigate and/or resolve elections-related conflict and violence in partner countries. Some examples of entry points to address potential elections-related violence and conflict include the following:

- **Legal framework review.** Research has shown that the electoral system may influence and affect the likelihood of violence. This is true, for example, in regards to how (or if) the system produces results deemed fair and how it encourages candidates running for office to cooperate, among other areas.

33 The report is available online at <http://digest.electionguide.org/2010/07/21/un-report-on-election-related-violence/>.

- **Planning and budgeting.** This refers to the establishment of solid security plans and allocation of funds to policing as well as contingency plans in cases where risks of violence are high.
- **Civic and voter education.** Such efforts might include, for example, i) campaigns to raise awareness regarding the legitimacy of the process and ii) effective coordination of campaigns to ensure that political parties do not organize rallies that could trigger confrontation in proximity to one another.
- **Electoral security.** Steps might include assistance in the design of cross-agency (e.g. EMB plus state security forces) electoral security operational plans, the establishment of weapons-exclusive zones as well as rules of engagement or codes of conduct by security forces and the police during stages of the electoral process (including polling day).
- **Electoral dispute resolution mechanisms.** A priority issue in this regard might be ensuring that, in cases where elements of the electoral process are contested by candidates or citizens at large, there is an established juridical channel through which complaints are handled to the highest possible standards.
- **Evaluation.** Most notably, taking stock of the incidents of violent conflict during the most recent electoral process can feed into the planning phase for subsequent elections.

Similar to gender mainstreaming, the work carried out by the international community to tackle elections-related violence and conflict need to involve a variety of stakeholders such as EMBs, legislators, political parties, civil society organizations, media institutions, security forces and police, etc.

The growing use of **information and communication technologies (ICTs) in electoral processes** is a trend that seems to have been accepted as normal operating procedure in many development contexts. It is therefore essential that electoral assistance projects explicitly confront the issue of appropriate technologies.

Every year, the EU and UNDP receive an increasing number of requests for the introduction or upgrade of existing technologies both from developing and post-conflict countries (the EC-UNDP Joint Task Force thus organised, in March 2012, a 5-day thematic workshop on the topic of the sustainable introduction of IT into electoral administration).³⁴ A sound approach is therefore required that takes into consideration contextual factors, sustainability and costs.

Electoral assistance providers may consider to (or not to) support the use of technologies in a wide range of areas covering different segments of the electoral cycle. Technologies can be used for the following types of activities, among others:

- **Boundary delimitation** — e.g., through powerful mapping technologies such as geographical information systems (GIS) and database software.
- **Voter registration** – e.g. high-technology electronic voter registration systems using laptop computers for direct data entry of voter data in the field, with duplicate detection analysis carried out later using biometric data such as digital fingerprints; systems using medium-level technologies such as Optical Mark Recognition forms, and; low-tech, fully-paper-based systems (with only aggregate data entered into computers at the central location). Focus is also often placed on database management software, other imaging technologies, telecommunications, and data storage media, among others.
- **Reaching voters** — efforts in this area centre on various communication tools such as audio visual applications (radio, television, videos, DVDs, etc.); phone communications and call centres; the internet and Web-based tools; specialized equipment for special need groups (hearing/visual assistance), etc.

34 The summary report of the workshop, entitled *Information Technology and Elections Management: Informed Decisions for Sustainable Outcomes*, held in Mombasa, Kenya, from 5-9 March, 2012 and supported by the UNDP Global Programme for Electoral Cycle Support and the UNDP Country Office in Kenya, is available at http://ec-undp-electoralassistance.org/index.php?option=com_content&view=article&id=170&Itemid=176&lang=en

- **Voting operations** — e.g., logistics for voting operations, electronic voting (electoral voting machines and internet voting), vote recording and counting, and result aggregation at regional and national levels.
- **Corporate management** — e.g., various software and applications for planning processes, project, personnel, financial and inventory management, etc.

While technology can be an important tool to improve accuracy and transparency, it needs to constantly be measured against criteria such as sustainability, cost-effectiveness and ownership. One of the challenges for EMBs, electoral assistance providers and donors, for example, is that they may become hostages of vendors. This can happen, as experience has shown, when technological solutions are proprietary and not standard, compliant, suitable, cost-effective and/or sustainable in the long run. Careful feasibility and sustainability analysis covering the entire electoral cycle should be undertaken in due time before embarking on any such investments.

Capacity development, particularly targeting the EMB but also other stakeholders in the electoral process, comprises an integral part of UNDP and EU strategies regarding electoral assistance. This component is especially important in the context of the electoral cycle approach, which has placed a firm focus on longer-term strategies and sustainability of intervention efforts.

EMBs typically need trained and skilled personnel at various levels to perform the following activities:

- prepare electoral budgets;
- procure electoral equipment;
- conduct voter registration;
- understand party and campaign financing;
- perform polling and counting operations;
- conduct or supervise voter and civic education;
- help manage and coordinate stakeholder activities;
- engage in public outreach and communication;

- conduct training needs assessments and carry out trainings of staff at all levels;
- manage logistics for the election, including result reporting and tabulation;
- advise and enact (when applicable) electoral law reform;
- facilitate electoral observation activities; and
- engage in global/regional networking activities with other EMBs.

Specific job skills training may also be required in areas such as computer literacy, accounting and financial management, procurement processes and procedures, warehouse management, information management and monitoring.

It is important that capacity development is mainstreamed throughout the various levels of the EMB: at district, regional and headquarter (national) levels. Capacity development support is not only important for permanent and/or top-level staff; in addition, it should be considered in regards to 'grand-scale' training programmes for temporary voter registration and polling station staff.

Capacity development in the most limited sense takes the form of training seminars and workshops. Training methodologies should be customized to the skills required and target audience considered. They should also take into consideration the existing timelines, which may restrict the choice of approach. Increasing attention, however, is also paid to on-the-job training, where dedicated experts collaborate closely with the EMB staff working in specific units and, through the provision of advice and guidance, transmit skills directly to the beneficiaries on a day-to-day basis. The way in which the electoral assistance experts are usually situated in the offices of the EMB has contributed to the considerable enhancement of collaboration and transfer of capacities between internationally recruited experts and staff throughout the project. Other approaches include South-South collaboration and peer-to-peer networking initiatives, study visits and the participation of EMBs in strategically important conferences.

The review and integration of election observation recommendations during the formulation of electoral assistance projects has also increasingly taken place in recent years.

In the context of projects undertaken within the framework of the EC-UNDP Partnership on Electoral Assistance, it is particularly important that the project proposals — action fiche on the EU side, Project Document (ProDoc) on UNDP side — consider and programme recommendations (where programmable),³⁵ as put forward not only by EU Electoral Observation Missions (EU EOM), but also by other international and domestic observer reports. By creating stronger linkages between electoral assistance and the final reports and recommendations of election observation reports, a more solid framework from which electoral assistance providers can develop targeted assistance programmes can be built. At the same time, it is beneficial for observers also to have a good understanding of activities that have been or are implemented by organizations and agencies already working in the country upon their arrival. Improved awareness better equips observers to formulate appropriate recommendations that are in line with national priorities and which, in turn, could allow for suitable follow-up actions in the next electoral assistance project.

Before mainstreaming recommendations within new electoral assistance programming, national counterparts have to agree with the issues raised by the EU EOM. In order to build ownership in the process, it is important that the decisions made in response to the recommendations are those that both international and national stakeholders can agree on. The workshops organized by the EU EOMs in the host country after the release of final report provide a forum for debate among international players and national stakeholders alike.

35 The JTF is conducting research on the extent to which EU EOM recommendations influence and are programmed into the electoral assistance projects where the EU and UNDP cooperate. Preliminary research has shown that many recommendations are addressed to national legislatures, and thus have limited scope for direct implementation in projects (e.g. recommendations that require a change in the legal framework require direct action by parliaments, and advocacy for such changes may be the limit of available action in a partnership project.

In the EU system, election observation is funded through the European Instrument for Democracy and Human Rights (EIDHR),³⁶ centrally managed by the European Commission in Brussels. A tentative annual programming of EU EOMs (based on a list of priority countries) is decided by the European External Action Service in consultation with Member States as well as the European Parliament. Exploratory missions are sent to the countries on the priority list, if a formal invitation to observe elections has been sent by the host countries. These missions are tasked with making recommendations to the High Representative for Foreign Affairs and Security Policy on whether an EU observation would be advisable, useful and feasible. Final decision on the deployment of an EU EOM, headed by a Member of the European Parliament as Chief Observer, lies with the EEAS and is taken by the High Representative, whereas the Foreign Policy Instrument unit, an EC service co-located with the EEAS, is in charge of implementing the EU EOMs, including logistical and security aspects.

3.6 Formulation of **EC-UNDP** partnership electoral assistance projects

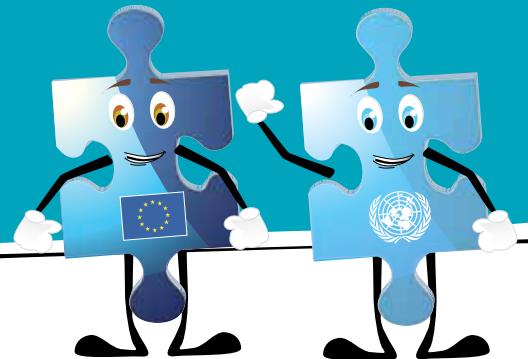
In cases where the EU and the UN have decided — as per their respective decisional processes — that electoral support is to be provided, the two organizations usually establish channels for effective communication to consider whether it might be beneficial to work together. At the country level, the personnel responsible for the democratic governance portfolio at the EU Delegation and the UNDP Country Office, respectively, usually get together to discuss the project and the dedicated financial proposals. At HQ levels, discussions also take place between the members of the EC-UNDP Joint Task Force on Electoral Assistance (JTF) in collaboration with other relevant branches on the EU/EC and UNDP sides.

36 Launched in 2006, the European Instrument for Democracy and Human Rights (EIDHR) replaces and builds upon the European Initiative (2000-2006). Its aim is to provide support for the promotion of democracy and human rights in non-EU countries.

Joint EC-UNDP missions

Upon request of the EU Delegation and the UNDP Country Office, the European Commission and UNDP may decide to field joint missions from Brussels (see Operational Guidelines, **Article 3.2**). These missions can, broadly speaking, be deployed during the formulation stage ('formulation mission') or when specific support is needed during the implementation period ('follow-up mission' or 'trouble-shooting mission'). The missions are carried out by members of the JTF and/or experts working in close relation to the JTF. In the case of a formulation mission, the JTF work is based on the EAD NAM report and the EU identification fiche, as well as the preparatory work carried out by the EU Delegation and the UNDP Country Office prior to the mission's deployment.

Follow-up or trouble-shooting missions are generally triggered by a request from the EU Delegation and/or the UNDP Country Office. Alternatively, such a mission may result from a HQ decision whereby UNDP Brussels and EuropeAid's Quality Support Unit, after thorough assessment, deem it necessary to field such a mission.



3.6.1. The Standard Contribution Agreement

The Standard Contribution Agreement (SCA) is the document by which the EU and UNDP formalize their cooperation in a specific project. It comprises a fixed set of documents, in all cases, namely the “Special Conditions” and a series of five annexes. These annexes are:

Annex 1: Description of the action³⁷

Annex 2: General Conditions (the same for all SCAs)

Annex 3: Budget of the action

Annex 4: Financial identification fiche

Annex 5: Standard request for payment

In case of discrepancies between the various documents making up the SCA, it has been determined that the Special Conditions take precedence over the General Conditions. In turn, the General Conditions take precedence over the other annexes. Because the SCA is a legal instrument, it is particularly important that the persons responsible for drafting it are familiar with standard provisions, deriving from the FAFA,³⁸ as set in the General Conditions. Standard obligations for EU-UN agreements, with particular reference to the FAFA, the General Conditions and the Operational Guidelines, also need to be considered.

The SCA needs to be prepared in a careful manner in order to ensure that parties have clarity as regards the carrying out of the implementation phase.

Note for UNDP colleagues: It should be noted that any draft EU-UNDP SCA is subject to a specific internal clearance process that must be completed before the signature. UNDP colleagues should refer to the Memorandum of the Associate Administrator on the standard clearance process for EU-UNDP agreements, on 12 July 2007.

37 In the EU programming language, the “action” refers to the activity or activities supported with EU funds.

38 See the full FAFA text here: http://ec.europa.eu/europeaid/work/procedures/financing/international_organisations/other_documents_related_united_nations/document/un_ec_fwc_en.pdf

TIPS AND ADVICE



Country Offices that negotiate an agreement with the EU should make sure to involve the UNDP Brussels Office (ecsupport@undp.org) from early stages of negotiations.

Special Conditions

The Special Conditions set out the key elements of the EU-UNDP SCA in question, such as purpose of the EU-UNDP 'action,' its implementation period, its total cost and how much funds the EU is putting towards it, and the schedule of payments to be provided by the EU, etc. The Special Conditions is a rather brief document, usually no more than five pages.

Sections of the Special Conditions

Article 1	Purpose of the action
Article 2	Entry into force, implementation and execution period
Article 3	Financing
Article 4	Narrative/financial reporting and payments' schedule
Article 5	Contact addresses
Article 6	List of annexes
Article 7	Other specific conditions

This document also details the **EU's implementation modality** (in Article 1.4) and it defines whether the EU is the only donor of the action, or whether the action is to be funded by two or more **financial sources**.³⁹ In the latter case, Article 1.5 should state "The Action is a Multi-donor Action for all purposes of this Agreement." Under multi-donor arrangements, the EU funds are pooled with those of other donors and not earmarked to any specific components or activities within the action. The UNDP Project Document becomes the "Annex 1 – Description of the Action" (see below). This arrangement is considered best practice given the way in which it maximizes donor coordination.⁴⁰

39 NB if UNDP is putting any of its own funds towards the project, then, for the purposes of the SCA, this qualifies as a second funder in a "multi-donor action."

40 Even when the EU is the only donor to the action, the UNDP Associate Administrator Memo of 2007 states that the UNDP ProDoc should be used as Annex 1.

Under the terms of the FAFA, UNDP is authorized to implement the project according to its own procedures, rules and regulations. Moreover, while remaining the sole responsible party (to the EC) for the action, UNDP is free to implement the project (or parts of it) in collaboration with other entities (implementing partners or contractors).

Implementation period: The implementation period is specified in Articles 2.2 and 2.3 of the Special Conditions. The former sets out the date on which the implementation of the action begins. There are various options possible, for example:

- the day following the last signature of the agreement;
- the first day of the month following the date of payment of the first pre-financing;
- a later date; or
- a date preceding the signature of the SCA.

In case a date preceding the signature of the SCA is to be used, it is important to ensure that the date does not precede the date i) as of when EU's Financing Agreement with the Government (which allows the EU to support the action) enters into force or an earlier date established in the Financing Agreement as of when the EU's contribution could be used, and ii) that when UNDP requested the contribution from the EU Delegation. In other words, in accordance with the FAFA, the EU may retroactively finance eligible expenditures occurred by UNDP, where so agreed between both organisations, prior to the signature of the SCA.⁴¹ The start date must be spelled out clearly as it determines when expenditures can be charged to the EU's funds and constitute eligible costs.

Article 2.3 specifies the number of months of the implementation period.⁴² When there is an EU Financing Agreement in place, it is necessary to pay attention to the end date specified therein. The Special Conditions should have an implementation period that is not longer than the one allowed under the Financing Agreement.

EU contribution and percentage: Articles 3.1 and 3.2 of the Special Conditions outline the total cost of the action as that 'action' is described in the Annex 1 (i.e. the total cost of the operation to which the EU, and as the case may be – other donors, contributes).

One important condition should be noted. In cases where 100 percent of funds necessary for the implementation of the action are not yet secured at the moment of the signature of the EU-UNDP SCA for a Multi-Donor Action, there should be no reference to the percentage in the Article 3.2 of the special conditions. This is also clarified in the footnote of the EC's draft Special Conditions template.⁴³

41 As per Article 2.4 of the FAFA.

42 NB note that in the case of Multi-Donor Actions this may not always be the same as the implementation period of the UNDP ProDoc, which may be longer.

43 Available online at <http://ec.europa.eu/europeaid/companion/annexes.do?chapterId=3> (see under 'Contribution Agreement').

Schedule of payment: The figures reflected in Article 4.2 of the Special Conditions are established based on the indicative disbursement needs for the overall action.

When the duration of the action does not exceed 12 months or when the amount of the EU contribution is less than €100,000, the EU provides one advance payment (within 30⁴⁴ days upon the receipt of the signed SCA) and one final payment (upon the endorsement of final reports and where the level of eligible expenditure provides for this payment). The advance payment constitutes between 80 percent and 95 percent of the EU's contribution (less eventual contingencies), with the final payment representing between 5 percent and 20 percent of the EU's contribution. Article 15 of the General Conditions sets out the standard requirements in this respect.⁴⁵

When the duration of the action exceeds 12 months and the contribution is of €100,000 or more, then there should be one advance payment provided by the EU for each commencing 12-month periods, plus one final payment. As in the case above, that final payment is subject to endorsement of final reports. The first advance payment (payable within 30⁴⁶ days upon receipt of the signed SCA) constitutes between 80 percent and 95 percent of the EU's contribution to the first 12 months of the implementation period. The subsequent instalment constitutes the remainder (between 5 percent and 20 percent) of the EU's contribution to the budget of the previous year plus, again, between 80 percent and 95 percent of the EU's contribution to the budget of the subsequent 12 months of the implementation. There should be as many advance payments as there are commencing 12-month periods.⁴⁷

In multi-donor actions, the EU's payments are established following the same logic as described above, taking into account the proportion of the EU's funding vis-à-vis the indicative (at the time of contracting) yearly budgets.

44 For SCA entering into force from 1st January 2013 onwards. Previously: 45 days

45 It is recommended that the initial pre-financing, unless there are solid reasons otherwise, should be set at 95%.

46 For SCA entering into force from 1st January 2013 onwards. Previously: 45 days

47 Additional details are available in Table 1 of this paper below (with regards to Article 15 of the General Conditions).

Annex 1:

Description of the action

Annex 1 of the SCA, called the "Description of the Action" (DoA), sets out what is planned to be achieved with the funds put at the disposal of UNDP over a defined timeframe. UNDP is responsible for achieving the objectives specified in the DoA, carrying out the implementation in accordance with that document and reporting on indicators of achievements specified therein. There is no specific required format for developing a 'description of the action.' It is recommended, however, to use the UNDP ProDoc as Annex 1 (or at least ensure that the description and ProDoc correlate and do not conflict), both when EU is financing the whole costs as well as when other partners are contributing to a multi-donor action. The fact that the ProDoc represents the text formally agreed between UNDP and the beneficiary country constitutes an additional incentive to use it directly. Moreover, the ProDoc serves as the basis for how UNDP encodes and manages the project in the Atlas system and from which data are drawn for reporting to all donors. Taken together, the reasons cited above underscore the fact that by using the ProDoc, the EU Delegation and the UNDP Country Office save valuable time in setting up and implementing the SCA and facilitating the preparation and understanding of financial reports.

Notwithstanding this, however, there is a need for the EU Delegation and UNDP to ensure that Annex 1 is in line with the EC Action Fiche, with the Financing Agreement that the EU signs with the national authorities in most cases, and with the UNDP ProDoc. The timely exchange of the relevant documentation between the EU Delegation and the UNDP Country Office facilitates the alignment process and simplifies the drafting of Annex 1.

Tips and advice:

- Adopt a reasonable and realistic approach: it is advisable to deliver more rather than fewer results than expected. Bear in mind that it may be impossible to extend the duration of the agreement with the EU (i.e. due to the EU's Financing Agreement with the Government);
- The structure of the 'description of the action' should be maintained in all narrative reports and the level of detail in the 'budget of the action' pre-determines the level of detail to be presented in all financial reports (i.e. you should report on all budget headings);
- Be sure to explain thoroughly the division of labour among different actors involved;
- Outline which mechanisms will be used to monitor/evaluate the implementation (e.g., standard requirements set in the ProDoc, field visits, etc.);
- Explain clearly the managerial set up. This should include areas such as whether there are a donor coordination mechanism or other unofficial information-sharing fora, and the arrangements and membership of the Steering Committee, the Programme Management Unit (where it exists) and any potential Technical Committees;
- Identify the risks and assumptions and show how these have been accommodated into the design of the action;
- Outline the project "exit strategy" and how sustainability of the results will be maintained;
- Make explicit, in the description of the action, the added value of the cooperation between the two institutions;
- Define how the project will ensure visibility⁴⁸ of the partners. It is advisable to discuss these issues up-front, at an early stage, and agree on the visibility and communications plan that should be implemented;
- Outline the strategy by which the project will be evaluated and discuss this strategy in advance to avoid duplication of efforts in this area.



Annex 2:

General Conditions

The General Conditions — incorporating the provisions set by the FAFA — lay out the standard requirements applicable to all EU-UNDP SCAs. In case of discrepancy, provisions of the General Conditions prevail over those in other annexes of the SCA. It is therefore important that all parties (EU Delegation, UNDP Country Office and eventually any project management unit established under the project) take due consideration of this document.

Tips and advice:



Persons involved in the drafting and implementation of the SCA should know the General Conditions by heart. In the legal hierarchy, in the case of discrepancy, the Special Conditions prevail over the General Conditions. The General Conditions prevail over provisions in the rest of the annexes.

The General Conditions contain 18 articles that remain the same in all SCAs.⁴⁹ The articles and a brief summary of their content are outlined in the table below:

⁴⁹ SCAs between the EU and UN signed in the context of humanitarian aid are governed by a slightly different set of General Conditions.

Issue	Content
General obligations GC, Article 1	<p>The action is to be carried out on the basis of Annexes 1 and 3</p> <p>Reporting should be done on the basis of indicators established in Annex 1</p> <p>Subcontracting is possible but there is no transfer of responsibility from UNDP</p> <p>Partners have to endorse the General Conditions</p>
Reporting GC, Article 2	<p>The organization (in this case, UNDP) shall provide full information on the implementation of the action, including any situation reports, publications, press releases and updates; There is no set format/template for progress reports, but the structure of reports should match Annex 1 (narrative report) and Annex 3 (financial report) with the same level of details, plus an outline of minimum requirements</p> <p>There is a requirement to provide information about any event likely to hinder the implementation of the action. See Section 4.3 of this paper on narrative and financial reporting</p>
Liability GC, Article 3	<p>UNDP has the sole responsibility for complying with any legal obligation incumbent on it and deriving from the action.</p>
Conflict of interests GC, Article 4	<p>UNDP will take all necessary precautions to avoid conflicts of interest and to inform the EU Delegation, in due time, if such conflicts arise.</p>

Issue	Content
<p>Confidentiality GC, Article 5</p>	<p>The two parties will preserve the confidentiality of any document, information or other material directly related to the SCA and duly consider them to be as classified as confidential, until at least five years after the end date of the SCA.</p>
<p>Visibility GC, Article 6</p>	<p>Visibility of EU funding is a contractual obligation. UNDP will ensure appropriate visibility of the EU contribution to the project and raise awareness and communicate the positive results of the EU-UN partnership. Transparency is expected with regards to the publication of recipients of substantial grants and procurement awards. See Section 4.5 of this paper on visibility</p>
<p>Ownership and use of results and equipment GC, Article 7</p>	<p>The EC has the right to use free of charge and as it sees fit all documents deriving from the action provided it does not breach industrial and intellectual property rights. Equipment, vehicles and supplies paid for by the EU should be transferred to local authorities or partners or to the final recipients of the action by the end of the action. Documentary proof of transfer of ownership will be kept for verification.</p>

Issue	Content
<p>Evaluation/ monitoring GC, Article 8</p>	<p>The EC will be invited to participate in the main monitoring and evaluation missions related to the performance of the action. The EC may, as a donor, deploy evaluation missions that are planned in advance and carried out in a collaborative manner whereby procedural issues will be agreed upon between the EC and UNDP.</p>
<p>Amendments GC, Article 9</p>	<p>Amendments need to be requested at a minimum of one month before the change is planned to enter into force (including requests for extension of the agreement). Where a budgetary reallocation does not affect the basic purpose of the action and is limited to reallocation within the same budget heading, UNDP can process such a change unilaterally and subsequently inform the EC about it in writing. For budgetary reallocations between budget headings that do not affect the basic purpose of the action, reallocations of funds amounting to less than 15 percent of the initial value of the heading can be processed directly by UNDP, which should subsequently inform the EU Delegation in writing. For budgetary reallocations between budget headings where the impact is equal to or greater than 15 percent of the initial value of any of the headings concerned, UNDP must first submit a formal request for a budget revision. Once the revised budget is drafted and approved through an addendum to the SCA, disbursements can be processed as per the revised budget. Such requests for change should be submitted at least one month before they are intended to take effect.</p>

Issue	Content
Contracting and procurement GC, Article 10	<p>Contracting arrangements (including principles for award of grants) need to be specified in Annex 1. If not yet known at the time when the SCA is developed, they should be presented to the EU Delegation as soon as available.</p> <p>In case of changes to contracting arrangements, UNDP should inform the EU Delegation with as much prior notice as possible. UNDP rules and procedures apply to procurement (general principles and exclusion cases are outlined).</p>
Implementation period of the action, suspension and force majeure GC, Article 11	<p>UNDP shall inform the EU Delegation in writing and without delay about the suspension of the implementation and must provide detailed explanation of the reason(s).</p> <p>The implementation period is automatically extended by an amount of time equivalent to the duration of the suspension.</p>
Termination of the agreement GC, Article 12	<p>The agreement can be terminated if the purposes of the agreement can no longer be effectively or appropriately carried out or if UNDP does not fulfil reporting obligations incumbent on it.</p>
Settlement of disputes GC, Article 13	<p>The parties will aim to settle amicably any dispute or complaint relating to the interpretation, application or fulfilment of the agreement.</p>

Issue	Content
<p>Eligible costs GC, Article 14</p>	<p>There are two types of eligible costs: direct and indirect. Direct costs are eligible if they are i) necessary for the action, provided for specifically in the budget and comply with principles of sound financial management; ii) incurred during the implementation period; and iii) appropriately recorded in UNDP's (and/or its partners) accounts, backed by supporting documentation.</p> <p>Indirect costs cannot exceed 7 percent of the total direct eligible costs related to the action.</p> <p>Non-eligible direct cost are currency exchange losses, taxes (unless non-recoverable), purchase of land or buildings, debts and interest towards a third party, and "in-kind" contributions (except staff costs).</p>
<p>Payments GC, Article 15</p>	<p>Pre-financing is to be set to an amount between 80 percent and 95 percent of the EC contribution to a given year's budget. The EC will pay the balance (between 5 percent and 20 percent) for the first year, plus an advance payment (between 80 percent and 95 percent of its contribution to the subsequent year's budget) within 45 days after the approval of the progress report. (The progress report is deemed approved unless any inquiries have been made within 45 days of its submission)</p> <p>A standard template for request for payments should be used. (Since January 2011 there has been no need to use it for requesting the first pre-financing payment).</p>

Issue	Content
Accounts and technical and financial checks GC, Article 16	<p>The accounts and finance are managed as specified in governing UNDP rules and regulations.</p>
Final amount and financing by the EU GC, Article 17	<p>The final amount of financing by the EC 'shall be limited to the amount required to balance income and expenditure for the action and that it may not in any circumstances result in a surplus for the Organization' (in this case, UNDP). UNDP must keep financial records until at least five years after the end of the agreement as these may be subject to a verification by the EC (checks, including on the spot). Verifications are carried out in close consultation with EC HQ and the UNDP Office in Brussels.</p>
Recovery GC, Article 18	<p>When there is a residual balance or ineligible expenditure that needs to be reimbursed to the EC, the payment needs to be paid by UNDP within 45 days following the issuance of a debit note. This is done through HQ. County Offices that receive a debit note should liaise with Brussels Office for guidance (ecsupport@undp.org). The recovery process is explained in the Guidelines on Recovery Orders and Recovery by Offsetting under FAFA.⁷ Late payment interest fees are due in cases when deadlines are not met.</p>

Table 1. Articles and main issues of the General Conditions

Annex 3:

Budget

Annex 3, which focuses on the budget of the action, sets out **in Euros** (expenditure in other currencies, e.g. USD and local currency, can be included alongside the euro figures, however it is the Euro figures in Annex 3 that are taken into account for defining the budget of the action) the costs necessary for the implementation of the activities foreseen in Annex 1 (the description of the action). As with Annex 1, there is no format specified for the budget. However, **it is highly recommended that the budget structure reflects the one that is normally used by UNDP in its own financial accounting system, Atlas.**⁵⁰ This allows reconciling expenditures presented in financial reports with the supporting documentation and should reduce the time necessary to prepare reports for the EU. Annex 3 details expenditures to be carried out under the fiduciary responsibility of UNDP.

As with Annex 1, it is important to take into account the implications of the set-up of Annex 3 on **reporting**. That is because it is required that the financial reporting, over time, reflects the structure and level of details as indicated in the budget laid out in Annex 3. Again, the use of a budget structure that corresponds to (or better yet, is based on) the one set out in Atlas facilitates the preparation of timely and accurate reports for the EU Delegation. The main reason is that less time is required to convert Atlas records into Annex 3 format, thereby also reducing the risk of manual mistakes or inconsistencies.

As for budgeting methods, cost provisions in Annex 3 need to be prepared in line with UNDP's governing rules and regulations. This refers to, for example, staff costs defined in line with the applicable UN salary scales, per diems estimated as per the UN daily subsistence allowance scale, procurement as set by UN governing rules and regulations, etc.

⁵⁰ As per Frequently Asked Question 22, available online at http://ec.europa.eu/europeaid/work/procedures/faq/international_organizations_en.htm

Tips and advice:



It is highly recommended that the budget structure of Annex 3 reflects the structure that is usually used by UNDP in its own accounting systems. Provided that the ProDoc budget fulfils these requirements, this budget should be used as Annex 3 of the SCA.

Budgetary allocations for the implementation of potential **contingency** plans can total a maximum 5 percent of the total eligible costs of the action. It is worth noting, however, that the release of contingency funds requires the written authorization of the EU Delegation. Given the added administrative burden, the inclusion of contingency funds should therefore be carefully considered.

When preparing the budget of the action, it is also important to keep in mind that the instalments payable by the EU are established based on indicative costs for each 12-month period of the implementation set out in Articles 2.2 and 2.3 of the Special Conditions of the SCA. The payable amounts are specified in Article 4.2 of the Special Conditions.

While preparing the budget, bear in mind that as described in Article 3.1 of the FAFA, to be eligible as **direct costs** in the context of an action financed or co-financed by the EC, costs must:

- be necessary for carrying out the action, be provided for specifically in the SCA and comply with the principles of sound financial management, in particular value for money and cost-effectiveness;
- have actually been incurred⁵¹ during the implementation period of the action specified in the SCA, regardless of the time of actual disbursement by the UN organization; and
- be recorded in the UN accounts, be identifiable, be backed by originals of supporting evidence, and be verifiable.

51 Please note that the term “incurred” (as per IPSAS terminology) pertains to costs related to services and works properly provided shall relate to activities performed during the implementation period. Costs relating to supplies shall relate to delivery and installation of items during the implementation period. Consequently, cash transfers between the Organisation and its partners, signature of a contract, placing of an order, or entering into any commitment for future delivery of services, works or supplies undertaken before or after expiry of the implementation period do not meet this requirement. Except for multi-donor actions, costs incurred should be paid before the submission of the final reports. They may be paid afterwards, provided they are listed in the final report together with the estimated date of payment. An exception is made for costs relating to final reports, including expenditure verification, audit and final evaluation of the Action, which may be incurred after the implementation period of the Action. Procedures to award contracts, as referred to in Article 10 General Conditions, may have been initiated and contracts may be concluded by the Organisation and its partners before the start of the implementation period of the Action.



Example of typical eligible direct costs:

- Staff costs
- Travel/subsistence costs
- Purchase of equipment and services
- Cost of consumables, goods and supplies
- Contracting
- Office space (including the proportion of field office costs needed for the implementation of the action)
- Other costs which are necessary for the proper carrying out of the action.

Example of non-eligible direct costs:

- Debts and provisions for possible future losses or debts
- Interest owed by the UN to any third party
- Items already financed from other resources
- Purchases of land or buildings
- Currency exchange losses
- Taxes, duties and charges (unless the UN is not able to reclaim them and if allowed by the applicable regulatory provisions).



Eligible **indirect costs** or 'administrative overheads' (in the UNDP system referred to as GMS, or "general management support") have been established at a fixed percentage not exceeding 7 percent of the value of the eligible direct costs. The indirect costs do not need to be supported by accounting documents (for more details see Article 4 of the FAFA).

Cost of elections: a challenge for the project's budget formulation

Budgeting of costs for an electoral assistance project can be tremendously challenging. Implementing an election is a costly affair and anticipating the specific costs for all activities related to the implementation of an election is not easy. However, an EMB cannot be run (nor can an election be implemented) without a credible budget. Depending on the expected level of assistance, and in particular if international support is expected to be a major proportion of an electoral process (including polling day activities), the production of a realistic and accurate (as far as possible) EMB (and elections) budget is crucial before any election and for any interaction with donors or other expected forms of assistance. In short, international partners are more likely to be able to make arguments for greater levels of international support for an electoral process in cases where there is more transparency with regards to the levels of funding coming from the national budget.

The budgeting exercise, although preferably taking place in the pre-election phase of early planning, is a dynamic document and subject to constant adjustments throughout the election lifespan in ever-changing political and operational environments.

First generation elections are typically those carried out in post-conflict countries or in newly formed states. They are often the most expensive types of elections for which the international community is requested to contribute. First generation elections are especially costly due to the number of activities that need to take place for the first time, thus requiring the development of whole operations from scratch — and often within relatively short timeframes (as well as often in complicated security environments).

Second or third generation elections may still incur high implementation costs. This owes primarily to systematic and methodological changes, for example to the voter registration processes when moving from an ad hoc to a permanent system for registering voters, investment in new technologies, etc. Cost reductions, however, should arise over time due to, among other things, improvements in planning and training and the re-use of equipment and polling station kits. However, there are many relevant logistical factors that may affect cost reduction, such as security concerns, geographical and topographical challenges weather conditions. Technical and political factors may also influence costs, for example if they result in changes to the electoral system, to the type of voter registration, etc.

Procurement: a challenge for the project's budget formulation

Procurement within electoral processes relates to purchasing all materials and equipment required for implementation of project activities, including not only, for example, electoral materials, but also services such as printing (ballots, voter registration forms, civic and voter education, etc.); logistics; database management; recruitment of all project staff and expert consultants. Besides providing financial support to the purchase of specific materials and services, electoral assistance projects can supply valuable technical input to EMB procurement practice. Through guidance and advice from technical and procurement experts, EMBs may improve in their production of comprehensive, generic and adequate technical specifications for products and terms of references for services under preparation for public procurement (local or international). Also, electoral assistance projects often support EMBs with establishing a viable procurement strategy and operational plan including analysis of costs as well as procurement risks and challenges.

The planning stage represents the period where costs, quality and timelines can be effectively tackled. Appropriate planning at the start of the project contributes to timely procurement and a better allocation of resources, thereby avoiding the risks of unjustified higher costs due to late action — and without compromising established regulations or quality levels.

However, it is important to stress that procurement plans, like operational plans and budgets, are 'living' exercises that require continuous updating through the project to effectively respond to changes and challenges that may arise. For example, potential challenges may occur due to the provision of the General Conditions specify that the room for manoeuvre (in budget revision) is limited to 15 percent between budget headings. Given that anything beyond that figure requires the EU's prior approval, it is strongly recommended that an open line of dialogue and communication on necessary changes is established early on between the project and the EU Delegation.

In 2010, UNDP introduced **fast-track policies and procedures** which make specific provisions to enable a significant reduction in the time it takes to carry out some of the key operational procedures that need to be followed in order to procure goods and services, recruit short-term or long-term human resource capacities, or to make financial payments. Fast-track procedures may be triggered and formally activated online by the Resident Representative if at least one of the following three events has taken place:

- i. A crisis has been declared by the Office of Coordination for Humanitarian Affairs (OCHA) or the UN Country Team (UNCT);
- ii. An emergency grant has been approved by the Bureau for Crisis Prevention and Recovery; and / or
- iii. SURGE support has been activated.

Fast-track procedures may also be formally activated by the Resident Representative outside the context of an acute crisis, e.g., when a strategic and/or time-critical response is needed to maintain UNDP's credibility and relevance. This last situation has been used to invoke fast-track for electoral assistance projects. Fast-track procedures enable a timely and comprehensive early recovery response within the overall objective of enhancing operational and programmatic capacities of the organization. This initiative has been conceived as a real and creative policy solution that will enable and support UNDP Country Offices to operate with the speed and agility required in crisis settings, which often is the case of electoral assistance, while not compromising accountability. UNDP fast-track procedures automatically authorize the use of direct implementation (DEX/DIM⁵²), which is the default modality for electoral projects.

52 DEX/DIM refers to Direct Execution/Implementation. Detailed information may be found at www.undp.org.af/Projects/Direct_Implementation.pdf.

Annexes 4 and 5:

Financial identification form and standard request for payment

Annexes 4 and 5 comprise standard templates. The UNDP Office in Brussels provides the latest version of Annex 4 (contact email: ecsupport@undp.org). Annex 5 is the EC template that needs to be filled out (by the UNDP Country Office) in order to request instalments from the EU. There is no need to fill in this form in order to receive the first instalment, but its submission is required when requesting additional payments. Article 15 of the General Conditions specifies the procedure.

3.6.1. Clearance, signing and taking effect

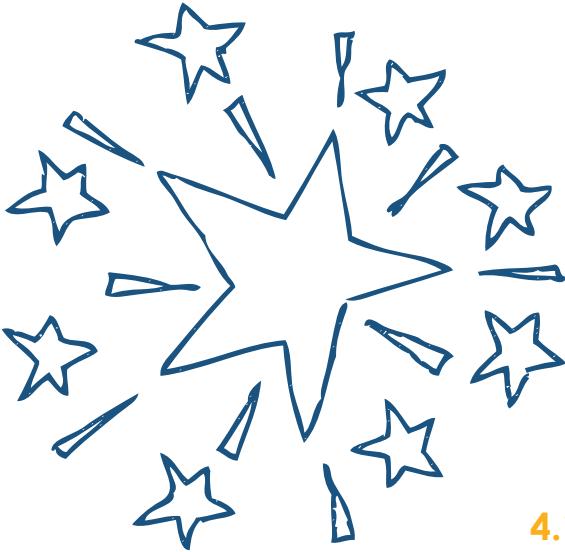
Before the signature of the SCA can take place, usually by the head of the EU Delegation and the UNDP Country Office Resident Representative, the agreement needs to be cleared on both the EU and the UNDP side. UNDP clearance involves the respective Country Office and UNDP Office in Brussels. In order to ensure that the process runs smoothly, drafts of the proposed EU-UNDP SCA should be requested from the EU Delegation and sent to ecsupport@undp.org. It is important to note that it is the EU Delegation that is in charge of providing the first drafts of the Special Conditions, which are then sent to the UNDP Country Office (and from the Country Office to UNDP Brussels, for clearance).

Once the draft SCA (specifically the Special Conditions, and its respective Annexes) has been cleared by the EU Delegation (by the Contracts and Finance Section) and for FAFA compliance by UNDP Brussels, the Country Office is granted the authorisation to sign the SCA with the EU Delegation. The EU Ambassador signs the SCA on the EU side, and the Resident Representative signs on the UNDP side.



4.

**FROM
IMPLEMENTATION
TO EVALUATION**



4.1 Project management and coordination

The coordination and management arrangements for electoral assistance programmes can take different forms depending on the context of the project. However, they usually comprise a number of different components:

A Project Steering Committee (officially known within the UNDP project management regime of PRINCE2 as the 'Project Board') is the body responsible for the oversight and direction of the electoral assistance project. It is the main forum that allows UNDP, the EU Delegation, other funding partners and the host government authorities (including the EMB) to guide the implementation of the project.⁵³ This includes with regards to approval of annual work plans, decisions on funding allocations, or decisions on any strategic or financial changes to the project. It is responsible for ensuring that the project remains on track, on time and within budget. When unforeseen changes on the political scene make it necessary to modify or amend the ProDoc and/or the related budget, revisions need to be approved by the Steering Committee. In addition, these changes may also require amending UNDP's agreements with funding partners (and with the EU in particular).

⁵³ The Steering Committee sometimes includes other key domestic stakeholders as required (including other Government agencies and/or civil society organizations).

The Steering Committee of country-level electoral projects is usually co-chaired by the main EMB (in case more than one body is undertaking core electoral management tasks) and UNDP, and decisions are usually taken by consensus. Although there is rarely a set schedule of meetings established at the outset of the project, it is usually convened on a quarterly or bi-annual basis, depending on the needs, and often more frequently when election day approaches.

The Steering Committee can also serve as a forum for communication on project issues among the donors. The various donors may have different expectations regarding the implementation of the project and also as to potential challenges of a more procedural nature such as reporting, visibility or other matters.

Larger projects in particular may feature a Project Management Unit (PMU).⁵⁴ The PMU administers, implements and monitors the project and is composed of experts with different backgrounds and experiences from the various components of the specific project in question, according to the needs of beneficiaries (as agreed between the host authorities and the international partners). The PMU is usually headed by either a Chief Technical Advisor (CTA) or a Project/Programme Manager.⁵⁵ To enhance ownership and ensure appropriate transfer of capacities to national stakeholders, the PMU is often located inside the premises of the EMB. However, at the same time, it works closely with the UNDP Country Office, to which it reports regularly. The PMU is also expected to report regularly to the Steering Committee, and usually acts as the secretariat of the Steering Committee, providing reports on activities and expenditures, work plan progress and risks, etc.

In some contexts the Steering Committee meeting agendas are prepared by a Technical Committee, a more operational body that often comprises some of the same Steering Committee members at the more technical level and that often includes, for example, some project advisors that may not feature at Steering Committee level.

54 Or 'Programme Management Unit.'

55 Or both. Where both positions exist, usually in the larger projects, the CTA will often focus more on the day-to-day technical advice/electoral expertise to the electoral management body and other national stakeholders, whereas the Project Manager will focus more on financial management, procurement, project budget control, recruitment and donor relations, etc. In smaller projects (such as the 2012-2016 project in Jordan), one expert will often fulfill both functions, and will be titled either CTA or Project Manager.

The Technical Committee typically holds more frequent meetings to discuss electoral matters as they arise.

Other informal coordination mechanisms can include a Donor Coordination Mechanism, which, where existing, is a high-level forum in which the heads of all donor agencies contributing to the UNDP project can take part. This mechanism can provide a forum to share plans and activities and discuss issues of common concern. An informal Information-Sharing Forum can ensure that knowledge on the electoral process is well known among all organizations and donor agencies working in the field. Where it exists, it is typically convened by the EMB, which prepares and presents updates on ongoing activities.

Preparing the project budget and the annual work plan

The UNDP project budget and annual work plan (AWP) are often integrated into a single document, where the planned activities are detailed line by line, and budgeted. The timing of activities obviously differs but is usually established by year only or by year/quarter. To ensure clarity, the budget is usually structurally aligned with the Resources and Results Framework. Thus, the project components and activities in the RRF comprise the main headings and sub-headings of the budget. Keeping the project component titles in line with the chart of account (COA) account titles and numbers eases the transfer of the project budget into the UNDP financial system Atlas.

It is important that electoral assistance projects are translated as accurately as possible into the Atlas system.⁵⁶ This helps to facilitate financial reporting, which has proved to be one of the main bottlenecks in the collaboration between the EU Delegations and UNDP in this field.

⁵⁶ In 2004 UNDP moved to a new enterprise resource planning (ERP) system called Atlas. With it all business processes were put into a live online-based platform where it is possible to obtain up-to-date information as well as manage different modules including project management, finance, human resources, procurement, cost recovery and travel management, among others. In order to increase transparency and improve financial reporting, UNDP adopted the International Public Sector Accounting Standards (IPSAS) since 2008.

Results and Resources Framework (RRF)

Intended Outcome as stated in the Country Programme Results and Resource Framework:

Outcome indicators as stated in the Country Programme Results and Resources Framework, including baseline and targets:

Applicable Key Result Area (from Strategic Plan):

Partnership Strategy:

Project title and ID (ATLAS Award ID):

INTENDED OUTPUTS	OUTPUT TARGETS FOR (YEARS)	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
Output 1 Baseline: Indicators:	Targets (year 1) - - Targets (year 2) - -	Activity Result Action Action Activity Result Action Action		
Output 2 Baseline: Indicators:	Targets (year 1) - - Targets (year 2) - -	Activity Result Action Action Activity Result Action Action		

Table 2. Resources and Results Framework (RRF)

4.2 Selection of experts for the project

Since 1992, the Electoral Assistance Division in the Department of Political Affairs in the UN in New York has maintained a roster of electoral experts on behalf of the entire UN system. In accordance with the Secretary-General's Policy Committee decision on the maintenance of a single UN electoral roster of experts, this roster should be the "first port of call" for the recruitment of electoral experts, although UN entities such as UNDP are also free to recruit through other means when necessary. If no selection is made from the single electoral roster, UN entities may then seek to recruit through other methodologies. All UNDP-managed electoral assistance projects are therefore encouraged to consult with EAD, which currently manages the one roster, for advice on candidates for expert positions in the project. Other methodologies that can be used by UNDP include advertising the positions via the UNDP jobs website,⁵⁷ or, particularly if the position is an individual consultancy contract, using the UNDP democratic governance roster of experts. Depending on a number of factors (including the length of the project and the duration of the proposed expert position, the urgency with which the position should be filled, etc.), expert positions will be recruited either on staff or individual consultancy contracts. Close consultation and collaboration is expected between the UNDP Country Office and the EU Delegation in projects where the EU and UNDP work together, a point stressed in the EC-UNDP Operational Guidelines on Implementation of Electoral Assistance Programmes and Projects:

"The parties agree that the selection of electoral assistance experts to work in the projects/programmes shall be done in collaboration...between UNDP Country Offices, the EU Delegations, other development partners contributing to the UNDP managed basket fund and especially with the local EMBs, with specific support from UNDP/EAD and EuropeAid."

—Operational Guidelines, Article 3.6.1

57 <http://jobs.undp.org/>

4.3 Narrative and financial reporting

Under the terms of the FAFA and the General Conditions, and also as a matter of sound project management, UNDP should present regular progress and final reports to the EU Delegation. There is no set format or template, but all progress reports (and the final report) should mirror the structure of Annex 1 (for the narrative report) and Annex 3 (for the financial report) of the SCA. It is important that the reports reflect the same level of detail contained in the annexes.

The General Conditions (Article 2) of the SCA also establish that UNDP shall provide publications, press releases and related information that could be of use to the EU Delegation. Moreover, there is a requirement to provide information about any event likely to hinder the implementation of the action.

As explained in Table 1 above, the General Conditions foresee a progress report once per annum. However, the UNDP Country Office should also keep in mind that a progress narrative and financial report is required when requesting replenishment — for example, if UNDP spends funds quicker than initially foreseen, a request for second payment can be submitted to the EU as soon as UNDP has incurred costs amounting to at least 70 percent of the value of the previous payment received from the EU. Such requests must come accompanied by a progress narrative and financial report in which the activities implemented and costs incurred to that date are demonstrated.

The reports prepared by UNDP should allow the EU Delegation to compare the delivery of an action with the initially agreed purpose of the undertaking for which the EU funds were mobilized and on the basis of agreed results and indicators.⁵⁸

58 See 'Joint guidelines on reporting obligation under the FAFA - 2011', available online at http://ec.europa.eu/europeaid/work/procedures/financing/international_organisations/other_documents_related_united_nations/document/joint_guidelines_reporting_2011_en.pdf

Tips and advice:



The EU Delegation and the UNDP Country Office should discuss thoroughly the issue of reporting prior to the signing of the SCA to ensure that mutual expectations are clear on both sides.

Thus, any narrative report should maintain the structure of Annex I (description of the action) and comprise the minimum elements required by the FAFA and General Conditions. As such, the report should include:

- an executive summary;
- the context of the action;
- the activities carried out during the reporting period (i.e., directly related to the action description and activities foreseen in the SCA);
- any difficulties encountered and measures taken to overcome problems;
- any changes introduced in implementation;
- the achievements and results of the action using the indicators included in the SCA; and
- the work plan for the following period, including objectives and indicators of achievement. If the report is sent after the end of the period covered by the preceding work plan, a new work plan, albeit provisional, is always required before such date.

To summarize, a good progress report allows the EU to compare the results and achievements with the initial objectives, as well as the means to achieve these, both envisaged and deployed. It should:

- be commensurate with the level of detail of the description of the action and its budget;
- cover the whole of the action described in the relevant SCA (i.e., not only the contribution of the EU, but achievements obtained with contributions from all donors, in the case of Multi-Donor Actions);
- include information on the measures taken to identify the contribution of the EU (as per the visibility clauses in the FAFA and the General Conditions); and
- include the work plan for the subsequent part of the implementation period.

Deviations between planned and actual activities and achievements must be spelled out, both in qualitative and quantitative terms, and the report needs to also comment on these deviations. The report may also be used to anticipate changes for the upcoming period. In the context of such gaps, it is recommended that the report includes "lessons learned," if such have been identified.

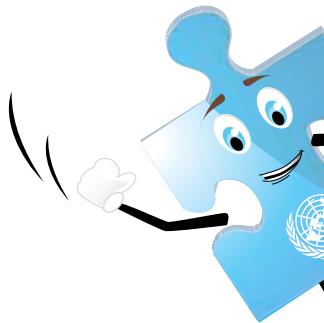
In line with Article 6 of the General Conditions, it is important to report on the visibility of EU contributions to the action and the implementation of the visibility/communication plan. It is recommended to include concrete examples in the narrative report on how the project has ensured EU visibility — e.g., in press releases, materials and events. (See Section 4.5 of this document for information on establishing a visibility and communication plan).

All financial reports to the EU Delegation need to be submitted both in euro and the 'holding currency' (thus UNDP may also include references to US\$, which is the default currency of the Atlas system).

The exchange rate is, unless otherwise specified in the Special Conditions Article 4.3, established according to the date that UNDP receives the EU contribution in its accounts. Please refer to Article 2.7 of the General Conditions for more information.

It is also important to keep in mind the need to clarify transfers between budget headings in case any occurred. As mentioned previously in this document, UNDP may transfer funds between budget headings provided that the re-allocation does not exceed 15 percent of the original amount foreseen for the heading. (NB: the 15 percent is calculated on both the heading where funds are taken from as well as the receiving heading). Moreover, the 15 percent is calculated on the total eligible costs of the action and not just on the EU contribution. If these conditions apply, the EU Delegation only needs to be informed in writing on the change. Transfers exceeding 15 percent, on the other hand, require that the Annex 3 (Budget of the Action) is amended a priori. In case i) the EU Delegation has not been informed in writing on budget re-allocations at 15 percent or lower and/or ii) the EU Delegation has not agreed to an amendment concerning budget revisions above 15 percent between budget headings, the related costs may be deemed ineligible by the EU.

Tips and advice:



It is important, given the constraints on transfers between budget headings, for Annex 3 to clarify exactly what a “budget heading” constitutes in the budget. Every budget line item, for example, should not be considered a budget heading. “Budget headings” should typically encompass a collection of line items under a particular component or series of inputs that make up the commitment to a particular activity. In order to avoid any eventual confusion, it is recommended to include a line or an asterisk in Annex 3 that states “for the purposes of Article 9.2 of the General Conditions, the term ‘budget heading’ is taken to mean the (for example) ‘Component Subtotals.’”

In addition to the conditions outlined above, the final report needs clarification regarding transfer of assets. The regulations are established in the General Conditions Article 7.3, which states that “equipment, vehicles and supplies paid for by the Contracting Authority’s funding shall be transferred to local authorities or local partners (excluding commercial contractors) of the Organization or to the final recipients of the Action at the latest when submitting the final report.” For agreements signed as of January 2011, the article 7.3 accommodated additional information relevant for multi-donor actions: “[...] By way of derogation from the preceding paragraph, the equipment, vehicle and supplies purchased in the framework of multi-donor actions which continue after the end of the Implementation Period of this Agreement, may be transferred to these local authorities, partners or final recipients at the end of the project, programme or action of the Organisation. The Organisation pledges to use the assets to the benefit of those benefiting from the present Action. The Organisation shall inform the Contracting Authority on the end use of the assets in the final report [...]”. Please check which version of the General Conditions was used in the case of your agreement as to know the applicable provision. It is highly recommended to open a joint consultation between UNDP and the EU Delegation on the end use of assets paid by the project.⁵⁹

59 It should be noted, however, that with the revision of the General Conditions in 2011, there is a window for multi-donor actions to retain assets until the end of the project period. This is, of course, only relevant in cases where the end date of the project extends beyond the end date of the SCA with the EU.

FREQUENCY OF REPORTING:

The frequency of reporting is established in the General Conditions and, potentially, the Special Conditions, if deemed necessary by the two parties. Article 2 of the General Conditions establishes that reports need to be submitted with every request for subsequent payment and on a 12-months basis. This means that in case the duration of the action is less than 12 months only one report is required — namely the final report. In other cases, interim/progress reports need to be submitted within every 12-months period. The final report is due, at the latest, six months after the implementation period set out in Art. 2.2 & 2.3 of the special conditions comes to an end.

All reports are linked to the payment schedule. Upon approval of interim/progress reports, the EU releases the subsequent instalment. Upon approval of the final report, the closure of the action takes place — i.e., the EU provides the final payment to balance the income and expenditure or recover unspent funds (as per Articles 17 and 18 of the General Conditions).

REMEMBER THAT:

Respect of reporting deadlines is key to smooth collaboration between the EU Delegation and the UNDP Country Office, and failure to comply with the reporting regulations may have serious impact upon the implementation of the action. In case a UNDP Country Office fails to submit interim/progress and/or final reports without appropriately explaining why it has not met its obligations, the EU Delegation may (in accordance with General Conditions, Article 2.9) refuse to pay any outstanding amounts and recover any amounts that have been paid unduly to the project. It may also terminate the overall agreement (General Conditions, Article 12.2)



The standard reporting requirements applicable to EU-UNDP SCAs, as outlined above, do not substitute for regular communication between EU and UNDP as well as with other stakeholders involved in the electoral process. Moreover, maintaining good and regular exchange of information is strongly recommended, the more so in situations where the country-specific context is particularly complex (e.g., first generation elections where the political context is volatile, security issues are mounting, and electoral timelines are tight).

UNDP Country Offices can also request the EC-UNDP JTF to carry out on-site trainings of reporting staff linked to the electoral assistance project. Such trainings are permitted through the contractual obligations of the project in question (as prescribed in the FAFA as well as the SCA's Special Conditions and General Conditions). Those obligations also outline steps to be taken in the day-to-day management of the budget in Atlas to facilitate reporting.

4.4 Communication between the EU Delegation and UNDP Country Office

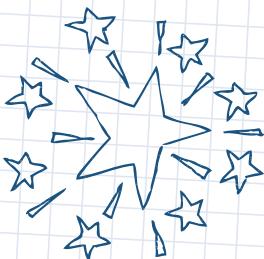
Effective communication is crucial given the volatile circumstances within which electoral assistance is often provided. This is particularly vital in the countries where the EU and UNDP work together. It is therefore important for the EU Delegation and UNDP Country Office to discuss their expectations at the outset of the collaboration.

During the implementation period, the Operational Guidelines recommend that the PMU (where existing) provide the EU Delegation (and other potential donors) the following:

- on a monthly basis, technical briefs outlining advancement of activities against the outcomes and performance indicators articulated in Annex 1;
- on a quarterly basis, substantive overviews reflecting the status of the activities funded within the wider context of electoral preparation and implementation. These overviews should draw attention to key issues that may impact upon the electoral calendar in addition to provisional financial information;
- one-page briefs that could be used as a basis for joint press statements and/or could be reissued at HQ level whenever justified; and
- decisions and proceedings of Steering Committee meetings (after each meeting).

REMEMBER THAT:

Amendments need to be requested a minimum of one month before the change is planned to enter into force (including requests for extension of the SCA)



Also of note is the need to maintain consistent and effective communication on potential transfers between budget headings that do not exceed 15 percent. As mentioned previously, UNDP may, without prior approval, transfer funds between budget headings provided that the re-allocation does not equal more than 15 percent of the original amount foreseen for a given budgetary heading. In these cases, keeping the EU Delegation informed is an excellent practice. As stressed before, transfers exceeding 15 require that the SCA is amended a priori, and in such situations a more formal communication exchange is obviously required.

Tip and advice:



Fluid and regular formal and informal communication is vital for the partnership between the UNDP Country Offices and the EU Delegations.

4.5 Visibility

The EU and UNDP share a commitment to effectively communicate the results of their collaboration to beneficiaries and external stakeholders. This priority has been further re-emphasized in the context of the Partnership on Electoral Assistance:



“The parties agree that specific measures and initiatives shall be undertaken to ensure participation and adequate perception of the EC efforts among all the stakeholders of the electoral process.”

—Operational Guidelines, Article 3.5.2

The visibility plan — formulation and implementation

If both institutions agree, each EU-UNDP action should include a visibility and communication plan, considered in the budget, to address the three-fold objective of communicating i) the EU contribution to the project, ii) the positive results of the partnership, and iii) the impact of the action itself.

The plan should be agreed by the two organizations, taking into account also the local context, in order to maximize its application. As per the Operational Guidelines, the UNDP Country Office and/or the PMU should formulate the plan during the first month of the project and submit it to the EU Delegation for comments. Beyond EU-UNDP relations, the visibility plan also should solicit and take into consideration the views of the partner country and, in the case of multi-donor actions, the considerations of other donors contributing to the action. There are situations, however, where due to objective factors such as political context, it is agreed that no visibility activity be undertaken at all. In any case, taking the above into consideration parties should reach a decision, ideally at the outset of the action, on a visibility strategy and plan. A large selection

of good practices and advice is available in the Joint Visibility Guidelines for EC-UN actions in the field (also known as Joint Visibility Guidelines).⁶⁰

Table 2 below summarizes the main issues to be considered when a visibility and communication plan is formulated. As highlighted, the objective(s) should focus on partnership results, EU contribution and impact of the action, and not on administrative and procedural milestones. The audience should include a variety of target groups, including opinion formers, influential figures, and 'elite' persons involved in international cooperation, within and beyond governments and media institutions, that have a stake in or are affected by the action. Target audiences in both the beneficiary country as well as the EU area should be taken into account.

Visibility and communication activities should be identified in the plan, although it must be emphasized that the plan is a flexible document that allows UNDP to take advantage of new and future opportunities to promote the positive outputs of the partnership and the action. Regardless of context, all activities should i) be compatible with social, religious, cultural and other norms in the partner country; ii) demonstrate clear respect for the local environment; and iii) use local languages to the fullest extent possible.

60 The Joint Visibility Guidelines are available online at http://ec.europa.eu/europeaid/work/procedures/financing/international_organisations/other_documents_related_united_nations/document/joint_visibility_guidelines.pdf

OBJECTIVE	1. Overall objective	<p>Communicate regarding the results of the partnership and the impact of the action</p> <p>Emphasize the fact that the action has received funding from the EU (Focus should not be on administrative/procedural milestones)</p>
	2. Target groups	<ul style="list-style-type: none"> - Within the beneficiary country - Within the EU
	3. Specific objectives for each target group	<p>Examples include:</p> <ul style="list-style-type: none"> - Ensure that the beneficiary population is aware of the roles of UNDP and the EU in the action - Raise awareness among the host country population and/or in Europe of the roles of UNDP and EU in delivering aid in the particular context - Raise awareness of how the EU and UNDP work together to support the electoral process
COMMUNICATION ACTIVITIES	4. Main activities that will take place during the period covered by the visibility and communication plan	<p>Include details of:</p> <ul style="list-style-type: none"> - The nature of the activities - The responsibilities for delivering the activities
	5. Communication tools chosen	Include the details of advantages of particular tools (media, advertising, events, etc.) in the local context
INDICATORS OF ACHIEVEMENT	6. Completion of the communication objectives	Include indicators of achievement for the different tools proposed
	7. Provisions for feedback (when applicable)	Give details of assessment forms or other means used to get feedback on the activity from participants
RESOURCES	8. Human resources	<ul style="list-style-type: none"> - Person/days required to implement the communication activities - Members of the management team responsible for communication activities
	9. Financial resources	Budget required to implement the visibility/communication activities (in absolute figures and as a percentage of the overall budget for the action)

Table 3. Example of a visibility and communication plan

Budget allocations foreseen for visibility activities ought to be clearly indicated in the budget of the action (Annex 3 of the EU-UNDP SCA) and working documents such as annual work plans. The EU Delegation and UNDP Country Office should discuss and agree upon an appropriate budgetary figure to be provided for such activities.

Specific **human resources** should be allocated to follow up on the implementation of the visibility and communications plan. The PMU should assign this responsibility to a focal person within the permanent team so that the EU Delegation, other donors and partner countries know whom to address with specific visibility and communication issues. Experts may be recruited to implement visibility and communication activities on behalf of the project.

All materials produced and assets acquired in relation to the action need — unless otherwise agreed between the two parties — to **acknowledge the contribution of the EU** and display the EU logo in an appropriate way (General Conditions, Article 6.1). Moreover, all print and online publications that have been published through the action should carry a **disclaimer** (General Conditions, Article 6.3). The disclaimer should read as follows: “This document has been produced with the financial assistance of the European Union. The views expressed herein can in no way be taken to reflect the official opinion of the European Union.” These provisions should be adapted in the context of multi-donor actions as so to take into account all funders of the action.

As mentioned previously in this publication, UNDP is required to **report** on the visibility actions—both in narrative and financial terms—through regular reporting mechanisms. The usage of photos from project implementation and major events, press cuttings, audio transcripts, etc. is highly recommended. These can also be sent to ecsupport@undp.org as the UNDP Office in Brussels remains in regular contact with the EC units involved in the reporting on visibility events.

Issues impacting on visibility expectations and obligations

The EC-UN Joint Visibility Guidelines outline some issues of importance to EU expectations as well as UNDP obligations in the field of visibility. First, the **size and proportion of the EU financing** is relevant. For actions that are fully funded by the EU, the visibility of EU-financed activities can be maximized. However, for actions undertaken within a multi-donor framework and where the EU is only one of many and may not even be the major donor contributing to the action, the expectations on the part of the EU are lower and UNDP integrates the visibility of EU into the larger donor visibility plan. Second, in the context of **urgent interventions**, UNDP is not expected to establish a visibility and communication plan immediately. Nevertheless, unless otherwise agreed between the parties, UNDP should strive to display the support of the EU and conform to the regulations as set out in the FAFA and the General Conditions.

Third, and potentially most relevant to the electoral assistance context, the **nature of the action** may affect EU expectations and UNDP obligations. As per the Joint Visibility Guidelines:

“Factors such as insecurity, or local political sensitivities may curtail information activities in some crisis zones and, in extreme cases, it may be necessary to avoid visibility altogether. Some actions require a high level of political neutrality. In these cases, the target audience and visibility tools will be chosen in relation to what is appropriate...”

Given the political sensitivity of electoral issues, the EU and UNDP may in specific circumstances or for particular activities agree on a 'low-profile' visibility.

Listed below are three recommendations on how to ensure the visibility of the collaboration is handled in a positive way:

1. The EU Delegation and the UNDP Country Office and/or the Project Management Team should come to an **agreement with regards to the visibility plan** to ensure that mutual expectations are clearly understood. The two parties should ensure effective communication with regards to the implementation and potential revision of the plan due to changes in the political scenario or other unforeseen developments. The establishment of a Focal Point for visibility issues within the Country Office or PMU can facilitate the process.
2. There is scope for the **EU Delegations to take a more proactive** role in communicating the positive results of their contributions to UNDP-implemented projects through the publication of press statements, updates on their own websites and communication tools, participation in project events, etc. The task manager on the EU side can follow up more closely on visibility issues and seek to communicate potential dissatisfaction in a timely fashion to the PMU focal point for visibility.
3. The project's focal point for visibility should ensure the collection of all visibility and communication products and materials — e.g., press releases and clippings, photographs, other publication materials, and equipment that includes the EU logo. These products provide a good starting point for reporting on visibility issues and should be annexed to the final report.

4.6 Audit and verification

Audit

The financial transactions and financial statements are subject to the internal and external auditing procedures outlined in the financial regulations, rules and directives of UNDP. The EU cannot audit a UNDP-implemented project. UNDP provides to the EU the financial audited statements of its accounts as a whole. This is a publicly available document and it is shared with the EU outside the scope of an individual SCA.

The EU can request information about the financial management of a specific project by UNDP. In the framework of a verification (see below) and as per the agreement between the EC HQ and UNDP in the 'Protocol for disclosure of UNDP internal audit reports to the European Commission,' the EU can be provided copies of executive summaries of audit reports or the reports themselves.

Such requests are considered on a case-by-case basis and are forwarded to the attention of the Office of Audit and Investigations in New York. Country Offices can contact the UNDP Office in Brussels and ask it to facilitate the process (ecsupport@undp.org).

From 1 December 2012 and in line with its latest information disclosure policy, UNDP posts full audit reports (within one month from issuance) on its website: <http://audit-public-disclosure.undp.org/>. These reports are accessible for Member States, donors, media and the public at large.

As regards contractual requirements stemming from the General Conditions (Art. 16.3 & 16.4), UNDP is obliged to keep financial records pertaining to EU-funded projects for five years after the end date of each SCA (i.e., 5 years following the financial closure of the SCA). It is also required to make available relevant financial information in the context of potential verification by the EU.

Verification

The objective of a verification mission is for the EU to acquire an understanding of and to report on the adequacy of the system of accountability in place in terms of accounting systems and procedures, control and procurement procedures, reporting, and oversight/audit mechanisms. Thus, the objective of the verification is not to audit the UN entity, and the EU clearly acknowledges the mandated primacy of UN oversight and control systems.

In a verification, the EU representatives can perform an on-site 'walk through' in a given Country Office to verify that the oversight and control processes put in place for the management of a specific project have been adequate. (The focus of the verification might be on, for example, sound financial management, compliance with UNDP's rules and regulations, and compliance with terms and conditions applicable for a specific SCA). Under the verification process, the EU can request access to financial information (drawn from accounts and records) including the verification of underlying documents. In addition to or instead of carrying out a field visit, the EU can request access to UNDP's available audit information (as noted earlier, on a case-by-case basis the EU can be provided an executive summary of an audit report or the audit report itself). The details of the step-by-step disclosure procedure have been agreed between the EC HQ and UNDP in the 'Protocol for disclosure of UNDP internal audit reports to the European Commission'. Country Offices can contact the UNDP Office in Brussels and ask it to facilitate the process.

In situations where audit information is not available and the EC has decided to carry out a verification mission in situ, the detailed process is outlined in the common terms of reference (ToR) for verification missions.⁶¹ With regards to examination of information, the verification mission may sample up to a maximum of five transactions per key process (procurement, recruitment including payroll, disbursements, budget management, logistics and reporting) per project. If problems are found in the

61 The common ToR for verification missions are available online at http://ec.europa.eu/europeaid/work/procedures/financing/international_organisations/other_documents_related_united_nations/index_en.htm

samples, the verification team is allowed to sample another five transactions in the same process. If one or more of these extra five transactions reveals any further problem(s), the verification team does not pursue sampling and instead refers to the UNDP's Controller (ecsupport@undp.org).

The rules and regulations governing verifications are laid out in the FAFA (in the 'verification clause') and the General Conditions Articles 16.3 and 16.4. The details of the agreed scope and methodology are presented in the 'Common terms of reference for verification missions' (ToR).

Verification involves numerous parties on both the EU and UNDP sides:

- EU/EC: Verification missions can be launched by the EC Headquarters or locally by the EU Delegation. They can be carried out by EU officials or by private companies contracted directly by the EU.
- UNDP: When receiving a notification about a verification mission, it is essential that the UNDP Country Office contact the UNDP Brussels Office. The UNDP Brussels Office and the UNDP Office of Audit and Investigations support the Country Office with preparation in advance of and during the verification mission, and liaise closely with the EC Headquarters in all matters related to the verification. Close collaboration between the UNDP Country Office and the PMU is essential to ensure a smooth verification process.

Tips and advice:



The EC and/or the EU Delegation need to ensure that an advance notice of an intended verification is communicated to UNDP. Upon receiving such a notice, the UNDP Country Office should immediately notify UNDP Brussels Office (ecsupport@undp.org)

Verification missions may be established at all stages of the project cycle — during the programming, implementation and closing stages — and including up to five years following the closure of the SCA. In practice, most missions take place during the implementation period or within 12 months following the end of it.

Upon arrival, the verification team does the following:

- holds meetings, interviews and discussions with the management and staff;
- reviews systems, procedures and financial/management information;
- conducts a 'walk through' test of the programme/project management cycle and related systems and procedures to determine how funds were managed, recorded, tracked, controlled and reported upon;
- examines information and asks for samples of supporting/financial documentation (though limitations regarding the number of samples must be ensured); and
- reconciles figures and analyses procedures.

Project management cycle	Verification areas	Verification subjects	Verification methods and techniques
PROGRAMMING	Action-specific matters	Organization, key tasks and responsibilities	Review of systems, procedures and financial and management information:
IMPLEMENTATION	Accounting	Systems	Interviews, meetings, discussions
	Auditing	Procedures	
CLOSING	Procurement	Information, documents, records	Walkthroughs
	Internal control	Compliance with the FAFA and SCA	Reconciliations, analytical procedures
		Special subjects: eligibility of expenditure, visibility	Examination and verification of information and documents

Table 4: Verification approach

The verification mission results in the issuance of a report presenting the mission's factual findings, including a conclusion and, where appropriate, recommendations for potential actions. UNDP is invited to comment on the report. It is important to make sure that the verification team concludes its visit with a comprehensive debriefing to the UNDP Country Office's management. Such a debriefing represents a good opportunity to discuss and clarify outstanding matters. The verification mission's report constitutes a basis for a further dialogue between the EU Delegation and UNDP, which review the findings and agree on follow up actions as relevant.

4.7 Ending the project and closing of the SCA

The implementation period for the action is laid out in Articles 2.2 (starting date) and 2.3 (duration) of the Special Conditions. The execution period, as established in Article 2.4,⁶² starts when the agreement enters into force (Article 2.1 of the Special Conditions) and lasts until the moment when the financial closure of the EU-UNDP action takes place — i.e., when the final payment is provided by the EU or unspent funds are returned to the EU and thus financial claims are considered settled. When there is no final payment or return of unspent funds, the execution period ceases 18 months after the end of the implementation period.

UNDP must produce the final report and submit it to the EU within the six months following the end of the implementation period. In situations in which, based on the final financial report, the total amount of funds pre-financed by the EU is less than the total amount of eligible costs attributable to the EU contribution, the difference constitutes the final payment amount that UNDP requests from the EU. (That assumption is based on provisions of Article 17 of the General Conditions on the establishment of the final amount of the EU contribution). In such cases, UNDP submits a request for final payment (on the template provided as Annex 5 to the SCA) together with the final report submitted to the EU.

62 Applicable to SCAs signed from January 2011 onwards.

In cases where, at the end of the Action, there is a residual balance (i.e., not all of the funds pre-financed by the EU were spent) that amount needs to be returned to the EU as per provisions of Article 18 of the General Conditions. The details of the recovery procedure have been agreed in the 'Guidelines on Recovery Orders and Recovery by Offsetting under FAFA'.⁶³ The European Commission's HQ has also developed a set of frequently asked questions (FAQ)⁶⁴ that provide additional guidance on the subject.

Once the report has been formally submitted, the EU has 45 days to review its content. The report is deemed approved if the EU has not reacted during 45 days counting from the date of receipt of the report.⁶⁵ However, if the EU considers that the report does not meet the contractual requirements, it can ask UNDP, within the first 45-day period, to provide complementary information within 30 calendar days following its request. The deadline for approving the report is then suspended until the required information has been received by the EU.

If the EU deems that the payment request cannot be met, it reverts to UNDP, explaining the reason and specifying the additional information that is required, within the second 45-day period. The payment deadline is suspended until the requested information is received by the EU.

63 The guidelines are available online at http://ec.europa.eu/europeaid/work/procedures/documents/implementation/international_organisations/other_documents_related_united_nations/guidelines_recoveries_en.doc

64 The FAQ are available online at http://ec.europa.eu/europeaid/work/procedures/faq/international_organizations_en.htm

65 Generally, reports should be sent by registered courier/mail or delivered against 'confirmation on receipt' (signature of EU's receiver accompanied by a date on e.g. a copy of the cover letter).

4.8 Project evaluations

At any point during implementation of a project (but usually at either the mid-term or the conclusion, or sometimes both), an evaluation could take place (often called for by the Project Steering Committee). As stated in the General Conditions of the SCA, article 8, the EC shall be invited to participate in the main monitoring and evaluation missions related to the performance of the action.

Tips and advice



It is important at the time of the formulation of the project to include a budgetary provision for potential project or outcome evaluations.

Moreover, the EC may, as a donor, deploy evaluation missions which are funded by the EC, separately from the budget of the SCA. Such evaluations should be planned in advance and carried out in a collaborative manner whereby procedural issues will be agreed upon between the EC and UNDP. In this respect, Commission's services shall ensure that advance notice of intended evaluations and monitoring exercises is communicated to UNDP as soon as this is available. The mission will offer to make a draft of its report available to UNDP's management for comments prior to final issuance.

At the headquarters level, DG DEVCO Evaluation Unit's task is to provide feedback from the results of the evaluations carried out into the decision-making process and to ensure that they are taken into account by services within the EU in charge of policy and of implementation of programming. Feedback is also provided outside the Commission, to stakeholders and the public.



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