

# Independent High Electoral Commission of Iraq (IHEC)

International Electoral Assistance Team (IEAT)

## Conference on Lessons Learned and Future Planning from 2008/2009 Electoral Events

Istanbul,

Turkey

استنبول، تركيا

## TABLE OF CONTENTS

|  |          |
|--|----------|
| <b>I. Executive Summary</b>  | <b>3</b> |
| <b>II. Presentations, Discussions and Recommendations</b>  |          |
| Legal Framework  | 6        |
| Voter Registration   | 7        |
| Tally Centre and GEO Count Centres   | 8        |
| Analysis of invalid ballot rate  | 9        |
| Electoral Education Campaign Project   | 9        |
| Independent Domestic Electoral Observer Project  | 10       |
| Public Outreach  | 11       |
| Complaints and Challenges  | 12       |
| Financial costs & obtaining the budget   | 13       |
| Census 2009  | 13       |
| IHEC institutional liaison with Iraqi Ministries   | 13       |
| Communications – Field and within IHEC   | 14       |
| Communications Project   | 14       |
| Strategic Planning and institutional capacity building   | 15       |
| Options to reduce the financial cost per voter   | 15       |
| <br>   |          |
| <b>III. Annexes</b>  |          |
| Annex 1 Electoral Education Campaign - Lessons Learned and Recommendations   | 16       |
| Annex 2 Support to Electoral Observer Groups in Iraq - Lessons Learned and Recommendations   | 20       |
| Annex 3 Provision of Communications Support & Technical Assistance to the IHEC at the HQ & Governorate Electoral Office Levels - Lessons Learned and Recommendations | 21       |
| Annex 4 Support to Institutional Development - Lessons Learned and Recommendations   | 22       |
| Annex 5 Photos from the IHEC Lessons Learned Conference  | 23       |

## EXECUTIVE SUMMARY

The Independent High Electoral Commission of Iraq (IHEC) was established by the Council of Representatives (CoR) in May 2007. It represents an independent authority in Iraq responsible for conducting all elections and referendums. The mandate of the IHEC Board of Commissioners (BoC) also entails responsibility for a number of functions in the wider electoral processes, such as establishing and updating a voter registry in collaboration with IHEC governorate and regional electoral offices, regulating the registration and certification of political entities for the purpose of contesting elections, accrediting election observers, political entities agents and media, adjudication of electoral complaints and appeals, and final certification of election results and referenda, with the exception of the results of the Council of Representatives elections.

The United Nations Assistance Mission for Iraq (UNAMI) is mandated by Security Council Resolution 1830 to provide advise, support and technical assistance to the IHEC and the Government of Iraq on the development of processes for holding elections and referenda. To this end, UNAMI's work with the IHEC began with the development of a comprehensive capacity building program funded through the International Reconstruction Fund Facility that aimed to provide the IHEC with support to incorporate good international practices in organizing and administering election activities. All electoral support and capacity building activities in Iraq are headed by UNAMI and jointly programmed within the International Electoral Assistance Team (IEAT), under full coordination and agreement with the IHEC. Core IEAT members currently include IFES, UNOPS, UNDP, UNESCO and coordination also extends to other international organizations active in the context of electoral support in Iraq (e.g. NDI, FES, ACHRS, University of Utah as well as PRTs, representatives of donor states).

A Lessons Learned and Future Planning Conference was organised in Istanbul, Turkey on April 17-21, 2009. Eight out of the nine Commissioners of the Board of IHEC were present together with 13 Senior Officials of the Electoral Administration and five members of the IEAT. Following from these discussions, lessons learned and recommendations for the several potential electoral events in the coming year were drawn.

The conference's objectives were to:

- Create a forum to constructively criticise and draw lessons learned from all relevant activities of IHEC and supporting electoral projects over the past year and a half, using the performance and outcomes of the VRU in August 2008 and Governorate Elections in January 2009 as reference points;
- Make recommendations and structure future planning for the three potential electoral events in the coming year (voter registration exercise, KRG elections and the COR elections);
- Identify key areas to address to further reduce the need for international advisory support;
- Identify the areas in which IEAT capacity building assistance to the IHEC would add the most value.

The conference was divided into sessions covering the following fields: Legal Framework of the Electoral Process, Voter Registration, Tally Centre and GEO Count Centres, Procurement, Public Outreach, Complaints, Challenges and Certification of Results, Financial Costs/Obtaining Budget, Census of 2009, Liaison with Iraqi Ministries, Communications Systems and Future Elections, and Strategic Planning and Institutional Capacity Building. On each subject addressed, the participants assigned issues of priority for discussion for designated break-out groups. The findings were then presented in plenary sessions where

recommendations were debated. Throughout the sessions, presentations were also held on a number of related topics.

Throughout the conference, a number of recurring issues were identified as priority areas. Some related to internal IHEC structural issues and communication others to the overall interaction of IHEC with external stakeholders – predominantly political entities, civil society and the international community. Of note security issues were not discussed as a separate exercise is planned. Some of the key issues identified for future planning and consideration by the Board of Commissioners (BOC) include:

- The need for timely adoption of electoral legislation and BOC lobbying on key issues that effect operational implementation;
- The need for timely operational and budget planning by the IHEC and ensuring that budget allocations are made for all electoral activities well in advance of procurement and implementation;
- Establishment of an office for the IHEC at Parliament in order to improve coordination between IHEC and legislators;
- Enhancement of communication and coordination between and within all departments of IHEC as well as with the BoC and the GEOs;
- Further work must be done to engage the political entities and civil society in the electoral process – to consult on public outreach strategies, ballot design, methods of increasing transparency in the electoral process, dissemination of BOC decisions and regulations;
- Clarification of the structure for decision making and delegation of authorities within IHEC;
- Points recognized as areas for the IHEC to focus requests for international assistance included: exploration of the use of new technologies to facilitate and reduce costs of electoral activities and more timely production of results, and support for capacity building of the institution to build more robust administrative foundation for future electoral activities;
- On voter list issues: Update of the registry should advance down to the polling station level to assist in identifying voters to the district and sub-district levels; VRU exercises to be included in IHEC's annual operational budget; Review and strengthening needed of server and IT capacity; the IHEC should move away from emphasising that the Voter List is linked to the PDS system;
- Tally: A feasibility study to be conducted in order to determine the possibility of establishing tally and tabulation centres in the Governorates – ideas to be considered for at least establishing centres in three geographic regions (north, central and south);
- Examine future use of new technologies in the production of results – to enhance speed of results publication;
- Procurement: Increase in the number of evaluation committees to speed up the evaluation process; enhance coordination between Procurement Department and other departments in order to raise awareness on contract procedures;
- Although ballot paper design is an important element, the ballots could have been shortened with additional measure in place to limit the number of political entities.

- Public Outreach: Timely budget allocation to facilitate implementation PO activities; PO campaigns to be planned well in advance of electoral events and in coordination with the electoral cycle;
- Complaints: At the BOC level, a designated person to be responsible on the relation with administration in providing information on complaint issues; improvements in inter-departmental flow of information and response to requests must be achieved;
- Budget: New legal provisions should be lobbied for by IHEC that include reference to the need for funds to implement election activities to be approved and released within two weeks of any electoral legislation's final approval; an accurate operational budget covering all electoral activities to be developed, particularly referencing the *actual costs* of the last election preparations and voter registration update exercises; a budget committee to be established at the national office led by the CEO that will incorporate representatives of all departments and GEOs. Care should be taken not to exceed the budget by more than 10%;
- Census: Continuous coordination to be established with MoP; Committee to be formed to this purpose.
- Creation of a committee for strategic planning consisting of three sections dealing with operational planning, strategic planning and international assistance. This department would also follow up on the implementation of strategic decisions.

# PRESENTATIONS, DISCUSSIONS AND RECOMMENDATIONS

## Overview

The conference, spanning over four days, was structured around eight thematic sessions addressing subjects identified as priority areas for the IHEC to address in order to further increase its capacity to independently manage all stages of the Iraqi electoral process. For each of the subjects on the agenda, break-out sessions of three smaller groups of IHEC participants debated specific assigned issues. Each group was guided by a chairperson and a facilitator and included an appointed rapporteur to share the findings with the plenary session. The plenary session in turn considered the recommendations and amended and added points to the recommendations where appropriate. In order to ensure a range of available expertise, the eight commissioners and members of the legal team present at the conference were evenly distributed amongst the groups and IEAT participants facilitated where appropriate.

## **I. Legal framework**

During the first breakout sessions on the legal framework, a number of gaps in the legislative system affecting IHECs work towards successful implementation of free and fair elections were highlighted. A recurring issue raised by participants was the need for timely issuance of electoral laws, as the late issuance of the most recent electoral law did not provide sufficient time for proper review of regulations or effective implementation. Other concerns raised included the insufficient legislation on electoral funding and spending on political campaigns and advertising, difficulties surrounding the identification of political parties, as well as laws on electoral fraud being too lenient.

Areas with room for improvement in IHEC's enactment and implementation of the electoral regulations were identified to be the related to shortcomings in internal communication and coordination, confusion with regards to the structure of the drafting and endorsement process of regulations, and limited engagement with political entities and the public on regulations. Furthermore, a need for improved communications between the IHEC and legislators was identified in order to better convey the IHEC's recommendations for legislation.

### ▪ *Recommendations:*

- Emphasis on the need for electoral laws issued in accordance with the electoral calendar (as stipulated by the constitution and relevant laws) in order to allow for technical implementation of decisions;
- Funding and spending on elections regulated by law setting a ceiling for funding and spending on elections in line with international practices;
- Laws regulating funds for electoral campaign materials and advertising. Specific electoral laws or amendments to existing laws regulating media and press in Iraq;
- Definition of a political party regulated by law in order to allow and enable identification of political parties. The law further needs to stipulate which authority can grant licenses to political parties;
- Stronger regulations of punishments for electoral fraud in election law, or electoral fraud to be regulated by parliament.
- Enhancement of IHEC internal communication on electoral regulations. Interdepartmental coordination to be the norm for the preparation of draft regulations in order to prepare one consolidated document for consideration by the BoC;
- Specialists in the Arabic language to be hired to review draft regulations prior to their endorsement;

- Only forms of “sensitive” nature to be referred to the BoC for a decision. Endorsement of standard procedures and forms to be assigned to the Electoral Administration (EA);
- Establishment of an office for the IHEC at Parliament in order to improve coordination between IHEC and legislators;
- Explore the possibility of a joint workshop with members of the Shura Council and Higher Judicial Council in order to benefit from their experience in drafting regulations;
- POD to be responsible for auditing and publishing of all regulations through media;
- Increase awareness of GEO staff for the purpose of effectively engaging with political entity agents at GEO level.

## **II. Voter Registration**

The Voter Registration Update (VRU) in August 2008 was a relative success compared to the previous VRU carried out in 2005. Some of the problems experienced in the current VRU were furthermore due to external elements outside the control of IHEC. However, points recognised for possible improvement included the absence of funding for the VRU in the operational budget, the communication information regarding the VRU to the public, insufficient number of registration centres, reliance on information from ministries for the voter lists, limited server and IT capacity of the IHEC, and problems of evaluation of the exercise stemming from inaccurate reporting on the process from GEOs.

### ▪ *Recommendations:*

- VRU exercises to be included in IHEC’s operational budget;
- IHEC should remain independent from other ministries and rely on its own voter registry, using the most recent VRU as the starting point for the next update of voter lists. Records from the MoD, Mol and MoH should be used for complementary information in addition to the next census data upon its availability in 2010;
- An active discussion on voter registration for Kirkuk to be pursued with Council of Representatives (COR);
- Extensive public outreach campaigns to be conducted through the media in order to inform the public of VRU procedures. A comprehensive policy and strategy for this purpose is needed to ensure timely and efficient dissemination of information. Such elements to be included in the budget. As a part of the public outreach strategy, additional means to using the media should be explored, such as encouraging a forum for discussion with political entities at GEO levels. Furthermore, it is essential that all IHEC staff is properly informed on regulations and procedures on VRU – as part of internal coordination and communication mechanism;
- Update of the registry should advance down to the polling station level to assist in identifying voters to the district and sub-district levels;
- Voter registry should be based on individual and not family information;
- Create and distribute voter cards to all voters as well as explore options for development of a system to use smart cards in the future;

- Consideration for updates of the registries of absentees and Iraqis living abroad to be done through the use of the Internet and embassies abroad. A consideration for a special IHEC committee for IDPs and migrants to be formed and placed in charge of updating the registry;
- Review and strengthening needed of server and IT capacity at HQ and GEO level;
- Improve flow of field reporting: training to be provided on reporting mechanisms during VRU.

The session also included discussions on the need for an investigation into the percentage of accuracy of the current voter registry and the frequency and method with which to conduct future VRUs. The deliberations, however, concluded without any final recommendations.

### **III. Tally Centre and GEO Count Centres**

Recognising that some of the problems affecting the tallying of the results were external to the tally centre itself, such as late receipt of forms delivered from within close distance to the tally centre, the session participants identified a number of points on which to improve the tabulation process and tackle the logistical challenges arising:

▪ *Recommendations:*

- IHEC to pay more attention to the process of counting – with timely identification of staff, training and proper management of count centres;
- Creation of clear procedures and management structure for tallying and tabulation of results and operational timeline for the tallying to be established. Directors and staff at GEOs to be properly trained on the process of tallying and tabulation and information sharing mechanisms within the IHEC to be established to keep the complaints department clearly informed about the progress of the tallying process;
- A feasibility study to be conducted in order to determine the possibility of establishing tally and tabulation centres in the Governorates – ideas to be considered for at least establishing centres in three geographic regions (north, central and south);
- Tallying and tabulation to be computerised to the extent possible;
- Auditing and tracking system to be developed and each count centre to be provided with an auditing team. Additional technical experts to be made available to assist with the tallying and tabulation;
- Introduction of large screens in the tally centre in order to facilitate observation – electronic system of tabulation of results to be taken into consideration for the future;
- Examine future use of new technologies in the production of results – to enhance speed of results publication.

### **IV. Tenders and Contracts**

Following a presentation of examples of procurement processes with a sub-optimal outcome, the IHEC participants agreed that problems related to technical specifications, implementation dates, suitable preparations for contracts and tenders, and the announcements of bids and conclusion of contracts could often be attributed to a lack of experience and expertise amongst staff together with limited communication between the Department of Procurement and other concerned departments as well as

Board delays in decision making. Addressing these issues through trainings, improved communication and access to expertise could potentially have a great impact. Other challenges identified in procurement were the procedure of transferring money abroad, contingency planning and evaluation procedures.

▪ *Recommendations:*

- Establish US Dollar account outside Iraq in dollars to promote timely payment of invoices;
- Activate the role of the BoC to follow up on payment of dues;
- Increase in the number of evaluation committees to speed up the evaluation process, and ensure these committees are changed every six months in line with regulations. There is need to ensure incoming committee benefits from the experiences of the previous one – promote institutional knowledge sharing;
- Operational timetables should also provide for contingency planning;
- Enhance coordination between Procurement department and other departments in order to raise awareness on contract procedures. Departments are to be trained to comply with technical regulations for drafting specifications and in accordance with the set timeline. Ceilings for tenders should be observed and tenders need to include prices of packaging from contractors. Samples should be seen prior to the signing of contracts. Written specifications and agreements must exist for all contracts. If contracts are in foreign languages, good translation into Arabic is required. Templates for reports with required information should be available as well as training on report writing;
- Experts (including internationally contracted) to be involved in quality controlling sensitive materials such as ink, printing and distribution of ballots and forms.

## **V. Analysis of invalid ballot rate in the 2009 Governorate Council Elections (GECs)**

Three variables were discussed when considering the rate of invalid ballots: the design of the ballot, the strength of the rules determining ballot validity, and the consistency of their application, and Electoral Education

Looking at the indicators for the GCEs, it could be concluded that the design of the ballot paper was extremely successful, rules were strong and consistently applied, and that Electoral Education had a direct impact in targeted areas. Good ballot design was key and should be further enhanced in upcoming electoral events. However, the debate recognized that although ballot paper design is an important element, the ballots could have been shortened with additional measure in place to limit the number of political entities. In addition the BOC recognized that there was additional work that could and should have been done in consulting with political entities on the ballot design.

▪ *Recommendations:*

- Explore mechanisms to reduce the number of political entities through discussions with COR;
- Engage with political entities in a comprehensive manner and consult on ballot design well in advance of finalizing.

## **VI. The Electoral Education Campaign (see Annex 1)**

Criticisms were raised over the lack of IHEC involvement in the project design and the Commission's subsequent lack of ownership over the project, an issue which must be corrected in any future projects. Session participants questioned the selection procedures and choice of civil society organisations involved, how funds had been spent and expressed doubt whether workshops had indeed taken place as reported. IHEC claimed to not always have been informed of the time or location of workshops in governorates.

IHEC would have wished to see regular reports on activities from GEOs and UNOPS on a monthly basis. Furthermore, there was a widespread perception of unclear distribution of responsibility of the project between UNOPS, IHEC and UNAMI and complaints were raised over insufficient media coverage and the absence of advertisements. Difficulties experienced during the discussion of the project with former UNOPS project management at the outset of the project on the selection of NGOs as well as of the service provider (AYC) were brought up recognizing that the current UNOPS lead on the ECC was not involved in the original design and implementation. Nevertheless there was a request for a clear presentation of project results, proof of reported activities and how funds had been spent.

UNOPS spoke briefly about the nature of NGOs in Iraq as well as UNOPS' commitment to raising their current capacities as lead within the United Nations Country Team. Although relations with civil society organisations can be problematic at times, it was highlighted that IHEC must work with civil society in order to reach out to the electorate. Issues with one of the project partners were being resolved and UNOPS was taking corrective actions to ensure similar issues did not happen again.

The project had subsequently been redesigned in close consultation with IHEC, in order to address many of the concerns raised by IHEC during the initial phase. It was recognised that the IHEC approved project had never intended to implement any form of media campaign.

▪ *Recommendations:*

- Further improve IHEC / UNOPS consultations to ensure there is a common understanding of project parameters;
- Clearly identify the Forum's mandate;
- Continue to build capacities of NGOs;
- Further monitor and regularly report to IHEC on NGO activities (it was noted the need to work on the quality of NGOs activities, and to establish better reporting mechanisms);
- Develop IHEC POD programmes to complement such work – as this project had formed the foundation of POD in many areas of the country;
- Further consultation between IHEC, UNOPS and UNAMI to take place in Baghdad to establish improved framework for future phases on the project.

## **VII. Independent Domestic Electoral Observer Networks Project (see Annex 2)**

After discussion of the project successes it was highlighted that future interventions should be based on a review of the scope of the observer activities (i.e. to include more pre- and post-balloting observation) as well as considerations on funding (availability, focus, efficiency). Some negative experiences were observed with the EIN network which has led to delays in closing the recent observer support projects as EIN had been unable to provide supporting financial documents in line with the contractual agreements between the UN, ACHRS and EIN. It was recognized that although the presence of international

observers in January was very limited (due to security concerns), it is expected that it would be increased for the next major electoral events in Iraq.

▪ *Recommendations:*

- To organize a roundtable discussion with IHEC and observers to be facilitated by the UN;
- UNOPS and UNAMI to follow up with donors and the IHEC to see whether further support in this field could be provided for the upcoming parliamentary elections in late 2009/early 2010;
- Explore options to strengthen the training of political entity agents and improving their observation skills.

### **VIII. Public Outreach (POD)**

The Board focused predominantly on the need for mechanisms to be established to improve internal coordination and communication of POD issues and develop a structured and strategic approach to public outreach.

▪ *Recommendations:*

- Timely budget allocation to facilitate implementation PO activities;
- PO campaigns to be planned well in advance of electoral events and in coordination with the electoral cycle;
- Media strategies to be developed for KRG, and for every governorate in Iraq;
- Enhance communication and coordination between:
  - a) the offices within the POD in order to act as one unit;
  - b) the POD and other departments of the IHEC (representatives of the Media department to be present in meetings to facilitate dissemination of relevant information to the media) and;
  - c) POD at HQ and Directors and PO offices of GEOs in order to raise their awareness of PO activities and provide them with support in their interaction with local media and in their role to educate the public. To this end PO offices at GEOs should also be provided with the technical equipment necessary;
- Ensure internal coordination of press releases. These are to be unified and submitted to the BoC for approval and internal distribution to ensure IHEC speaks with one voice;
- External Media Department to be moved to the BoC and called the Media Office, coordinating all IHEC interaction with the press;
- Qualified professional spokesperson for the IHEC to be employed and to attend BOC meetings (and specific media strategy to be developed);
- BOC to approve messaging for PO campaigns but does not need to be consulted on details such as distribution method;
- Recommendations and results of activities of the IHEC (particularly press releases) to be archived by the POD for easy access and reference when the need arises;

- Activate role of POD in reaching out to civil society and political entities with information regarding IHEC regulations;
- Enhance consultation with political entities, with formation of a special committee to examine strategy;
- UNAMI to continue to be the focal point and coordinator of international efforts and donor activities on PO;
- IHEC to handle own media campaigns and not employ contractors;
- Website of the commission to be further developed;
- Explore possibility for IHEC staff to observe elections in other parts of the world;
- Workshop to increase awareness of political entity agents and how to observe;
- IHEC to take active role in communicating with International Observers.

During the plenary session, the use of questionnaires to obtain feedback from the public was once again discussed without any conclusive recommendations.

### **IX. Complaints and Challenges**

During the pre-electoral period, issues arose on the following points: logistical problems, communication with the Complaints Department was limited from the side of other IHEC departments and the BoC, staff had limited knowledge of the subject matter due to insufficient training (in part caused by the heavy workload on the department which prevented staff members from taking the time to attend available trainings), the technical level of lawyers hired to help was not sufficient, and problems were caused by the dysfunction of the electronic tracking system.

The difficulties arising after Election Day were related to the following issues: the process of classification of complaints was complicated, there was a poor tracking system of complaints, results of some polling stations were disqualified without notifying the Complaints Department, there was a delayed response from competent departments in the IHEC regarding the issues consulted on, there was a lack of identification of parties competent to respond to certain issues, and no regular reporting on the status of the complaints process to BoC was taking place.

In the ensuing discussion, the below additional points were added: the international team was involved in the physical production of results. While this greatly helped the publication of results (the BOC previously expressed its deep appreciation of the assistance offered), there is currently little Iraqi capacity in this field and further work is needed. Furthermore, the day that the BOC certified the final results, the Complaints Unit was still raising individual cases with the BOC. The BOC decision to accelerate the publication of the final results was also counterproductive to the accuracy and transparency of the results formulation.

#### ▪ *Recommendations:*

- Issue of categorisation of complaints needs to be revisited and training to be provided to staff;
- Regular reporting to the BoC on the status of the complaints process to be formalised;
- At the BoC level, a designated person to be responsible on the relation with administration in providing information;

- Improvements in inter-departmental flow of information and response to requests must be achieved;
- Adjudication of complaints should not be done the day results are certified;
- Specifications for software needed for Election Day to be formulated well in advance of electoral events;
- Complaints Department to be consulted/informed of disqualification of polling stations;
- Iraqi expertise to be further developed on production of election results.

## **X. Financial costs/obtaining budget, Census of 2009, Liaison with Iraqi ministries, Communications**

### **a) Financial costs/obtaining the budget allocated for election**

The primary areas of concern were the difficulty in IHEC securing funding for the election budget and the impact on the overall operational planning/timelines were not fully understood by the relevant stakeholders. IHEC lacks a budget plan and is currently working only with an operational timeline. The preparation of the budget itself is also a challenge. GEO Directors are not involved in the process and the final product has been inaccurate, exceeding the expenditures by large amounts. The budget for VRU is not included in the operational budget.

#### ▪ *Recommendations:*

- New legal provisions should be lobbied for by IHEC that include reference to the need for funds to implement election activities to be approved and released within two weeks of any electoral legislation's final approval;
- An accurate operational budget covering all electoral activities to be developed, particularly referencing the *actual costs* of the last election preparations and voter registration update exercises;
- A Budget Committee to be established at the national office led by the CEO that will incorporate representatives of all departments and GEOs. Care should be taken not to exceed the budget by more than 10%;
- The committee to be supported by the IEAT with assistance and technical advice on the development of budget as part of the IEAT Capacity Building support.

### **b) Census of 2009: Updating and possible impact on VRU**

Though reports suggest the Census will be executed by October 24, the BoC does not expect Census results to be available until June 2010, in which case the census would not affect planning for electoral events in the coming year. However, it was acknowledged that the communication between the IHEC and the Ministry of Planning (MoP) is important and that improvements should be made to benefit better from the results of the census once they are available.

#### ▪ *Recommendation:*

- Continuous coordination to be established with MoP; Committee to be formed for this purpose.

### **c) IHEC Institutional liaison with Iraqi ministries: Administrative challenges and possible solutions**

In this respect, the need for the IHEC to remain self-sufficient and independent from government ministries was emphasized. However, with regards to benefits that can be made from information provided by ministries, the below points were highlighted. It was also noted that IHEC coordinates activities and shares information with the High Committee for Election Security on a regular basis both prior to and during electoral events.

■ *Recommendations:*

- Timely coordination of information and support to be harmonized with various ministries including Ministry of Education (for staff required on electoral activities), Ministry of Health (primarily for updates on data on deceased); Ministry of Interior and Defense (as part of the High Committee for Election Security and for data for SNV), Ministry of Trade and Justice.
- Periodic structured briefings on electoral updates to these various external stakeholders with mutual sharing of information to be conducted by the IHEC.

**d) Communications – Field and within IHEC: Administrative challenges and possible solutions**

The challenges posed to establish effective internal IHEC communication was a recurring topic in all sessions during the conference. As the effective communication of information affects the work of IHEC in all fields, the session participants were able to quickly list a number of points in need of improvement.

- Weak inter- and intradepartmental communication at HQ and between HQ and GEOs. Lack of team spirit and exchange of information. Authority lies mainly with the heads of departments – decision making structure not compatible with volume of work;
- Lack of IHEC policy and guidelines covering certain issues- resulting in unnecessary amount of issues being referred individually to the BOC ;
- BOC not given adequate time to review decisions, impacting on the quality of decisions made;
- BOC not making timely decisions;
- Significant delays (up to a month) before decisions of the BoC reach the parties concerned. This is in part due to decisions being delivered on paper and not electronically and has caused major delays in the implementation of work in governorates;
- Action on decisions often not taken by departments or GEOs unless they come in the form of formal “administrative orders;”
- Absence of structure for administrative orders and directives leads to a plethora of orders being issued from different departments, at times contradicting each other. No feedback from the GEOs in this matter available;
- Lack of BOC follow up on decisions.

■ *Recommendations:*

- Form a committee to study decision making structure in IHEC that will report findings to BOC;
- Team work to be encouraged and coordination mechanisms established between departments and sections of the administration and the BOC, the Electoral Administration and GEOs;
- Committee to be formed responsible for following up on the BOC’s decisions and administrative issues, and draft ToRs for communications within IHEC National Office and the GEOs;
- Authorities to be delegated to Heads of Sections;
- Regularised Staff performance appraisal;

- Decisions on the status of civil servants and Directors needs to be finalized quickly.

### **XI. Provision of Communications Support & Technical Assistance to the IHEC at the HQ & Governorate Electoral Office Levels (Annex 3)**

This project was originally developed in close cooperation with the IHEC and contains one large service contract for which UNOPS and IHEC had collaborated to ensure that the specifications for the international tender were in line with the IHEC's actual requirements. As the selected service provider (Nashita) had offered the services below price expectations (and significantly below the financial offers of competing non-Iraqi bidders), UNOPS and IHEC in September/October 2008 had conducted a full assessment of the services received so far and IHEC subsequently requested UNOPS to extend the project duration by six month to continue service provision until June 2009, utilizing the savings from the original tender. Despite a few IT issues (not clear to what extent due to fault of the service provider or other factors), the internet and communication services were of great value to the IHEC during the 2008 voter registration as well as during governorate elections (including PE registration, complaints submission, internet access, e-mail, telephony, etc...) and the IHEC will need to find means to extent broadband subscription in order to continue utilizing the systems set-up (budget requirement per year estimated at US\$ 2 million). UNOPS offered to provide assistance to the IHEC (Dr Muneer) in preparing the specifications for the tender and possibly in providing input to the shortlisting of suitable companies. The IHEC will also prepare a letter to UNOPS and IFES requesting support beyond June 2009.

### **XII. Strategic Planning and Institutional Capacity Building**

Discussions focused the need for improved strategic planning and follow up on implementation of strategic objectives within the IHEC (it was pointed out that there is still no report on the rate of achievement of the five main IHEC strategic objectives adopted two years ago by the BOC). Recognizing the difficulty of planning strategically given uncertain electoral timelines and IHEC attention being focused on the three potential upcoming electoral events in 2009, it was nevertheless agreed that the issue must be addressed.

#### **▪ *Recommendation:***

- Creation of a committee for strategic planning consisting of three sections dealing with operational planning, strategic planning and international assistance. This department would also follow up on the implementation of strategic decisions.

### **XIII. Options to reduce the financial cost per voter**

A study on the costs of various aspects of the recent Governorate Elections was discussed with a number of potential cost reductions to be taken into consideration by the BOC.

The study was much appreciated by the session participants who wished to see it developed further to serve as a starting point for the Operations and Financial departments to use for the production of recommendations to the BOC for cutting operational costs.

## ANNEX 1

### ELECTORAL EDUCATION CAMPAIGN LESSONS LEARNT AND RECOMMENDATIONS

*In January 2009, Iraqis went to the polls for the provincial elections. This event was marked by an increased number of registered voters, a relatively secure implementation, a 51% voter turn-out, and a low rate of invalid ballots, all of which are good indicators of the impact of the voter education strategy of the Independent High Electoral Commission of Iraq (IHEC). UNOPS directly supported this strategy by implementing the Electoral Education Campaign, a 5 million USD, ITF-funded program. UNOPS, in close coordination with IHEC and with the active support of UNAMI, delivered a broad set of activities to support the participation of Iraqi voters in the electoral process throughout 2008. Against an objective to reach 55,000 direct beneficiaries, UNOPS reached over 200,000 direct beneficiaries (including women, IDPs, and first-time voters) through electoral education activities implemented by a network of 75 grassroots organizations covering all governorates of Iraq. Similarly, against an objective of engaging 2,500 Opinion Leaders, the project engaged more than 6,000 political entities, tribal and religious leaders, associations' leaders, and local civil servants.*

*The positive achievements of the project have been presented in separate reports, whilst this paper focuses on the challenges encountered during the Electoral Education Campaign and presents the lessons learnt as well as recommendations to address these concrete challenges in the preparation of potential future projects in the electoral education sector.*

#### GENERAL DESIGN AND METHODOLOGY

##### **Lesson learnt 1: General complexity and lack of 'readability' of the project.**

The initial project design created certain challenges to implementation in the Iraqi context, resulting in a lack of full ownership by IHEC. For example, the myriad of committees and subcommittees (*i.e.*, the Electoral Education Forum, intended to be a steering committee of the Campaign; the Forum Coordination Committee, a steering committee of this steering committee; and the 19 local GEECs) generated confusion, made it impossible for key stakeholders to attend all meetings, produced inter-committee tensions and froze the decision-making process.

To build upon the positive impact of various design revisions made during project implementation to correct these flaws, **it is recommended:**

- To design future projects with a clear objective to make them an integrated element of IHEC strategy;
- To favor a more consultative approach during the design phase, and to ensure that the project is discussed and fully agreed with IHEC from the outset;
- To communicate broadly and openly about the project concept with other stakeholders, including civil society organizations, during the formulation phase;
- To ensure that the project can be understood by a non-specialized audience; and
- To shape a clear chain of command and workflow, as well as to focus on result-oriented meetings.

##### **Lesson learnt 2: Ad hoc activities versus centralized functioning of IHEC.**

To be successful, the project needed to be completely embedded in the IHEC strategy; therefore, it required direct involvement of IHEC HQ and also IHEC field staff. IHEC field staff, notably Governorate Electoral Office (GEO) Managers, tended to seek case by case approval of activities, thereby significantly slowing down implementation of the project. Conversely, IHEC's approval of deployment of UNOPS staff in IHEC premises at both the HQ level and the provincial level proved to be a very efficient tool both to speed up project delivery and to increase understanding of the project by GEO staff.

**It is recommended:**

- To request IHEC’s approval to maintain deployment of UNOPS national staff in the premises of IHEC for future projects; and
- To request the Board of Commissioners (BoC) to give GEOs at the beginning of a new project an advance comprehensive approval or clearance (instead of individual approvals per activity), supported by a general presentation of the project, a brief description of activities, a timetable, and an explanation of the roles of GEOs in the project.

**Lesson learnt 3: Selection of service providers and the “all eggs in one basket” risk.**

During the initial phase of the project, a singular NGO service provider was selected and charged to implement a comprehensive package of services, which included nearly all project activities. This created a situation where the service provider effectively took control of operations and interfered with the UNOPS-IHEC direct relationship. When fraud by this service provider was later uncovered and the service contract immediately terminated, implementation of the project was blocked for some time. Through the combined efforts of IHEC, UNAMI and UNOPS, implementation was successfully resumed. A new service provider (a private human resources company) was selected to implement a reduced package of activities, based on management of logistics and human resources.

**It is recommended:**

- To out-source human resources and logistics of project activities as needed, but not strategic decisions on contents and methods of activities;
- To organize the project in several autonomous modules of activities, and to select, if possible, different service providers for each module of activities; this diversification would (a) reduce the impact on implementation of problems with particular service providers; (b) avoid any tendency to be lenient with a service provider due to risk of project blockage; and (c) place service providers in a competitive process, which should encourage productivity and positive results; and
- To favor competent private companies when selecting a service provider to monitor and evaluate project activities, because NGOs are competing for donor funding, which may introduce the risk of distortion and bias into an M&E process led by a competing NGO.

**ELECTORAL EDUCATION FORUM (EEF) AND GOVERNORATE ELECTORAL EDUCATION COMMITTEES (GEECS)**

**Lesson learnt 4: Which Forum, and for what?**

The Electoral Education Forum (EEF), initially designed as the keystone of the Campaign, did not in fact play a fundamental role in implementation of the Campaign because, due to lack of a clearly defined mandate, the EEF evolved into merely an “endorsement committee” with no real consultative or decision-making role. The lack of structural connection between the decentralized committees of the project (the GEECs) and the EEF also created poor coordination between these bodies. This, in turn, became a source of frustration for several members, who progressively deserted the EEF or altered its “raison d’être” into a channel for their complaints to IHEC, thereby contributing to insufficient participation of IHEC representatives at EEF meetings. Although there were a limited number of ineffective member CSOs of the EEF, other members were committed, dedicated leaders of Iraqi civil society, and a consultative platform gathering IHEC and Iraqi civil society is important.

To further the involvement of the EEF or another similar structure in future projects, **it is recommended:**

- To identify concrete coordination requirements, develop a coordination mechanism in the mandate and workplan, and then establish the EEF on this basis;
- To ensure that the mandate of the EEF does not overlap with the core mandate of the IHEC;
- To clarify the rules of exclusion in case of absenteeism or political bias;

- To conduct an independent assessment to identify the most relevant CSOs to join the provincial committees;
- To establish at the central level a structure based on geographical representation and bottom-up methodology: create provincial committees first, which then designate delegates to the EEF;
- To diversify the composition of the EEF by better involving professional associations and media representatives; and
- To promote the EEF as a unique platform of interaction between IHEC and civil society, and to encourage all Board of Commissioners members to make proper use of it.

## GRANT FUND

### **Lesson learnt 5: *The training-first approach.***

The selection of grantees under the EEC was a complex process, due to the relatively low quality of the proposals received from NGOs. Division of responsibilities in the selection process between UNOPS, UNAMI and IHEC was unclear and led to an ambiguous situation wherein IHEC participated as an observer, but then requested to be consulted for endorsement of the selections. The grants allocated to 75 NGOs in all governorates of Iraq had a quantitatively large impact on project implementation exceeding the project objective by more than 350% (over 200,000 beneficiaries were reached against an objective of 55,000 beneficiaries). Qualitative assessments of activities by grantee NGOs were more mixed, and it was noted that some electoral information disseminated by the NGOs may not have been completely accurate. Although balance between governorates was respected when allocating grants, the figures of invalid ballots tend to indicate a smaller impact in some governorates. In addition, no criteria were set for the balance between districts within the same governorates, thus creating a discrepancy between districts or between rural and urban areas. It was further not possible to track the participants in these many activities or to assess their satisfaction with the activities. A more serious concern was the complaint received from some GEO Managers about possible political bias in activities implemented by a limited number of NGOs; this suspicion was reinforced by the candidacy in the provincial election of 3 NGO Directors (after the end of their granted projects). It has proven highly cumbersome for UNOPS to monitor and evaluate the 75 granted projects. In addition to a very limited number of attempted fraud cases, the main problems were lack of financial management and reporting skills of the NGOs, failure of NGOs to comply with deadlines, difficulty of UNOPS to obtain information about dates and places of events to allow for M&E, and lack of visibility given to IHEC and to UNOPS support.

### **It is recommended:**

- To clarify with the Board of Commissioners the role of IHEC in the selection process;
- To incorporate a training program and certification for NGOs, either prior to or as a condition of their selection as a grantee, in which they attain an objective level of learning in, *inter alia*, project development, budgeting, financial management, reporting, monitoring and evaluation, and electoral education methodology;
- To develop Memoranda of Understanding (MoU) allocating a cluster of activities and districts to eligible NGOs, based upon a pre-established national strategy agreed with IHEC;
- To differentiate between activities implemented to motivate participation in voter registration and activities to motivate participation in the election;
- To avoid launching activities before clarification of the legal framework and procedures;
- To require NGOs to base their presentations on the factsheets of IEAT/IHEC;
- To specify in the MoUs executed with the grantee NGOs the following obligatory responsibilities of the NGOs: (a) to provide UNOPS field staff with advance notice of all project activities; (b) to collect and analyze signed evaluation forms at the end of each activity, according to a standard evaluation form provided to all NGOs; (c) to document activities with pictures taken on a digital camera, as appropriate; and (d) the specific criteria for grant cancellation (*e.g.*, failure to provide timely information on activities, failure to comply with deadlines, or candidacy in an election); and

- To ensure understanding of IHEC staff (particularly the GEO Managers) of both the rights and obligations of NGOs, as independent organizations.

## OPINION LEADERS SESSIONS (OLS)

### **Lesson learnt 6: *Establishing a long term relation with Opinion Leaders.***

On many aspects, the OLS can be considered the most successful activities implemented under the Campaign because the intended message was objectively conveyed to a unique and influential target group of beneficiaries. Some 6,500 Opinion Leaders (*i.e.*, tribal and religious leaders, political entities, local civil servants, academics, and association leaders) were reached in approximately 100 sessions, held from November 2008 to January 2009. In addition, following numerous requests by students in the field, 2,800 students were engaged on an *ad hoc* basis. Students were highly motivated to participate, but they sometimes felt intimidated to ask questions in front of the Opinion Leaders. Accordingly, a small number of *ad hoc* special student sessions were organized to address this need. Due to late dissemination of the factsheets on the election, the OLS were sometimes held without the benefit of the most updated information. Lastly, it would have been beneficial to structure the OLSs in such a way to allow for the establishment of a long term relationship with the individual Opinion Leaders met during these Sessions and, through them, with their communities.

### **It is recommended:**

- To avoid launching activities before clarification of the legal framework and procedures;
- To involve IHEC at each step of the development of the session's agenda and to request BoC official endorsement of the agenda;
- To require that facilitators base their presentations on the factsheets of IEAT/IHEC;
- To develop special first-time voter sessions for students only;
- To implement follow-up sessions, where the Leaders will be invited to discuss how they have relayed the knowledge they acquired during the Opinion Leaders Sessions in their community; and
- To formulate a strategy for long-term relationship building with Opinion Leaders and their communities following participation in OLSs.

## Conclusion

The Electoral Education Campaign has been conceived by IHEC and UNOPS to fill a gap in the electoral education strategy: coordination with civil society and opinion leaders. The project passed through certain obstacles primarily related to an initial project design that did not fully take into account the unique context of Iraq and later the dishonesty of an important service provider, which have produced many useful lessons learnt. Due to the commitment of IHEC (Board of Commissioners and Public Outreach Division), UNAMI, and UNOPS, in the end the project was an unexpected success. In fact, UNOPS received thank-you letters from 18 GEO managers (out of 19 total Governorates) expressing their appreciation for implementation of the project activities. Given the contribution of the project to the success of the provincial elections in January 2009, UNAMI requested UNOPS to extend the Electoral Education Campaign to also support the preparation of the elections to the Kurdistan National Assembly, to be held later in the first semester 2009.

This paper is intended only to collect together and analyze observations and ideas of UNOPS staff, which arose during numerous strategic discussions, held with colleagues of IHEC, about the design and implementation of an important electoral education project that has been a continuous learning process.

## ANNEX 2

### SUPPORT TO ELECTORAL OBSERVER GROUPS IN IRAQ

*UNOPS, through several projects, has facilitated Electoral Observation for Iraqi elections since 2004. The projects have provided support to Iraqi NGO networks to train independent domestic Electoral Observers and Media Monitors in observation, reporting skills and media monitoring. This support was provided through non-partisan umbrella partners in order to avoid a perception of conflict of interest in the UN providing technical and operational advice to the IHEC, whilst also providing direct assistance to observer groups. For the Voter Registration Update (VRU) in July-August 2008, UNOPS trained and mobilised a total of 20,500 domestic observers. Based on assessments carried out by the IHEC, IEAT and various NGOs, the UN was then requested to provide training for an additional 23,000 domestic observers prior to the Provincial Elections in January 2009. The trainings were successfully carried out, enabling the mobilisation of a total of 45 000 domestic observers for the Elections.*

### LESSONS LEARNT AND RECOMMENDATIONS

- For a more thorough analysis of the election results, a strategy that includes both short and long term observers should be employed;
- The scope of election observation should be extended to include an assessment of coverage in various media outlets on both the qualitative content of election-related news and the quantitative amount of such news per candidate or political party;
- Support activities for independent observer groups should be coordinated with other stakeholders (including donors, NGOs and the IHEC itself);
- The dependence of national electoral observer groups on international funding should gradually be reduced;
- There is a need for distribution of observation reports and results in diversified outlets across Iraq;
- There is a need for greater clarification of both the role that IHEC plays in elections and the appropriate relationship between IHEC and independent observers; and
- In order to enhance results, during elections, there should be a call centre available to advise election observers on how appropriately to implement their observation tasks.

## ANNEX 3

### PROVISION OF COMMUNICATIONS SUPPORT & TECHNICAL ASSISTANCE TO THE IHEC AT THE HQ & GOVERNORATE ELECTORAL OFFICE LEVELS

*In order to support upcoming electoral events, UNAMI/ IEAT and UNOPS developed a project to assist IHEC develop an effective communications system on par with international standards. This project upgraded the level of IHEC communications with VOIP internet capabilities as well as the provision of maintenance support. It also provided a training package for IHEC personnel in the areas of installation, maintenance and repairs, as well as technical advice to the IHEC on its communications strategy.*

#### LESSONS LEARNT AND RECOMMENDATIONS

- IT considerations need to be included in the strategical programming and policy decision making processes of the IHEC;
- Training of IHEC personnel should include topics related to the value of a well functioning communications and IT system in order to allow them to better understand the role of communications and IT in the implementation of IHEC's substantive responsibilities;
- Enhanced sharing of relevant IT information is needed within and between departments of IHEC; and
- The role of IT needs to be integrated into IHEC's strategic planning process, including into budget planning and assurance of necessary political will/support.

## ANNEX 4

### SUPPORT TO INSTITUTIONAL DEVELOPMENT OF IHEC

*Having analysed the prevalent support needs of the IHEC in close consultation with the Commission itself (and its predecessor IECI), UNAMI/IEAT, supported by UNDP and UNOPS, has provided capacity building support to the IHEC since 2007. Under the overall leadership of UNAMI, UNDP has focused on the managerial side of the project, whilst UNOPS has been in charge of capacity building and operational support. Priority has been placed on the areas of IT & Database, Capacity Building/HR, Security, Translation/Interpretation, Logistics, Procurement/Contracting and Graphic Design. To date UNOPS has implemented 22 workshops/trainings for up to 700 IHEC staff participants.*

### LESSONS LEARNT AND RECOMMENDATIONS

- Early planning of events is needed in order to enhance coordination of activities with all parties involved;
- Training activities need to be integrated with the overall institutional development and policy and procedures of the IHEC;
- All training activities of IHEC, whether organised by UNOPS, IHEC or other entities, should involve comprehensive coordination;
- There is a need for standard operating procedures for the approval process and other logistics related to participation in trainings involving IHEC;
- UN staff should be present at all events organised in relation to the project to ensure that technical and logistical aspects are implemented smoothly;
- If possible, the default location for all project activities should be inside Iraq;
- In the event that a press release should be deemed appropriate, implementers, donors and the IHEC should be consulted prior to its dissemination;
- Efforts should be made to ensure compliance with donor regulations and preferences with regards to visibility/branding of project activities;
- The results of reports and evaluations of events should be shared with IHEC; and
- Evaluation forms for project events should include a section addressing logistical issues.

## ANNEX 5



First plenary session, 17 April 2009



Discussion in one of the breakout sessions



Another workgroup drafting recommendations



Commissioner Hamdia presenting the recommendations of her group in plenary session



Plenary discussion of IHEC Public Outreach activities