

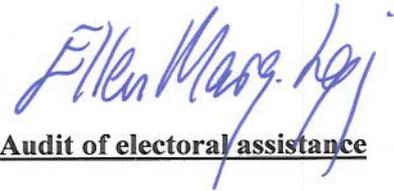
U N M I L

*Office of the Special Representative of the Secretary-General
and Co-ordinator of United Nations Operations in Liberia*

Date: 28 June 2011

To: Ms. Eleanor T. Burns
Chief, Peacekeeping Audit Service
Internal Audit Division, OIOS

From: Ellen Margrethe Løj
Special Representative of the Secretary-General



Subject: Response to Assignment No.AP2011/626/02 – Audit of electoral assistance provided by UNMIL

1. Thank you for providing us this opportunity to comment on the recommendations in the audit of electoral assistance provided by UNMIL.
2. In my meeting with UNMIL's Resident Auditor Cheryl Clarke on 24 January 2011, I informed that the electoral assistance audit was premature and recommended it be postponed to a later date since the Mission was in the midst of clarifying key support areas through continuous engagement with the National Elections Commission (NEC); and awaiting initial feedback from New York on its proposed electoral budget. I added that any audit undertaken during this period would not yield the desired result – indeed as the outcome has demonstrated— the auditors' recommendation has already been implemented as part of UNMIL's electoral planning. Therefore, we do not accept this recommendation. Furthermore, contrary to normal practices, I was neither briefed nor consulted on the 2011 planned audits, other than the memo of 30 November, 2010 from IAD/OIOS Director Ndiaye.
3. In addition, the audit report reflects a lack of understanding of the context in which UNMIL works with regards to the electoral assistance, as mandated by the Security Council. The auditors were repeatedly given information and clarifications on the scope of UNMIL's mandate; yet the report has failed to take this into consideration. This gives the impression that the auditors had undertaken their work with preconceived notions of how UNMIL should carry out its work based on structures from other peacekeeping missions, although the scope of the mandate is very different in each mission. Unfortunately, much time and resources had been taken from the Mission in conducting this audit, with no real impact on existing planning and preparations.

4. While we were requested to comment only on the recommendation raised under paragraph 13, I am compelled to clarify a number of observations and conclusions in the report which the auditors failed to take account of (please see section titled “UNMIL’s comment to audit observation” below). I have also included an overview of UNMIL’s electoral mandate as an annex to this letter to clarify the context in the implementation of UNMIL’s electoral mandate as per Security Council Resolutions 1885 and 1938.

UNMIL’s comment to audit observations:

- **Comment to para 6: *‘UNMIL had not developed a clear electoral assistance strategy and detailed plan for delivering on its electoral mandate’.***

Security Council resolution 1885 authorizes UNMIL to assist the Liberian Government with the 2011 elections in the three specific areas of logistics, coordination of international assistance and support to national stakeholders to create an atmosphere conducive to peaceful elections. Resolution 1938 further underlines that such assistance is ‘as requested’; furthermore, it stresses that “the responsibility for the preparation and conduct of the elections rests with the Liberian authorities.”

As per the Security Council’s mandate and the 2009 Secretary-General Report recommendations, UNMIL’s “detailed plan” has to be premised on information on gaps in national capacities, which was not available until NEC shared its operational plan in April 2011 with UNMIL. The Mission immediately drafted its plan and strategy and shared with Inter-Mission Task Force (IMTF), made up of Headquarters components working on Liberia in May 2011. Furthermore, UNMIL’s election strategy complements the UNDP election project document “Support to the 2010-2012 Electoral Cycle in Liberia”, which includes technical assistance to the NEC. The synergy between UNMIL and UNDP support is coordinated through the DSRSR(R&G), who leads the coordination of international assistance and resource mobilization while supervising the UNDP assistance project as Resident Representative.

- **Comment to para 6: *‘...there was insufficient electoral assistance management capacity at the time...’***

Electoral Assistance Management Capacity lies with the UNDP Electoral Team physically located at the NEC. In addition, UNMIL is delivering on its electoral mandate through providing support as described in the context laid out above from within existing resources. This is both in terms of support to the Liberian Government in creating an environment conducive for peaceful elections, as well as through direct electoral assistance to the NEC through the DSRSR(R&G) (coordination of international assistance) and UNDP Electoral Team reporting to him (technical assistance).

Support has been forthcoming through, for instance, the provision of logistical assistance in airlifting materials and personnel as requested by NEC during the voter registration exercise, which was recognized as successful by all stakeholders. Additional activities such as those by the Office of the Gender Advisor in support of women's involvement in the electoral process; by UNPOL in assisting LNP in providing security at the voter registration sites and; by UNMIL Public Information in broadcasting electoral messages through radio and community outreach, are just a few of the additional areas of direct support provided to the electoral process.

- ***Comment to para 7: 'Project management for UNMIL electoral assistance refers to those controls including financial and human resources, project management tools, methodology, and systems designed to provide reasonable assurance that the Mission can deliver on its electoral support mandate. UNMIL's electoral assistance project management capacity was unsatisfactory and this negatively impacted on the implementation of other key controls as indicated in sections B to D of this report.'***

Activities outlined above provide sufficient assurance that the Mission can deliver on its electoral support mandate. The DSRSG(R&G) coordinated international assistance to the electoral process; UNMIL support is coordinated through the Electoral Task Force and; additional short term election specific posts not covered by UNDP's technical advisory role to the NEC has been requested. UNMIL was **NEVER MANDATED** to have an "electoral assistance project management capacity"—that is the task of the UNDP Electoral Team.

- ***Comment to para 8: 'UNMIL Management decided not to have an Electoral Support Unit similar to the ones in other peacekeeping missions.'***

UNMIL's mandate does not provide for the establishment of an Electoral Support Unit because the context for Liberia's second national elections after the conflict is wholly nationally driven, and UN assistance is to be a light footprint in contrast. This is the approach adopted by the Security Council based on the 2009 Secretary-General Report and the recommendations of the USG for Political Affairs as the UN Focal Point for Electoral Assistance. In the report, UNDP is confirmed as the lead for technical support to the NEC. Moreover, since UNMIL was able to deliver on its support within existing resources, managing it as a cross-cutting undertaking, there was no felt need for a dedicated unit up to now. In our discussion with DPA Electoral Assistance Division, it was understood that there is no template for an electoral support unit. Some missions never had an electoral component and others have large integrated components depending on the context, budget and national capacities.

- ***Comment to para 8: 'The ETF role was however limited to a forum to discuss and make recommendations to address electoral related issues.'***

All UNMIL components involved in providing electoral assistance coordinate their support through the ETF. This was proven successful in UNMIL's support to the voter registration exercise that took place in January-February 2011.

- **Correction to para 8: ‘...the Mission established an Election Technical Team (ETT) in February 2011.’**

The audit team was informed repeatedly that the ETT was established on 25 January 2011 when the DSRSG(R&G) had his first meeting with the team (as per his email of 24 January). The date auditors referred to is an UNMIL information broadcast circulated in February.

- **Correction to para 9: ‘UNMIL handed over its electoral portfolio pursuant to the decision of the United Nations Policy Committee (decision 2008/24 of June 2008) to adopt the “One UN approach” in respect of provision of electoral assistance.’**

As per Code Cable of 26 April 2006, former DPKO USG Jean-Marie Guéhenno to former UNMIL SRSG Alan Doss formally endorsed the transfer of long-term electoral assistance to UNDP. As a result, UNMIL Electoral Division provided a set of recommendations on residual tasks for UNDP along with its final electoral report. UNDP, in turn, brought in a consultant in July 2006 to audit the administrative and institutional capacity of the NEC and made recommendations that focused on five priorities: Civic education, Institutional Development, Electoral System Reform, and the holding of Municipal and Chieftaincy elections. On 30 September 2006, the UNMIL Electoral Division officially closed down.

- **Comment to para 9: ‘Whereas this decision of the UNCT was superseded by resolution 1885, UNMIL had been slow in reestablishing its electoral assistance capacity to effectively implement that resolution.’**

The decision was not made by UNCT. UN long-term electoral assistance had been handed over to UNDP in October 2006 based on the decision taken as per code cable 26 April 2006. Resolution 1885 did not supersede the decision to have a UNDP Electoral Team supporting the NEC. The decision to have a team there was reached based on the NAM in 2009 establishing the joint Project Document. Resolution 1885 mandates UNMIL to provide additional support to the electoral process by assisting the Liberian Government, upon request, with the 2011 general presidential and legislative elections by providing logistical support, particularly to facilitate access to remote areas; coordinating international electoral assistance and; supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections. It does not include the establishment of an Electoral Support Unit.

- **Comment to para 9: ‘The Mission did not clarify the reason for not reestablishing its electoral assistance capacity.’**

The above was clarified to the auditors on several occasions during the audit - that the Mission is drawing within its existing resources for planning of electoral support. The audit apparently overlooked the fact that UNMIL did not need to establish a separate unit with an “electoral assistance” tag to be able to successfully deliver its assistance, as demonstrated by the voter registration exercise.

- **Comment to para 9: *‘However, for some time UNMIL interpreted UNDP’s leadership role or the United Nations’ electoral assistance, as UNMIL not retaining any significant role regarding the elections.’***

Please clarify what this observation is based on, as this certainly does not reflect my view or those of the Deputy SRS (R&G).

- **Comment to para 10: *‘...the consultant was not hired’.***

The consultant had been requested by PPPS, but once UNDP’s Chief Technical Advisor and technical experts were hired for NEC through the UNDP-managed Elections Project, it was no longer necessary. PPPS could work closely with the consultants at NEC.

- **Comment to para 11: *‘The delay in allocating resources for the establishment of a competent capacity for electoral assistance had diminished the Mission’s ability to establish a support strategy and plan, and to procure logistics such as vehicles and repair airfields that will be required during the elections scheduled to be held during the rainy season in October 2011.’***

Resource allocations were not delayed and UNMIL’s ability in carrying out its mandate has not been diminished in any way. UNMIL expediently and efficiently provided the needed logistical resources to support NEC registration and other exercises in close cooperation with the UNDP election team which oversaw the procurement of elections equipment through the donor basket fund.

- **Correction to para 12: *‘The staffing cost of the UNVs will be shared by UNDP and UNMIL through its already allocated UNV posts. This capacity falls short of what has been requested in the budget. Therefore, UNMIL will need to earmark additional resources from other areas in order to establish its full capacity to ensure it delivers on its mandate’.***

The 20 UNVs were already budgeted for in the 1 July 2011 - 31 June 2012 budget cycle. The mentioned shared cost was an innovative measure taken to ensure early recruitment of UNVs to enable them to commence work prior to 1 July 2011 based on assessment of where there were capacity gaps.

- **Comment to para 13: *‘The Office of the Deputy Special Representative of the Secretary-General (Recovery and Governance) should clarify and develop the programme and resources mobilization strategies, work plan and performance management mechanism for UNMIL electoral support to the Liberian Government institutions’.***

UNMIL has already completed this. Based on the NEC Operational Plan, UNMIL finalized its own Operational Plan which was submitted to the IMTF on 31 May and elaborated upon through a VTC on 1 June 2011. JMAC concluded an electoral threats assessment on 28 February 2011. Based on this assessment, ETT drafted and consolidated a risk mitigating matrix on 2 March 2011. A contingency plan was finalized and the first rehearsal took place on 23 June.

- **Comment to paras 19 & 20: “UNMIL’s performance monitoring was unsatisfactory due to the absence of measurable electoral performance monitoring indicators and mechanisms;”**

As acknowledged in para 20, the outputs that measure the indicators of achievements were clear and could be objectively assessed, it is puzzling that at the same time, the auditors observed that the “outcome indicators (successful conduct of the 2011 presidential and legislative elections, including the national referendum) were vague...since the phrase ‘successful conduct’ is not defined”. Please note that definition of a ‘successful election’ is clearly laid out in UNMIL’s core benchmarks in the 22nd SG report to the Security Council (S/2011/72). Moreover, this specific indicator 2.2.2 (successful conduct of referendum and elections) is not the only measurement related to the Mission’s electoral assistance - as stated in the auditors’ observation, others include 2.2.1 (establishment of electoral framework), 2.2.3 (women participation) and 2.2.4 (women candidates). The apparent oversight of these indicators demonstrates a lack of understanding that election is a cross-cutting issue that is measured through outputs by various sections. Also, paragraph 19 and 20 are more focused on process rather than measuring actual impact.

cc: Mr. Moustapha Soumaré, Deputy Special Representative of the Secretary-General for Recovery and Governance, UNMIL
Mr. Ademola Araoye, Chief, Political, Planning and Policy Section, UNMIL
Ms. Amy Wong, Programme Officer, Internal Audit Division, OIOS
Ms. Cheryl Clarke, Chief Resident Auditor, UNMIL

UNMIL's assistance to the electoral process

Context of UNMIL assistance to the electoral process

Based on a request from the National Elections Commission (NEC) on 10 February 2009 for UN electoral assistance for the referendum and 2011 presidential and legislative elections, two assessment missions, one elections specific and conducted in support of the UN focal point for electoral assistance (NAM, 18-27 May) and the DPKO technical assessment (TAM, 26 April – 6 May), were conducted in 2009. The findings were reflected in the 2009 Progress Report of the Secretary General on UNMIL and recommendations were adopted in the 2009 and 2010 Security Council resolutions on UNMIL. Together with the UNDP-led project formulation and logistics assessment mission in July 2009, and consultations with UNMIL, UNDP and New York led also to the development of the UNDP project document: “Support to the 2010-2012 Electoral Cycle in Liberia.” As per code cable from New York on 26 April 2006, UNMIL formally handed over its electoral portfolio to UNDP for future long-term electoral assistance in Liberia. Consequently, UNDP assumed lead responsibility for managing the 2010-12 election support project, providing operational and technical assistance to the NEC and other national authorities responsible for preparing the elections. It was also agreed that electoral assistance would be delivered through a ‘One UN’ approach to bring together the Mission and UN agencies with election-related mandates and tasks. This system wide approach has been reflected in the Integrated Results and Resources Framework included in the project document.

In light of the above, Security Council resolutions 1885 (2009) and 1938 (2010) authorizes UNMIL to assist the Liberian Government, upon request, with the 2011 general presidential and legislative elections by providing logistical support, particularly to facilitate access to remote areas; coordinating international electoral assistance and; supporting Liberian institutions and political parties in creating an environment conducive to the conduct of peaceful elections. This was based on the conclusions by the needs assessment mission, underlining that the responsibility for the preparation and conduct of the elections rests with the Liberian authorities, with the support of the international community.

I delegated the authority to carry-out UNMIL's electoral mandate to the DSRSG(R&G) for Recovery and Governance, who is also the Resident Coordinator and Resident Representative for UNDP. Under his leadership and guidance, the mandate implementation is as follows:

- **Coordination of international electoral assistance**

Based on a series of meetings and consultations including NEC, UNDP, UNMIL and election experts, an elections budget was set at US\$ 47 million. The Liberian Government had committed US\$ 15 million. Through Donor Coordination meetings, the DSRSG(R&G) raised US\$23 million out of US\$27 million pledged for the UNDP managed basket fund, with a separately accounted contribution of around US\$ 5 million from USAID and IFES. Elections Project updates are published and circulated monthly to all donors, with input from both UNMIL and UNDP and Project Board Meetings are held monthly.

- **Provision of logistical support, upon request, to the Liberian Government**

As mandated, upon request by the Liberian Government, UNMIL has assisted by providing logistical support, particularly to facilitate access to remote areas. So far, this support has included the airlifting of materials and personnel for the voter registration exercise that took place between 6 January and 12 February 2011 to remote areas in the four hubs of Greenville, Barclayville, Harper and Kolahun. Based on experiences from this exercise and a review of existing resources, a draft operational plan was put together building on NEC's Referendum Operational Plan for the provision of additional support for the referendum and elections.

- **Supporting Liberian institutions and political parties in creating an environment conducive to the conduct of peaceful elections**

As part of its overall mandate, UNMIL already works closely with Liberian institutions to maintain peace and stability. In light of the upcoming elections, activities have become more focused on creating an atmosphere conducive to the conduct of peaceful elections. A broad range of activities are covered at all levels by the mission leadership and related substantive sections (PPPS, Civil Affairs, Human Rights, Election Technical Team (ETT)), varying from interactions with NEC, civil society, and political parties. This includes formal observation in the Inter-Party Consultative Committee (IPCC); training on encouraging women's participation in elections; and radio and outreach programmes promoting overall behavior change and acceptance of government policies as well as an understanding of election related issues. In addition, I have taken the initiative to have the International Contact Group on Liberia that brings together key international stakeholders reconvened for monthly consultation and have intensified my meetings with political parties and NEC using my good-office mandate.

- **Management/Coordination**

The DSRSG(R&G/RC) has delegated authority to implement UNMIL's mandate on the elections. Apart from coordinating donor support, elections have also been included under his pillar during an overall review in 2009-2010 of prioritized activities by the various sections in his area of responsibility. An elections work plan with specified outcomes and performance indicators was identified and included under PPPS.

Other sections in the Mission have included specific support to elections in their activities, which since September 2010 have been discussed at the bi-weekly meetings of the Elections Task Force (ETF). The ETF is a forum to exchange views, make policy recommendations to the Mission Leadership Team, coordinate UNMIL support to the electoral process, and harmonize interventions, including engagement with the NEC. It is chaired by the Chief of PPPS who reports to the DSRSG(R&G), and members include UNMIL Sections working directly on electoral activities and the UNDP Project Management Unit's Chief Technical Advisor.

Various UNMIL Sections also take part in NEC plenary as well as Logistics and Security meetings and the DSRSG(R&G) meets with the NEC Chairman and Board of Commissioners on a regular basis. UNMIL Public Information coordinates with NEC

Public Information on broadcast of messages while the Office of the Gender Advisor supports the NEC in developing training programmes to encourage women's participation in the electoral process through the Elections Gender Task Force. UNPOL in turn works closely with LNP to assist in planning support in securing the electoral process.

While UNMIL's mandate does not include the establishment of an Electoral Unit, since this is already covered by UNDP through the joint Project Document, the DSRSG(R&G) put together an Electoral Technical Team on 25 January 2011 to follow up on recommendations put forward by the ETF and attend to daily technical issues emerging during the electoral process. The three persons in the team were selected from our Front Offices based on their prior experience from working with the UN Electoral Assistance Division. In our 2011-2012 budget, I also requested for additional short term election specific posts not covered by UNDP's technical advisory role to the NEC. These include a senior legal advisor, an external relations officer, an operations officer, three regional coordinators and 20 UNVs.

With the 20 UNVs budgeted for in the 2011-2012 budget cycle, the DSRSG(R&G) explored the possibility of bringing them on earlier for support to the electoral process across the fifteen counties of Liberia. He therefore sought additional funding to cover for the period of May-June. UNDP identified funds supplemented by UNMIL's prioritization of available UNV posts in order to bring on-board the UNVs. They are now in place, working directly with the NEC Magistrates. They report to the DSRSG(R&G) through the ETT which is in close liaison with the UNDP PMU team at the NEC.

Through the discussions and recommendations of the ETF and guidance of the DSRSG(R&G), a Threats Assessment on elections was conducted by JMAC in February 2011 and a Risk Mitigating Strategy consolidated by the ETT in March. Once the NEC Operational Plan was released, UNMIL finalized its own Operational Plan and presented it to the IMTF through a VTC on 1 June. In addition, to prepare for any contingencies, a Contingency Plan is being finalized pending a rehearsal exercise on 23 June.

28 June 2011