

Terms of Reference

Mid-term External Evaluation of ELECT Project

1. Background

The ELECT project was formulated by UNDP in 2006 – based on recommendations made by both the Afghan Joint Electoral Management Board (JEMB) and the Post-Elections Strategy Group (PESG) calling on the international community to support the newly established Independent Electoral Commission (IEC) to plan and conduct future elections.

ELECT's original focus was on IEC's institutional capacity building; strengthening legal and institutional environment within which IEC would execute its responsibilities; and conducting a joint voter and civil registration pilot project. However, in July 2008, the project underwent a major revision during which donors and other stakeholders agreed to support IEC conduct a national voter registration update exercise. A second substantive revision (December 2008) introduced four new overarching outputs namely:

- a) 2009 and 2010 elections concluded by the IEC and other responsible bodies with minimum disruption and controversy;
- b) IEC has a continuing mandate, an approved plan, access to financing, management structure staffing and inventory need to better maintain its electoral functions beyond 2010;
- c) Police, candidates' agents, domestic observers and the media each play a more positive role in the electoral process according to the their mandates; and
- d) Informed participation of the Afghan electorate in the 2009 and 2010 elections

The strategic objective of UNDP/ELECT is aligned with the Government's overarching development goals for the well-being of the Afghan people as articulated in the Afghanistan Millennium Development Goals Country Report 2005 - Vision 2020, the Afghanistan National Development Strategy (ANDS) benchmarks, and the core themes of The Afghanistan Compact.

ELECT operates within the pillar of Governance, Rule of Law and Human Rights; and its resources have been applied towards achievement of UNDAF's outcome 1 (By 2008, transparent, effective and efficient legislative and policy frameworks and processes are established and implemented). ELECT also directly contributes to the achievement of CPAP outcome 1 (State capacity enhanced to promote responsive governance and democratization), and CPAP output 1 (Democratic assemblies and electoral institutions strengthened at national and sub-national levels).

The mandate of ELECT is rooted within UN Security Council Resolution 1806 which calls for coordination of all international electoral assistance to Afghanistan under the political leadership of the Special Representative of the Secretary General (SRSG). Within this coordination architecture, UNDP/ELECT is responsible for program design and management; mobilisation and management of donor funding; activity coordination and reporting.

2. Overall objective of the evaluation

The main objective of the mid-term evaluation is to assess the specific contributions, efficiency and effectiveness, relevance and sustainability of the interventions as stated in the program. In addition assess the strategic positioning and partnership of UNDP “Enhancing Legal and Electoral Capacity for Tomorrow, ELECT” Program and international community in general, UNAMA, UNDP country office and contributing parties in particular.

The mission will particularly focus on the following aspects of the program:

In relation to ELECT as a basket fund and vehicle of support to the electoral process as a whole:

- Assess the transparency, appropriateness and efficiency of the overall governance structure of the basket fund (and its evolution), the role of UNAMA, UNDP country office, ELECT, IEC, donors and other stakeholders to the process.
- Assess the appropriateness and efficiency of the governance structure for the individual activities/outputs 1-8, the role of UNAMA, UNDP country office, ELECT, IEC and other stakeholders of the activities.
- Assess the sustainability, efficiency and effectiveness of the program and its activities (central, regional and provincial level) in particular with regards to the project budget and its execution, outputs and benchmarks identified, and performance in relation to risks and assumptions.
- Extract the lessons learned and best practices which can be incorporated into the substantive revision of ELECT Prodoc for 2010 with particular emphasis on timely ELECT decision making and appropriate governance structure

In relation to ELECT as a main provider of technical assistance to IEC:

- Evaluate the efficiency and effectiveness of all 8 ELECT outputs with particular emphasis on capacity building, procurement of expertise and material, the voter registration update exercise, the conduct of Presidential and Provincial Councils elections and the empowerment of civil society and media and their role in the field of civic education;
- Assess the design and implementation of ELECT in relation to the aid effectiveness principles with a particular focus on ownership, sustainability, timing and capacity development. Particular attention should be paid to the relationship between UNDP and IEC; UNDP’s approach to the provision of advice.
- Analyze the transparency and impact of the policy decisions made in relation to and the IEC’s role in the voter registration and electoral administration processes.
- Analyze the effectiveness of the operational plans developed by IEC on central and regional and provincial level with UNDP’s assistance.
- Extract the lessons learned and best practices and recommendations for affordable and sustainable planning for 2010 election and beyond in particular appropriate governance structure

3. Approach and methodology of the evaluation

The team in evaluating the projects should pay particular attention to the following criteria:

- Project design and implementation: Evaluate the logics and completeness of the first ELECT project document, the process in substantive revisions number 1 and substantive revision number 2 of ELECT project which incorporated conduct of updating the previous voter registration cards and presidential and provincial councils elections.
- Efficiency: Evaluate the efficiency of the project vis-à-vis the quality of the results achieved and the time/political constraints underlying the substantive revision of ELECT for planning for 2010 election
- Effectiveness: Conduct an assessment of how assumptions have affected project achievements and the subsequent management decisions vis-à-vis the cost effectiveness;
- Impact: Evaluate the effect of the project and its implementation on its wider environment and its contribution to the wider sectoral objectives summarized in the projects' overall objectives (i.e. participation in and acceptance of the democratic process);
- Sustainability: Assess the sustainability of the results achieved with particular reference to national institutional capacity, socio-cultural, legal, economical and financial factors, gender, geographical factors vis-à-vis the appropriateness of technology used.

In particular, the following aspects are to be highlighted in the final report:

- ***How the elections were conducted***
 - Evaluate the policy decisions and IEC's role in the entire process and how the operational plans for the ELECT project was formulated. Study the management arrangements of ELECT with particular focus on the management and co-ordination bodies' roles and provide an analysis of the findings.
 - Evaluate the implementation of the operational plans including how the various resources were obtained and mobilized (i.e. recruitment and procurement).
 - Evaluate the efficiency and relevance of all items under outputs 7 & 8 under ELECT with reference to any potential conflict of interests and possible alternative mechanisms which could improve efficiency and diminish conflict of interests in overall outputs
 - Evaluate the efficiency of Output 5 (in particular the ECC) and assess improvements options of for effective quarantining of all ECC activities inside and outside ELECT.

- **Recommendations for the future**

- Review how the international support were utilized to conduct of update of the voter registration and presidential and provincial councils elections
- Provide recommendations, lessons learned and best practices that can be incorporated into the substantive revision of ELECT project and forward planning for 2010 election with particular emphasis on Voter registration update exercise, timely decision making, appropriate activities and governance structure for ELECT, strengthening of administrative and electoral fraud/mitigation measures.
- Provide advice on enhancing national ownership and intra-governmental communication and propose priority measures that might be undertaken in the revision of ELECT
- Provide advice on a "5 years" plan beyond the elections 2010 projecting financial support for future elections and potential for donor support reduction.

4. Mission composition and work plan

- Composition: The mission will compose of four international electoral experts including one international recognized electoral expert (Team Leader), one to two electoral administration experts with expertise in budgeting, operational planning and voter registration. The team should also have specific expertise in governance and civil society developments as well as fund design and donor coordination. One national support staff will be made available for the duration of the mission.
- Duration: The mission will conduct a thorough review of all relevant documents made available prior to starting the mission by e-mail or on paper by UNDP Afghanistan.
 - The total duration of the mission will be three weeks starting on 1st of September 2009 or as soon as feasible and completion of the process is envisioned by end of September 2009. The timing of the mission will be negotiated to fit into this framework
 - The team will work six days a week (Saturday to Thursday). Total working days for the all the mission members will be 30 (excluding travel and weekends). This will be reviewed as appropriate.
- Support in the field: UNDP in conjunction with stakeholders will assist in the preparation of the mission and its agenda, in consultation with the relevant national and international stakeholders, and to organize local transportation and logistics in support of the mission. It is anticipated that the mission will meet the key partners including but not limited to:
 1. Chairman and Commissioners of IEC
 2. Senior staff of the Secretariat of the IEC;
 3. Representatives of UNAMA;

4. Chairman and Commissioner of the ECC
5. Representatives of other relevant implementing partners including IFES, IOM, UNOPS and civil society organizations;
6. Representatives of donor community;
7. Representatives of observer groups (EUEOM and OSCE);
8. Representatives of relevant ministries including Ministry of Interior, Ministry of Women's Affairs, Ministry of Martyrs and Disabled, Ministry of Finance and Civil Service Commission ;
9. UNDP management and staff (ELECT and country office).

5. Reporting

The evaluation mission will prepare a desk review and opening session of the mission upon arrival in Afghanistan with UN and stakeholders is envisioned. At the end of the fieldwork the Team should organise a closing meeting with relevant parties.

The purpose of this closing meeting is to:

- Present the preliminary results of the evaluation in order to confirm the understanding and interpretation of these results and to detail and clarify them if necessary
- The debriefing memorandum will be presented during the closing meeting. The Team will analyze the comments made and will take them into consideration when writing up his final report.
- The draft final report (maximum 30 pages) will be distributed by the team to UN and contributing organization for comments in order to prepare the final report.