

Joint Project Document

Country: Moldova

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| Project Title | Electoral Support to Moldova |
| UNDAF Outcome(s): | By 2011, public institutions with the support of Civil Society Organizations (CSOs) are better able to ensure good governance, rule of law and equal access to justice and promotion of human rights |
| Project specific output: | Improved capacity of Electoral Management Bodies and all stakeholders to promote participation of voters and all stakeholders in elections throughout the 2009-2013 electoral cycles for strengthened democracy in Moldova. |
| Implementing partner: | Central Electoral Commission |

Brief Description

The project will support democratic development in Moldova through strengthening of the electoral processes over the coming electoral cycles up to 2013 with immediate emphasis on the 2009 parliamentary elections.

It will provide support to the Central Electoral Commission of Moldova in the key areas of improved voter register; use of IT in election administration; enfranchisement of diaspora; capacity building of electoral staff; enhanced transparency of the electoral process through use of media, voter education and observation; legislative reform; and direct support for procurement of specific election materials.

The project will employ a team of international election experts in key areas to act as advisers to the Central Electoral Commission.

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| Programme Period: | <u>2007-2011</u> |
| Start date: | <u>September 2008</u> |
| End Date: | <u>August 2013</u> |
| PAC Meeting Date: | <u>30 July 2008</u> |
| Management Arrangements: | <u>NEX</u> |

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| Total resources required | <u>\$4,500,000</u> |
| Total funded budget | |
| incl. commitments | <u>\$2,267,000</u> |
| • UNDP Regular | <u>\$500,000</u> |
| • Other: | |
| o UN Trust Fund | <u>\$137,000</u> |
| o IOM | <u>TBD</u> |
| o Bilateral donors | <u>\$1,000,000</u> |
| o Government | <u>\$630,000</u> |
| Unfunded budget: | <u>\$2,233,000</u> |
| In-kind Contributions | |

Agreed by (Central Electoral Commission): Eugen Stirbu, Chairperson

Agreed by (UNDP): Kaarina Immonen, Resident Representative

Agreed by (IOM): Martin Wyss, Chief of Mission



I. SITUATION ANALYSIS

Moldova is experiencing many of the problems of countries in transition, compounded by high rural poverty rate, poor infrastructure and economic conditions, energy vulnerability and the political problem of the separatist region Transnistria. Up to 15 - 25% of the population lives abroad, with remittances accounting for up to 30% of GNP.

Moldova has an estimated 2.3 million eligible voters. Participation rates in recent elections were 65% for the 2005 parliamentary elections and 52% for the 2007 local elections.

Moldova's election laws were endorsed by the OSCE in 1997 and have been used since as a model within the region. The Central Electoral Commission (CEC) is widely praised as professional, dedicated and far-sighted. The CEC is perceived by some as chronically under-budgeted and under-staffed. In planning for the 2009 elections, the CEC has identified several assistance priorities: improving the voter's register, planning for the phased introduction of an e-voting system, training for election administrators. CEC has addressed requests for support to the United Nations through the UNDP Country Office in Moldova. An electoral Needs Assessment Mission (NAM) was conducted in response to requests dated 9 October 2007 and late January 2008. The first request relates to planning and implementation of Moldova's National Strategy and Action Plan to create an e-voting system and the task of developing a reliable voter's register. The second request relates to specific needs in preparation for the 2009 Parliamentary elections.

The mission was conducted by the Electoral Assistance Division of the UN Department of Political Affairs and the Senior Electoral Assistance Advisor/Coordinator of the EC-UNDP Task Force on Electoral Assistance of the UNDP Brussels office. The NAM had the possibility to review several relevant papers and specific reports on the previous electoral processes in Moldova provided by the UNDP Country Office (CO) and by International and Domestic Election Observer Missions. In addition to that the NAM had the possibilities to meet with key stakeholders and debrief the international community on the major issues and preliminary findings in view of organizing elections in Moldova in 2009 and beyond. The following aspects were identified as **key issues** to be addressed in support of development interventions for the improvement of the electoral process with a view to increase its transparency and integrity:

- Continuing changes in the electoral law; many reforms on paper but no sustained implementation.
- Transparency of national and campaign finances and their sources of funding.
- Political parties based on personality rather than ideas; lack of grass root connection with party to government; unknown sources of political party funding;
- Public media bias; emphasis on television for news; smaller audience for radio and print media.
- E-register (E-voting); cost and time constraints; lack of consensus on the importance of prioritizing the creation of electronic voters register for 2009.
- Quality of voters' lists needs to be improved and the \$3,300,000 proposal of the CEC to introduce an "Electronic Voter Register" before the elections 2009 requires thorough assessment.
- Further Request of support from the CEC for;
 - Implementation of internet voting for people living abroad as test pilot for 2013
 - Expertise in specific areas (e-voting, media, training);
 - Training of regional and local election administration staff to ensure consistency of applications throughout the country;
 - Establishment of a continuous training centre with 4 regional facilities;
 - Civic education programmes;
- Independence of the judiciary and need of improvement in the formal and informal electoral dispute resolutions mechanisms.

Out-of-Country Voting

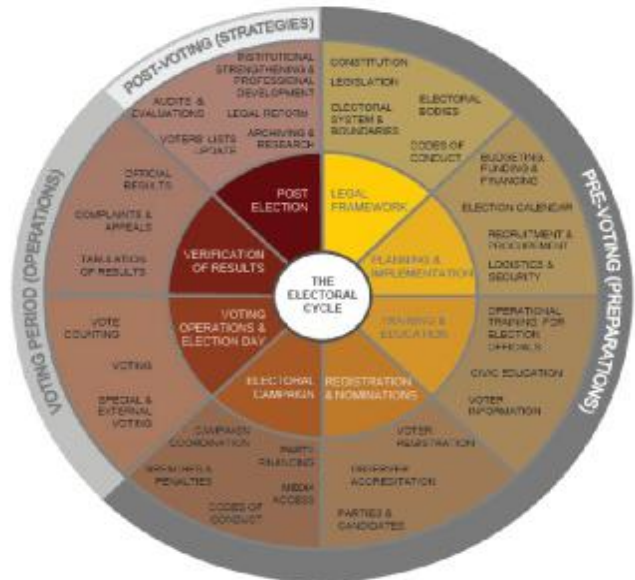
The Out of Country Voting (OCV) requires a special approach. There is a perceived inadequacy of consular services on administrative level caused by limited capacity of diplomatic and consular offices. The already problematic link of Moldovans to their homeland runs the risk of becoming even weaker and more diffuse.

A serious shortcoming in the attempt to forge stronger links between Moldova and its migrants overseas is the conspicuous lack of regular and reliable channels for the exchange of information. It is important to underline that Moldova features a high number of its citizens residing abroad, under different status (270.000 to 400.000, according to different estimates).

Voter turnout among Moldovans residing abroad is very low. With up to 145,000 Moldovans residing in Moscow, only 2,760 voted in the parliamentary elections of 2005. In Italy, of around 100,000 Moldovans, only 835 exercised their right to vote. Given the substantial proportion of migrants in the population, their inadequate participation in Moldovan elections influences the democratic process and prejudices good governance. Inadequate execution of external voting was cited as a reason for low voter turnout during the parliamentary elections of 2005 among Moldovans residing abroad. Complaints of migrants about the administration of voting included: insufficient number of polling stations, shortage of ballot slips, distance and cost of transportation to polling stations, insufficient information, to name a few. Currently all voters abroad could vote in Moldovan representations abroad.

Electoral Cycle Approach

The “Electoral Cycle Approach” to assistance has been developed by the UN/UNDP, European Commission and International IDEA¹ and has now been officially adopted by UNDP and the EC for the implementation of their electoral assistance projects. In the last three years many electoral assistance projects managed by UNDP with EC contributions have followed this approach. This approach views electoral assistance as an ongoing or cyclical activity rather than being event driven at specific points in time. The strategy is to provide selected assistance activities throughout the different 8 phases in which the electoral cycle may be divided (see figure above).



Justification for assistance

Based on the findings of the NAM, EAD/DPA recommended that the United Nations provide electoral assistance to Moldova for the 2009 parliamentary elections with a view to providing longer-term support throughout the electoral cycle ending in 2013. The primary reasons for providing assistance are:

- a) To support Moldova in its continuing democratic transition;

¹ See EC Methodological Guide on Electoral Assistance, the IDEA Handbook of Electoral Management and the UNDP Implementation Guide on Electoral Assistance all available at www.ec-undp-electoralassistance.org

- b) To assist the CEC in further building its capacity to organize and conduct multi-party elections in accordance with international standards;
- c) To advise and assist the Moldovan political parties, government officials and civil society organizations dedicated to creating the conditions for viable democratic elections.

To achieve these goals a set of specific outputs have been identified as targets for electoral assistance. These are:

- 1 Support to implementing an Electoral Information Management System with particular emphasis on establishing an electronic voter register for the 2009 elections;
- 2 Enhanced participation of citizens abroad in the electoral process, i.e. through out-of-country voting;
- 3 Capacity building and training activities for the Electoral Management Bodies staff;
- 4 Increased transparency through support to use of media and enhanced voter education;
- 5 Support on electoral legislation and judicial issues;
- 6 Material support in form of specific goods and services.

These outputs are elaborated in the following section on strategy for electoral assistance.

On going work of UNDP and other development partners

Through the e-Governance project, UNDP has provided support to the CEC in introducing extensive use of Information and Communication Technologies (ICT) in elections through bridging cooperation between CEC Moldova and elections management bodies in Estonia and Latvia and through revising the Concept paper on implementing ICT in elections.²

Several donor interventions have already started or are in their formulation phase and directed *inter alia* towards *voter education campaigns, elections observation, training of electoral administration staff and others*. Given the high political importance of 2009 elections and the great interest of development partners to effectively contribute to conducting fair and transparent elections, all actors, both on the donor side and national authorities, have agreed to adopt a concerted approach and act in a coordinated way, with the UN playing a coordinating role. As a consequence, a donor coordination group on technical assistance for the elections was established with major partners agreeing on information sharing and mutual support. A donor intervention matrix was developed and is constantly updated by stakeholders.³

² Approved by Parliament of Moldova on 15.05.2008, <http://www.parlament.md/lawprocess/laws/>

³ Available at <http://www.un.md/elections>

II. STRATEGY

The objective of electoral assistance in Moldova is to strengthen democracy in Moldova through transparency and increased participation of voters and all stakeholders in elections throughout the 2009-2013 electoral cycles. This project specific **output** is: *Improved capacity of Electoral Management Bodies and all stakeholders to promote participation of voters and all stakeholders in elections throughout the 2009-2013 electoral cycles for strengthened democracy in Moldova.*

The project will provide assistance considering the electoral cycle approach with an initial focus on the 2009 elections and a longer term involvement for the 2011 and 2013 electoral cycles.

Of the three main groups associated with provision of electoral support – electoral administration, civil society and political parties – civil society is already receiving substantial support from various stakeholders such as SIDA, USAID and Council of Europe on voter education initiatives and domestic election observation. Initiatives are progressing on offering support to all political parties in campaign methodologies through NDI and IRI. The main needs in Moldova are currently in relation to the electoral administration – the Central Electoral Commission.

The project shall aim at fair and equitable access of all voters and parties to all services, and shall provide special consideration to include the vulnerable and marginalized (i.e. people from rural areas, minorities) people, including youth, elderly, women and disabled.

UNDP will coordinate technical assistance and act as the focal point for sharing of information in relation to the election technical assistance and the electoral processes as such: from the creation of a voter register through voter education, campaign period, observation, polling and counting to certification of results.

The project office will offer to maintain a matrix of electoral support in all spheres, including those areas of support to civil society and political parties as mentioned above. The office will maintain a website for sharing of the matrix and other pertinent information for the shared benefit of all stakeholders.

The stakeholders include all interested international partners such as diplomatic missions, international organizations and NGOs, and domestic entities involved in elections such as NGOs, Ministry of Information Development, Ministry of Local Public Administration, Agency for Public Procurement, Centre for Special Telecommunications, media, and first and foremost the Central Electoral Commission of Moldova.

Key project deliverables

The attainment of the overall project objective will require a mixture of support to various interventions in close coordination with existing actors in electoral assistance to Moldova. The following are the main outputs proposed to be attained through the project implementation.

Output 1: Improved voter register and handling of electoral information (Electoral Information Management System - voter register, results and beyond)

Activity 1 – electronic voter register

The Moldovan Central Electoral Commission has taken initiatives to replace locally compiled paper based voter lists with a centralized electronic voter register based on the Population Register (civil register) in order to decrease the need for entering voters on supplemental voter lists on

election day. Ultimately the CEC aims to introduce online voting (Internet voting) in 2013, which will enable higher participation of absentee, diaspora and disabled voters.

For this purpose the project will provide technical and financial support to assist the CEC in the transition to a centralized electronic voter register by 2009, the experimental introduction of online electronic voter lists in parallel with paper lists in polling stations in 2009 with the view towards electronic voting and Internet voting in 2013.

Specific actions for the 2009 elections:

1. Procurement of services to develop the electronic voter register;
2. Procurement of IT equipment to host the electronic voter register and produce voter lists;
3. Provision of election technical advisors to assist the CEC on the following issues:
 - a. development and implementation of the electronic voter register;
 - b. operational plan and maximizing the benefits of the new register;
 - c. development of strategy and appropriate methodology/technology for assigning voters to polling stations;
 - d. methods to use the electronic register to facilitate absentee voting, including out-of-country voting;
 - e. establishing agreements/memorandum of understanding with key stakeholders including the custodian of the Population Register, hosting and network service providers;
 - f. assessment of the legal implications of changes including advise on any required legislative changes;
 - g. information to the public about their national, regional and international rights and how they can exercise them;
 - h. investigation of availability of computers for use in polling stations on election day for online access to voter register;
4. Provision of a field survey to test the accuracy of the population register;
5. If required, provide support for improvement of the population register through a burst of registration activity prior to the 2009 elections;
6. If required, provide supplemental provision of computers for polling stations.

Activity 2 – long term electronic register, voting and EIMS:

Specific actions post the 2009 elections:

7. Evaluation of results of the electronic registration system and concept;
8. Technical assistance in the development of specifications for online/Internet voting and an overall and integrated election information management system;
9. Financial and operational support for establishing a pilot project for Internet voting in 2011.

Further support for the 2011 and 2013 elections should be assessed in light of the experiences obtained in the 2009 elections and conclusions on the legislative framework for Internet/absentee voting. The support could extend to:

- provision of electronic signatures for all Moldovan citizens, e.g. issued on a new civil ID smartcard,
- upgrade of the population register to include biometrics,
- procurement of hardware capable of supporting full-scale Internet voting;
- provision of electronic voting machines in polling stations, and
- technical assistance throughout development and implementation of the above.

Activity 3 – Support to results tabulation:

The CEC has used electronic tabulation of results for previous elections and plan to reuse the same software again. This was created and implemented as an outsourced package in the past. The project will support the CEC in evaluating and potentially upgrading the solution, bring it in-house

or establish auditing procedures to ensure transparency and accountability, and advice CEC on operational aspects in relation to the accumulation, tabulation and the reporting of results.

Output 2: Enhanced participation of citizens abroad through improved consular services

The project will assist the relevant Moldovan authorities (namely the CEC and the Ministry Foreign Affairs and European Integration) to improve the management of elections outside the country and thus increase migrants' participation in the elections with a special emphasis on the 2009 parliamentary elections. Under this component the project will train staff of Moldovan Embassies abroad to better facilitate elections, and will implement awareness raising activities that call for more active participation of voters abroad, also through taking into account the future of e-voting and other internet usage related activities. As a result, Moldovans living abroad would become more actively involved in political processes of Moldova, and democratic electoral procedures would be strengthened. Subsequently, good governance would be improved and accountability of the government would be increased.

Specific action:

- Preparation of an operational plan in collaboration with IOM in order to provide institutional capacity building for the Moldovan Ministry of Foreign Affairs for enhanced consular services in favour of external voting procedures and enfranchisement of voters.

International Organization for Migration will roll-out a coordinated (with CEC and all stakeholders) response containing the following sets of actions:

Activity 1 – Development of a training system for the consular staff:

The development and delivery of a training system, including curriculum, for new and current consular personnel on election related issues will be designed based on an evaluation of the current capacity of consular services in Moldova and abroad. The evaluation will base on assessment visits to the consulates of main destination countries (i.e. Italy and Russia). The training will increase the capacity of the consular staff to inform citizens abroad of their rights, especially with regard to their participation in the electoral process. The consular staff, through the training mechanism, will also have the necessary know-how to promote to migrants abroad the out-of-country/absentee voter registration developed by Central Electoral Commission. The capacity of the consular staff with regards to preparation and conduct of polling, election observation, and general issues such as neutrality, transparency and secrecy of the vote will be increased. The sustainability of the training of the consular staff will be ensured by having a curriculum for a training of trainers in addition to the curriculum of staff training. After the completion of training of trainers as a part of the practical training and logical continuation of capacity building process, a study tour to Poland will be organised.

Activity 2 – Improvement of consulate communications

Consular websites will be upgraded with the use of appropriate software to introduce online services in relation to elections. A database of Moldovans abroad as well as a system for collecting, updating and distribution of information will be developed. To increase the participation of citizens abroad in the coming elections public information services will be enhanced. A system of periodical newsletters offering regular up-date information on consular services, general improvements in Moldova and social and economic opportunities will be developed, as well as Public service announcements (PSAs) for voters abroad in close collaboration with the Central Electoral Commission and MFAEI consular offices.

Activity 3 – Distribution of information and logistical support

With IOM's and MFAEI's facilitation, PSAs for the approaching elections in Moldova will be broadcasted through local media with international coverage and in collaboration between local media and Moldova's consular offices. Information will be distributed among members of Moldovan Communities Abroad (MCAs), local community organizations, and churches frequented by Moldovans. Within legal framework and through bilateral agreements, IOM will provide all possible logistical support in relation to enhancing the polling capacity abroad in order to maximise the participation of MCAs in the 2009 Parliamentary elections.

Output 3: Increased capacity of the Central Electoral Commission and its subdivisions (Electoral Management Bodies) to better manage elections

Activity 1: Embedded capacity building through the provision of on-site technical advisors

The project will provide for election technical experts – for elections as well as voter registration- to work on site for longer or shorter periods of time as appropriate. The technical experts provided by the project include (see annexed terms of references):

- Chief Technical Advisor (functionally combined with one of the following)
- IT/VR Advisor (in particular involved in EIMS and voter register as mentioned under Output 1, above)
- Legal Advisor (responsible for implementation of the legislative and judicial activities as mentioned under Output 5, below)
- PR Advisor (responsible for media and voter education actions as mentioned in Output 4, below)
- Procurement Advisor (in particular responsible for the material support as mention in Output 6, below)
- Training Advisor (in particular responsible for polling station staff training activities as mentioned in Activity 4, under this Output)
- IT Security Consultant
- Graphic Designer

The experts will act as advisors and mentors to the commissioners and staff of the CEC. They will embed themselves in the CEC and take part its daily activities with a focus on advising, educating and training the staff on generic and specific electoral issues through day to day operations. Rather than work off a set curriculum this capacity building will aim at aiding the staff to do their daily work and the discharge CEC obligations under the law.

This activity will include support to the CEC in establishing a multi-year strategic plan and budget to include electoral events within the 2009-2013 electoral cycles.

Activity 2 – Capacity building through training courses:

This activity will comprise of capacity building for electoral management staff and the development of sustainable capacities within the CEC to continuously raise the level of skills of electoral personnel.

The CEC is establishing a permanent training centre that is central to the capacity building of electoral stakeholders, including:

- electoral staff from the Central Electoral Commission;
- electoral professionals from district election committees;
- electoral professionals responsible for finance and accounts;
- judges responsible for election legal related remedies.

Initially the project will support the CEC in training staff for the upcoming 2009 elections in close coordination with ACEEEO - Hungarian Government project and the Council of Europe. Next, the

project will provide necessary support to create a running training centre able to train annually up to 1000 people in all regions of Moldova.

The trainings will be organized in 4 regions with 4 training spots located in the most important towns from Moldova:

- North region (in Bălți);
- Central region (in Chişinău);
- South region (in Cahul);
- UTA Gagauzia (in Comrat).

Specific actions in preparation for the 2009 elections:

1. Training of electoral professionals responsible for finance and accounting (around 36 persons; 1 person from each district council. The target-group will consist of accountants from district councils that usually work for local election committees during elections) on:
 - a. the elaboration of financial reports;
 - b. the latest modification of electoral legislation;
 - c. financing the electoral campaign.
2. Training of judges and prosecutors responsible for the [provision of legal remedies for electoral irregularities (around 72 persons; 1 judge and 1 prosecutor from every district court usually dealing with the electoral law) on:
 - a. the latest modifications of electoral legislation;
 - b. legal remedies;
 - c. responsibilities of the justice institutions during the electoral campaign.

Activity 3 – Capacity development through international education

Subsequently the project will introduce the Moldovan electoral management bodies (EMB) to the existing world-wide knowledge facilitated by UNDP or other development partners working in the area of electoral assistance ultimately aiming to support the CEC in establishing its continuous training system. Along the same lines the project will support CEC in developing recruitment methodology for required staff at central and local levels.

The following tools and methodologies will be used in project capacity building activities:

ACE: ACE is the world’s largest and updated repository of information, tools and methodologies on electoral assistance and a global Knowledge Network of experienced election practitioners and regional infrastructure of affiliated Electoral Resource Centres openly available online. ACE⁴ is a joint initiative of International IDEA, IFES-Democracy at Large, Elections Canada, the Federal Electoral Institute of Mexico, the United Nations Department of Economic and Social Affairs (UNDESA), the United Nations Electoral Assistance Division (EAD), EISA, the European Commission and UNDP.

BRIDGE: BRIDGE⁵ is a course delivered in order to improve the skills, knowledge, and confidence both of election professionals and key stakeholders in the electoral process, such as members of the media, political parties, and electoral observers. International IDEA, the UN Electoral Assistance Division (EAD) and the Australian Election Commission launched the original version of the BRIDGE project as a capacity development tool for Building Resources in Democracy, Governance and Elections. In 2007, IFES and UNDP joined the project as partners. BRIDGE is the most comprehensive professional development course available in election administration.

Specific action:

⁴ ACE originally stood for the ‘Administration and Cost of Elections’ project. The web site is www.aceproject.org.

⁵ www.bridge-project.org

- Certification of two persons from the permanent CEC staff as BRIDGE facilitators. This action will take place in 2009 after the elections.

Activity 4 - Training of polling staff

The project will support the CEC in developing a very specific curriculum, training materials and conduct of cascade training of polling staff shortly prior to the 2009 election day.

Specific action:

1. Assist the CEC in developing a cascade training plan, training of trainers, training materials for polling officials and training materials for police forces through the provision of an international Training Advisor;
2. Financial support to the CEC for the recruitment of professional cascade trainers. It is envisioned that the CEC will train 6,000 polling officials – three per polling station – and 4,000 police officers through face-to-face training sessions of one day (half a day for the police). The sessions for polling officials shall include all aspects of preparing for polling (more limited curriculum for the police), including:
 - a. filling in forms, how and when to report;
 - b. layout and setting up the polling station and surrounding areas;
 - c. identification of voters, including dealing with the paper, electronic and supplemental voter lists;
 - d. issuing of ballots;
 - e. assistance to disabled voters;
 - f. dealing with complaints;
 - g. rights and responsibilities of observers and political party agents;
 - h. role of police and armed forces in elections;
 - i. counting procedures;
 - j. tabulation, certification and transmission of results.
3. Financial support to the CEC for the production of training materials, including manuals and sample ballots;
4. Financial support to the CEC for logistical arrangements for trainers to conduct cascade training, including transportation and accommodation.

It is assumed that training venues will be provided free of charge by the local authorities and that participation by the polling staff in the training falls within their regular duties and as such is not remunerated out of this project.

Output 4: Increased transparency of the electoral process – media and voter education

Activity 1 – Improved role of media in elections

In order to improve the abilities of EMBs and mass-media institutions to better reflect electoral campaigns and contribute to more free and fair elections in Moldova, the project will:

- address the capacities of the CEC to work with the media and the public before and during the elections;
- enhance the cooperation between the CEC, the National Broadcasting Council and mass media for the better (free and fair) delivery of electoral campaigns;
- assist mass media NGOs/Associations to more effectively conduct independent monitoring of the fairness of electoral campaigns and to better reflect the elections in general;
- development of a more professional media that promotes free and fair elections in accordance with national, regional and international human rights standards and support to media monitoring activities.

Specific action:

1. Deployment of an international Public Relations expert who will work closely with the CEC in engaging the media and develop a media strategy, and who will act as a resource person for NGOs on media monitoring methodologies;
2. Support to the CEC in establishing a Media Centre for the 2009 elections.

Activity 2 – Voter education

For the eligible voters to participate in the elections it is paramount that they understand what they are voting for (e.g. parliament), why they should vote, what their national, regional and international rights are, how they ensure they can vote, where and when they can vote, how they vote and make sure that their votes are valid.

The project will support the CEC in enhancing voter education through sharing of experience from other environments, assistance in developing products with high penetration potential, and direct support in implementing some of these activities.

The support will have particular focus on ensuring people are registered, know which polling station they are assigned to, and on awareness of special needs groups and minorities. Central to voter education will be broad stakeholder participation, especially with regard to vulnerable and marginalized groups, as focusing on empowerment.

Specific action:

1. The same PR expert as above will act as advisor on voter education aspects and support the CEC in developing a strategy and plan for the 2009 election cycle, including the use and coordination of civic society initiatives as conducted by various NGOs;
2. Financial support to the CEC on implementation of voter education campaigns in form of provision for goods and services such as:
 - a. printed materials,
 - b. production of public service announcements,
 - c. subcontracted of distribution/dissemination of materials,
 - d. subcontracted field events for targeted voter education,
 - e. an independent survey of message penetration, and
 - f. upgrade of the CEC website;
3. Provision of a Graphic Designer to assist the CEC in optimizing the use of visuals in their materials.

Output 5: Support on electoral legislation and judicial issues

The project will provide support to the CEC on legal and legislative issues, primarily through provision of an international Legal Advisor with a broad electoral background (see also capacity building, Output 3).

Activity 1 – electronic register and legislation:

Before the 2009 elections the project will assist the CEC in fulfilling its legal obligation to identify issues in legislation that require amendments to accommodate for the automation of the electoral process, i.e. for the 2009 the electronic voter register.

Activity 2 – electoral reform assessment:

The project will also include an independent evaluation of the legislation with view to electoral reform, mainly focusing on increasing transparency, enfranchisement and participation, e.g. how better to include diaspora in the electoral process, how to make full use of the opportunities opened by the parliamentary resolution on “State Automated Information System – Elections” and considering how a new electoral system could improve turnout of voters and the accountability of elected officials, e.g. through multi constituency elections and/or open list ballots.

This evaluation will be conducted before the 2009 elections with the view to establish discussion fora with broad participation of all relevant stakeholders in the period following the 2009 elections. The initiative will conclude with technical assistance in legislative drafting as focused on establishing required changes well in advance of the 2013 parliamentary elections.

Activity 3 – dispute resolution:

Up to and during the 2009 elections through certification of results the project will support the CEC in addressing issues relating to the resolution of electoral disputes in accordance with international best practices. The Legal Advisor will support the CEC in streamlining avenues for complaints and appeals processes.

Output 6: Material Support

Activities:

In a number of areas, direct material support beyond the scope of the state budget for elections can greatly assist in improving the transparency and capacity of the electoral process. The provision of servers and software for the voter register is one such case. In cooperation with the CEC other areas as indicated below have been identified. The project will perform the procurement and provide the necessary financial support for said items.

Specific actions:

1. Provision of a technical expert to prepare and conduct the tendering of goods and services, including those mentioned in relation to voter registration, training and voter education;
2. Development of an overall procurement plan for the 2009 elections;
3. Procurement of transparent, sealable ballot boxes and seals for same to replace the multitude of varying types of boxes currently in use (note that during 2010 it must be decided if procurement of a second lot of ballot boxes is required as local elections entail two ballots – for council and mayor);
4. Procurement of table top cardboard voting screens to increase secrecy of the vote;
5. Procurement of tools for the training centre, including projectors and flip charts.

III. RESULTS AND RESOURCES FRAMEWORK

Intended Outcome as stated in the Country Programme Results and Resource Framework: By 2011, public institutions with the support of Civil Society Organizations (CSOs) are better able to ensure good governance, rule of law and equal access to justice and promotion of human rights

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

Applicable Key Result Area (from 2008-11 Strategic Plan): Strengthening responsive governing institutions

Partnership Strategy: Several donor interventions have already started or are in their formulation phase and directed *inter alia* towards *voter education campaigns, elections observation, training of electoral administration staff and others*. Given the high political importance of 2009 elections and the great interest of development partners to effectively contribute to conducting fair and transparent elections, all actors, both on the donor side and national authorities, have agreed to adopt a concerted approach and act in a coordinated way, with the UN playing a coordinating role. As a consequence, a donor coordination group on technical assistance for the elections was established with major partners agreeing on information sharing and mutual support. A donor intervention matrix was developed and is constantly updated by stakeholders.⁶

Project title and ID (ATLAS Award ID): 00050587

| INTENDED OUTPUTS / Responsible agency | OUTPUT TARGETS | INDICATIVE ACTIVITIES | RESPONSIBLE PARTIES | INPUTS |
|--|----------------|-----------------------|------------------------|--------|
|--|----------------|-----------------------|------------------------|--------|

⁶ Available at <http://www.un.md/elections>

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| <p>(UNDP) Output 1 – Establishment of Electronic Information Management System including electronic register and electronic voting (IT & VR) Baseline: Only results tabulation is done electronically Indicators: Establishment of an electronic voter register, electronic voter lists, Internet voting and IT systems for remaining aspects of electoral administration</p> | <p>Targets (year 1)</p> <ul style="list-style-type: none"> - Establishment of an electronic voter register - Decrease of number of people on supplemental voter lists - Results tabulation perceived by all stakeholders as transparent and legitimate <p>Targets (year 2)</p> <ul style="list-style-type: none"> - Evaluation of experiences - Specifications for Internet voting and pilot - EIMS design <p>Targets (year 3)</p> <ul style="list-style-type: none"> - Internet voting pilot project <p>Targets (year 4 and 5)</p> <ul style="list-style-type: none"> - To be determined according to experiences obtained | <p>1 Electronic Voter Register</p> <ul style="list-style-type: none"> § Procurement of development services § Procurement of IT equipment § Recruitment of Election IT/VR Advisor § Field Survey of population register § Contingency: support for population registration § Contingency: provision of computers for polling stations <p>2 EIMS</p> <ul style="list-style-type: none"> § Specification of EIMS § Pilot project for Internet voting § Option: electronic signatures § Option: procurement of hardware for electronic voting <p>3 Results tabulation</p> <ul style="list-style-type: none"> § Technical assistance to implement electronic tabulation | <p>UNDP, Central Electoral Commission, Chief Technical Advisor, IT/VR Advisor, IT Security Consultant</p> | <p>USD 1,500,000 (not including optional electronic signatures and voting for year 2-5) in form of: Information Technology Equipment, Contractual Services – Companies, International Consultants</p> |
| <p>(IOM) Output 2 – Enhanced participation of citizens abroad Baseline: Negligible out-of-country vote Indicators: Turnout of out-of-country voters</p> | <p>Target (year 1)</p> <ul style="list-style-type: none"> - Increased turnout of out-of-country voters <p>Target (year 5)</p> <ul style="list-style-type: none"> - Turnout of out-of-country voters comparable to other countries in region | <p>1 Improved consular services</p> <ul style="list-style-type: none"> § Training of consular staff focused on decision maker obligations § Enhancement of consular polling stations § Upgrade of consular websites § Register for out-of-country voters § Newsletter § Awareness on rights of citizens § Distribution of information through overseas communities | <p>International Organization for Migration, CEC, UNDP</p> | <p>USD 400,000 (not including optional by-mail program) in form of: Contractual Services – Companies</p> |

| | | | | |
|--|---|--|---|--|
| <p>(UNDP) Output 3 – Increased capacity of CEC Baseline: Local experience in CEC Indicators: Bridge training implemented and professionalism of electoral management staff increased</p> | <p>Targets (year 1) - Training and capacity building needs identified - Target groups identified Target (year 2) - Two CEC staff members certified as BRIDGE facilitators</p> | <p>1 Capacity building inside CEC § Provision of election technical advisors and consultants to the CEC 2 Training Courses § Training of finance officers § Training of judges 3 International certification § CEC staff attending BRIDGE 4 Training of polling officials and police § Development of training plan and materials § Recruitment and training of professional cascade trainers § Production of training materials § Conduct of training</p> | <p>UNDP, CEC, ACEEEO, international election technical advisors</p> | <p>USD 1,400,000 (including all international advisors year 1 and all training of polling staff year 1) in form of: International Consultants, Local Consultants, Travel, Contractual Services – Companies, Equipment & Furniture, Materials & Goods, Supplies, Information Technology Equipment, Rental & Maintenance – Premises, Audio Visual & Print Production Costs</p> |
| <p>(UNDP) Output 4 – Transparency – media, voter education, observation Baseline: Weak capacity of CEC to work with media and the public, resulting in voters insufficiently aware of process Indicators: TBD</p> | <p>Target (year 1, 3 and 5) - Media Centre established - CEC staff trained in communications - Media and CEC collaboration improved - Broad coverage of polling station observation</p> | <p>1 Role of media in elections § Recruitment of PR Advisor § Support in establishing a Media Centre 2 Voter education, in part focused on rights. § Voter education strategy and plan § Procurement of voter education materials and services § Provision of a Graphic Designer 3 Observation coordination § Recruitment of an Observation Coordinator § Coordination of observation</p> | <p>UNDP, CEC, PR Advisor, Observation Coordinator</p> | <p>USD 1,000,000 in form of: International Consultants, Travel, Contractual Services – Companies, Equipment & Furniture, Materials & Goods, Communication & Audio Visual Equipment, Supplies, Information Technology Equipment, Rental & Maintenance – Premises, Audio Visual & Print Production Costs</p> |

| | | | | |
|---|--|--|---------------------------------------|--|
| <p>tbd</p> <p>Output 5 – Support on electoral legislation and judicial issues</p> <p>Baseline: Electoral code not updated in relation to use of electronic register, electoral system not optimal for increased participation, dispute resolution unclear</p> <p>Indicators: Political consensus on electoral code, equitable access to dispute resolution</p> | <p>Targets (year 1)</p> <ul style="list-style-type: none"> - Electoral code and registration conform - Evaluation report on electoral code and system - Dispute resolution perceived as fair and timely <p>Targets (year 2)</p> <ul style="list-style-type: none"> - Broad debate on electoral reform - Draft amendments to code <p>Target (year 3)</p> <ul style="list-style-type: none"> - Reform passed by parliament | <p>1 Review of electoral code in relation to registration</p> <p>§ Recruitment of a Legal Advisor</p> <p>2 Electoral reform</p> <p>§ Evaluation of the electoral code and electoral system</p> <p>§ Facilitation of discussions about electoral reform</p> <p>§ Assistance in drafting of amendments to code</p> <p>3 Dispute resolution</p> <p>§ Engagement of Legal Advisor with judicial system and CEC</p> | <p>UNDP, CEC, Legal Advisor</p> | <p>USD 40,000</p> <p>in form of:</p> <p>International Consultants, Travel, Rental & Maintenance – Premises, Audio Visual & Print Production Costs</p> |
| <p>tbd</p> <p>Output 6 – Material support</p> <p>Baseline: Variety of old ballot boxes, no database servers, no training equipment</p> <p>Indicators: Availability of goods</p> | <p>Targets (year 1)</p> <ul style="list-style-type: none"> - Goods available | <p>1 Procurement</p> <p>§ Recruitment of Procurement Advisor</p> <p>§ Procurement plan</p> <p>§ Tender for ballot boxes, seals and voting screens</p> <p>§ Tender for materials for training centre</p> <p>§ Procurement of training materials</p> <p>§ Procurement of goods and services for voter education</p> <p>§ Tender for voter registration goods and services</p> | <p>UNDP, CEC, Procurement Advisor</p> | <p>USD 80,000</p> <p>in form of:</p> <p>International Consultants, Travel, Contractual Services – Companies, Equipment and Furniture, Materials & Goods, Communication & Audio Visual Equipment, Supplies, Information Technology Equipment, Audio Visual & Print Production Costs</p> |

IV. MANAGEMENT ARRANGEMENTS

The project is set up as a joint intervention co-funded by development partners and UNDP.

A. Management Structure

The Project will be managed as a Joint Project. The funding modality will be determined as soon as the donor for the “Enhanced participation of citizens abroad” component will be identified. It will be nationally executed, with the Central Electoral Commission, as the main implementation partner and beneficiary, with the Ministry of Foreign Affairs and European Integration acting as the main beneficiary for the Out-of-Country Voting Component. Working together and in partnership with national partners is a fundamental starting point for all UN priorities in Moldova, as elaborated in the UNDAF for Moldova.

Project Board: The Board is the overall authority for the Project and is responsible for its initiation, direction, review and eventual closure. Within the confines of the Project, the Board is the highest authority.

The Project Board represents at managerial level the interests of the following roles and the respective organizations:

- **Project Executive** (National Coordinator) and **Senior beneficiary** – Chairperson of the Central Electoral Commission (or delegated representative) is the current project national coordinator and has overall ownership over project results and chairs the project board.
- **Other beneficiaries** – Ministry of Foreign Affairs and European Integration, other public and non-governmental institutions;
- **Senior supplier** – UNDP, IOM, Bilateral and Multilateral Donors.

Board members will comprise a number of senior managers with authority and responsibility for the commitment of resources to the project, such as personnel, cash and equipment. The Project Board will ‘manage by exception’, meaning that the Board members will be regularly informed of Project progress but will only be asked for joint decision-making at key points in Project implementation.

The Project Board is appointed to provide overall direction and management project and is responsible for ensuring that the project remains on course to deliver products of the required quality to meet the expected outcomes defined in the Project Document. Furthermore, the Board is accountable for the success of the Project and has responsibility and authority for the Project within the instructions set by UNDP programme management.

The Project Board approves all major plans and authorizes any major deviation from agreed Project work plans. It ensures that required resources are committed and arbitrates on any conflicts within the project or negotiates a solution to any problems between the project and any parties beyond the scope of the project. In addition, it approves the appointment and responsibilities of the Project Manager.

Chief Technical Advisor (CTA): This position will be the lead international expert, overall responsible for the technical assistance to the Central Election Commission, and the team leader of the election technical advisors and consultants. He/She will have the responsibility to plan, oversee and ensure that the Project is producing the expected outputs at the right time, to the right standards of quality and within the allotted budget.

In managing the project the CTA will be supported by a locally recruited project manager for:

- Overall planning for the whole project
- Supervision of the project activities
- Liaison with UNDP Programme Management
- Fund management, allocation, coordination
- Reporting progress to the Project Board
- Project quality management

The project management will be assisted by support staff (i.e. project assistant, interpreter, driver/clerk etc.)

Project Assurance: Assurance is a key element of the PRINCE2 management method, upon which the Project Management Arrangements are based. ‘Assurance’ is essentially an independent audit function, whereby the Project Board is able to monitor progress against agreed work plans. The Project Assurance role supports the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed. The Project Assurance is the responsibility of each Project Board member. On behalf of UNDP, as senior project supplier, the function is delegated to a UNDP Portfolio Manager. The National Coordinator may appoint a representative (delegated authority) of the implementing partner to carry out the project assurance role on behalf of the project executive.

The project will ensure the tracking of achievements and proper visibility of results, including donors’ contribution – through innovative and traditional communication tools (media, web, printed materials, TV, radio etc.).

B. Budget and Financing Arrangements

The estimated project budget is \$4,500,000 for the first year – the 2009 election cycle – not including the optional out-of-country by-mail operation. Budget for following years and election cycles will need to be addressed based on the experiences from and decisions made after the 2009 elections, most notably how to proceed on internet voting.

A combination of funding modalities will be used under this project of either pass-through or parallel option. Once the funding option is determined for the different project components, separate Memoranda of Understanding will be signed to regulate the mechanisms of coordination, implementation and monitoring.

The funding options are briefly described in the section below and regularly updated on <http://www.undg.org/>.

Parallel funding modality

Under this modality each participating UN agency will manage its own funds in accordance with its assigned responsibilities under this project, and as set forth in more detail in individual implementing contracts or memoranda of understanding. They shall also manage the funds in accordance with their individual organizational internal rules and regulations.

Pass-through funding modality

Under this option, the Donor would transfer the funds to UNDP (pursuant to a letter agreement or memorandum of understanding). The implementing partners agree that UNDP will serve as both an implementing partner and the administrative agent of this Project to pass resources through to

the other executing partners. Each implementing partner, including UNDP, will manage its own funds in accordance with its assigned responsibilities under the joint Project Proposal and Budget, and as set forth in more detail in individual implementing contracts or memoranda of understanding. They shall also manage the funds in accordance with their individual organizational internal rules and regulations.

Any funds remaining at the disposal of the implementing partners after the financial closure of the Project will be returned to UNDP, acting as the administrative agent. The administrative agent, in turn, will return to the donor any programmatic funds remaining in the joint Project account after its financial closure or will utilise such funds in a manner agreed upon between the administrative agent and the donor, with the approval of the Project Board.

C. Financial Reporting

To ensure proper and timely financial reporting to the Project Board, and, thereafter, to the donor(s), each implementing partner shall prepare financial reports in accordance with its internal financial rules and regulations and operational policy guidance. To the extent possible, reporting formats will be harmonized. Once approved by the Project Board, UNDP will prepare consolidated financial reports consisting of the reports submitted by each implementing partner and will provide these to the donor(s) in accordance with the provisions established in the letter agreement or memoranda of understanding between UNDP and the donor(s). For UNDP managed components UNDP will provide narrative and financial reporting to the project donors on a regular basis as determined by specific cost-sharing agreements. UNDP follows in the implementation of project and programmes internationally recognized standards (<http://content.undp.org/go/userguide/results>).

D. Narrative Reporting

Quarterly progress reports will be prepared by the project and presented at every project board meeting (that meets 4 times a year), if not otherwise provided by special cost-sharing agreements with the project donors. The quarterly progress reports will be followed by an annual progress report for each year of implementation of the Project, and a final report after the conclusion of the Project. These substantive reports will detail the activities, achievements, and results of the Project to date, as well as highlight major activities planned in the coming year. Each partner shall contribute substantive material for the progress reports and shall participate in joint consultations to agree upon the final content of the reports. Accordingly, each partner shall apply a common reporting format for their submissions based on key principles such as results-based annual reporting. Prior to submission to the donor(s), the Project Board shall review and approve the draft progress reports.

With the main project implementing agency being the Central Elections Commission, UNDP Moldova will support the implementation of the project through services according to the Agreement between the Government of Moldova and UNDP for provision of support services for national Execution Modality from May 27, 2003. UNDP will provide narrative and financial reporting to the project donors on a regular basis as determined by specific cost-sharing agreements. UNDP follows in the implementation of project and programmes internationally recognized standards (<http://content.undp.org/go/userguide/results>)

Duration

The project duration is estimated to be 5 years covering a 2008-2013 time span and its respective electoral events.

Government commitment:

The Government will allocate funds from the state budget to co-finance the implementation of the project. The Ministry of Finance will sign the cost-sharing agreements on behalf of the Government. The Central Elections Commission (CEC) will act as the main beneficiary and implementing partner with UNDP implementation support.

CEC will provide office space for the project team for the period of project implementation.

V. MONITORING FRAMEWORK AND EVALUATION

In accordance with the programming policies and procedures outlined in the UNDP User Guide, the project will be monitored through the following:

Within the annual cycle

- Ø On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below.
- Ø An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- Ø Based on the initial risk analysis submitted (see annex 1), a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Ø Based on the above information recorded in Atlas, a Quarterly Progress Reports (QPR) shall be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available in the Executive Snapshot.
- Ø a project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project
- Ø a Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events

Annually

- Ø **Annual Review Report.** An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board and the Outcome Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- Ø **Annual Project Review.** Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.
- Ø **UN Joint Annual Review.** The project will reviewed at the Joint Annual Review of the UN for its contribution towards United Nations Development Assistance Framework outcomes and goals. The review is conducted together with UN Agencies and partners annually. Results from the UN Joint Annual Review serve as inputs into future planning and changes that may occur in the entire framework of the UN assistance as well as into the project Annual Work Plan.

VI. LEGAL CONTEXT

This section specifies what cooperation or assistance agreements form the legal basis for the relationships between the Government and each of the UN organizations participating in this joint project.

UNDP:

“This document together with the CPAP signed by the Government and UNDP which is incorporated by reference constitute together a Project Document as referred to in the Standard Basic Assistance Agreement between the Government of the Republic of Moldova and the United Nations Development Programme, signed by the parties on October 2, 1992 and the amendment of the same of July 5, 1997. The host country implementing agency shall, for the purpose of the Standard Basic Assistance Agreement, refer to the government co-operating agency described in that Agreement and all CPAP provisions apply to this document.”

Consistent with the Article III of the Standard Basic Assistance Agreement, the responsibility for the safety and security of the implementing partner and its personnel and property, and of UNDP’s property in the implementing partner’s custody, rests with the implementing partner.

The implementing partner shall:

put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;

assume all risks and liabilities related to the implementing partner’s security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement.

The implementing partner agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document”.

IOM will develop project implementation agreements with the beneficiary agencies in which reference will be made to the Cooperation Agreement as of 21 March 2002 between IOM and the Government of the Republic of Moldova

VII. ANNEXES

A. Risk Analysis

B. Terms of Reference: TOR for key project personnel

C. Operational Plan for Component 2: Enhanced participation in voting of the citizens abroad

ANNEX A. RISK LOG

| # | Description of risk | Category | Impact & Probability (1-5) | Countermeasures / Management response | Owner | Author | Date identified | Last update | Status |
|----|---|----------------|--|--|-------------------|--------|-----------------|-------------|--------|
| 1. | Delayed election day | political | I: increased cost of project for extension of consultants. P: 1 | Maintain political pressure for elections on time, ensure no technical delays, consider leave of absence for staff if delay does happen. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |
| 2. | Early election day | political | I: can jeopardize quality of services if not properly planned. P: 1 | Start planning early, maintain buffer of time. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |
| 3. | Legal changes not forthcoming | political | I: can cause dispute of the legitimacy of elections. P: 4 | Prepare changes early, ensure political parties understand their responsibility and risk in not passing changes swiftly. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |
| 4. | Delay in establishing of MoUs with various stakeholders, including CEC, MID (pop reg), MLPA, IOM, Moltelecom, CST | organizational | I: can cause delay in elections. P: 5 | Negotiate and finalize MoUs early. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |

| # | Description of risk | Category | Impact & Probability (1-5) | Countermeasures / Management response | Owner | Author | Date identified | Last update | Status |
|----|--|----------------|--|--|-------------------|--------|-----------------|-------------|--------|
| 5. | Import delays | organizational | I: can cause materials not to be available on time and ultimately jeopardize the timeliness or quality of activities. P: 3 | Contact customs department early to prepare for import, allow substantial time for import. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |
| 6. | Low quality population register | organizational | I: can cause voters to be assigned to wrong polling station and end up on supplemental lists or worst case be disenfranchised. P: 2 | Early assessment of population register through professional survey. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |
| 7. | Problems assigning voters to polling stations | organizational | I: can cause voters to be assigned to wrong polling station and end up on supplemental lists or worst case be disenfranchised. P: 4 | Work in parallel on automatic assignment based on address and contingency for full manual assignment by local authorities. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |
| 8. | Lack of infrastructure on field level (computers, electricity, Internet) | organizational | I: can cause online voter register to fail on election day. P: 5 | Early survey of infrastructure, full scale testing before election day, contingency for using paper voter lists only including measures against double voting. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |

| # | Description of risk | Category | Impact & Probability (1-5) | Countermeasures / Management response | Owner | Author | Date identified | Last update | Status |
|-----|---------------------------------------|----------------|--|---|-------------------|--------|-----------------|-------------|--------|
| 9. | Late appointment of polling staff | organizational | I: can jeopardize the uniformity of implementation of election procedures. P: 1 | Plan for training close to election day, create user friendly polling manual. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |
| 10. | CEC staff turnover | organizational | I: can diminish the effect of capacity building and jeopardize the institutional memory. P: 2 | Encourage staff to stay by providing an interesting environment with long term individual development plans, encourage government to budget for retention of core staff through non-election years, ensure more than one person knows each task and functional area, create good archive. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |
| 11. | Lack of funds / delayed disbursement. | organizational | I: can cause delays in delivery of goods and services. P: 1 | Cash flow planning. | Project Executive | UNDP | 2008-07-22 | 2008-07-22 | |

Annex B

Terms of References for international positions (indicative – subject to changes)

Annex to project document – Moldova Electoral Support

General for all positions

Joint qualifications for international positions

Duties and responsibilities for international positions

Chief Technical Advisor

PR Advisor – Media and Voter Education

IT/VR Advisor

Legal Advisor

Training Advisor

Procurement Advisor

Graphic Designer

IT Security Consultant

General for all positions

A team of international election experts will support the Central Election Commission of Moldova (CEC) in preparing for and conducting the parliamentary elections expected to be in March/April 2009.

The experts will primarily act as advisors to the CEC, working closely and on a daily basis with the staff of the CEC administration. An integral element of the assignment is capacity building of the CEC staff for the purpose of building a strong and independent institution.

The international advisors will be supported by a project office, including translation and financial services.

Duty station is Chisinau, Moldova. Place of work will be the CEC, UNDP and project office.

The Chief Technical Advisor (CTA) reports to the Project Board and the UNDP Portfolio Manager. All other positions report to the CTA.

Joint qualifications for international positions

Relevant university degree.

Minimum five years of international experience in the field of technical expertise.

Previous experience working in an advisory capacity in foreign language.

Fluent English orally and in writing; Romanian an asset.

Duties and responsibilities for international positions

CHIEF TECHNICAL ADVISOR

The Chief Technical Advisor (CTA) is the lead international expert, overall responsible for the technical assistance to the Central Election Commission, and the team leader of the election technical advisors and consultants.

The CTA will also cover the portfolio of the position of either PR Advisor, IT/VR Advisor or Legal Advisor.

The duties of the CTA include advice and capacity building to the Commissioners, the CEC management and staff of the CEC on:

- Long term strategic planning.
- Organizational development.
- Operational planning.
- Procedural development.
- Cooperation and interfacing with other national and international stakeholders.
- All election technical issues not covered by other experts.

Other duties:

- Advisor to the UN Resident Representative on electoral matters.
- Coordination with other organizations providing support to the CEC.
- Compilation of project reports to the UNDP and donor community based on input from the project team.

PR ADVISOR – MEDIA AND VOTER EDUCATION

The Public Relations (PR) Advisor is the international expert responsible for advising, assisting and building the capacity of the Central Election Commission on all issues related to public relations, media and voter education.

The duties of the PR Advisor include advice and capacity building to the CEC on:

- Development of voter education strategy, campaigns and materials for registration and elections, including mix of approaches, using newspapers, posters, fliers, radio, TV, theatre etc.
- Use and coordination of civic society initiatives / NGOs in voter education.
- Relations to the mass media for media awareness about their role and responsibilities, overall understanding of the electoral process and fair access to media for all political entities in accordance with the legislation.
- Development of a media code of conduct for elections in close cooperation with the media to ensure commitment and adherence to the code.
- Accreditation procedures for media, observers and political party agents.
- Setup and running of a Media Centre.
- Oversight over quality assurance of dissemination, including procurement and specification of independent survey.
- Establishing media monitoring, including daily news clipping service.

Other duties:

- Takes part in procurement process for goods and services, including printed materials, production of public service announcements, airtime, dissemination services for materials, and Media Centre.
- Acts as resource person for NGOs planning media monitoring.
- Functional oversight over the Graphic Design consultant provided as part of the electoral assistance program.
- Periodic written status reports, including weekly, quarterly and end of mission reports.
- Any other duties as assigned by the Chief Technical Advisor.

IT/VR ADVISOR

The Information Technology and Voter Registration (IT/VR) Advisor is the lead international expert advising the Central Election Commission on all issues related to information technology and voter registration.

The duties of the IT/VR Advisor include advice and capacity building to the CEC on:

- Development of specifications for an electronic voter registration system.
- Procurement of hardware and services for voter registration.
- Procedural development and operational planning for implementation of the voter register, including registration update, absentee registration and assignment of voters to polling stations.
- Activities aimed at supporting participation of out-of-country voters.
- Cooperation and interfaces with third party entities such as Population Register.
- Tabulation of results.
- General quality assurance and security of systems.
- Development of specifications for an overall electoral information management system.

Other duties:

- Takes part in procurement process for goods and services in relation to voter registration and electoral information management system.
- Coordinates effort in relation to the short term technical consultant on IT Security.
- Periodic written status reports, including weekly, quarterly and end of mission reports.
- Any other duties as assigned by the Chief Technical Advisor.

LEGAL ADVISOR

The Legal Advisor is the lead international expert advising the Central Election Commission on all legislative issues in relation to elections, registration and dispute resolution.

The duties of the Legal Advisor include advice and capacity building to the CEC on:

- Compliance of the current electoral code with the new initiatives on voter registration specifically and use of information technology in the electoral process in general.
- Training of local judiciaries on dealing with electoral complaints, including development of training materials.
- Internal dealing with and processing of informal complaints to the CEC about the electoral process.
- Drafting of legislative amendments if required.

Other duties:

- Review of the electoral code and electoral system with view to identify areas for potential electoral reform post the 2009 elections.
- Preparation of format for development and discussion of electoral reform.
- Periodic written status reports, including weekly, quarterly and end of mission reports.
- Any other duties as assigned by the Chief Technical Advisor.

TRAINING ADVISOR

The Training Advisor is the international expert advising the Central Election Commission on all issues related to training and capacity building.

The duties of the Training Advisor include advice, assistance and capacity building to the CEC on:

- Development of a cascade training plan for training of polling staff.
- Optimization of procedures for polling and counting.
- List of materials required for polling and counting.
- Development of training materials for polling and counting, including a training manual and any other training aids deemed appropriate (e.g. flip charts or PowerPoint presentations).

- Recruitment of trainers.
- Training of trainers.
- Development of a training plan and training materials for police.
- Development of plans and materials for training related to other electoral activities such as registration update, voter list display period, complaints, appeals, absentee registration and voting, and out-of-country voting as required.

Other duties:

- Long term capacity building plan, including plan for CEC staff attending BRIDGE.
- Periodic written status reports, including weekly, quarterly and end of mission reports.
- Any other duties as assigned by the Chief Technical Advisor.

PROCUREMENT ADVISOR

The Procurement Advisor is responsible for all procurement of electoral materials and services procured using donor funding in part or whole, and is the lead advisor to the CEC on best practices in procurement.

The duties of the Procurement Advisor include:

- Complete management of procurement processes for materials and services under the project, including preparation of tender dossiers, support in preparation of specifications, facilitation of tendering process, evaluation and contracting.
- Ensuring and documenting that all procurement made under the project is done in accordance with UNDP procurement rules and regulations.
- Advice and assistance to the CEC in logistical planning for receiving materials, acceptance testing, and creation and maintenance of inventories.
- Periodic written status reports, including weekly, quarterly and end of mission reports.
- Any other duties as assigned by the Chief Technical Advisor.

GRAPHIC DESIGNER

The Graphic Designer is a short term consultant responsible for assisting the CEC in developing good visual products for various purposes.

The Graphic Designer is expected to take part in producing concrete materials.

The duties of the Graphic Designer include advice, assistance and capacity building to the CEC on:

- Developing schematics and illustrations for training manuals.
- Developing public awareness and voter education materials in various formats such as posters, fliers, pamphlets and TV spots.
- Developing the CEC website.
- Design of various paper forms, such as forms for material tracking, absentee registration, count and results tabulation.
- Design of various election related materials such as staff and observer badges, labels for marking materials, etc.
- Design of ballot papers.
- Use of colour schemes, design of logos and icons for branding and recognition of the CEC and the elections process.

Other duties:

- Periodic written status reports, including weekly and end of mission reports.
- Any other duties as assigned by the Chief Technical Advisor.

IT SECURITY CONSULTANT

The IT Security Consultant is a short term consultant responsible for assisting the CEC in ensuring that the CEC databases and servers – voter register in particular – is secure. The consultant will work with the IT/VR Advisor, the CEC Head of IT Department and the company hosting the CEC servers.

The duties of the IT Security Consultant include:

- Assessment of the security arrangements for CEC servers and databases.
- A written report on recommendations for security arrangements.
- Participation in implementation of security arrangements.
- Written end of mission report.

ANNEX C

MOLDOVA ELECTORAL SUPPORT PROJECT
Output No. 2 “Enhanced participation in voting of the citizens abroad”

DRAFT OPERATIONAL PLAN

| No. | Activity | No. | Action | Responsible agencies. Remarks | Implementation aspects | Tentative timing |
|------------|--|-------|--|----------------------------------|---|------------------|
| 1. | Improved consular services | | | IOM, MFAEI, CEC | | |
| 1.1 | Development of the training system for consular staff | | | IOM, MFAEI, CEC | | |
| | | 1.1.1 | <i>Commissioning of the international expert(s)</i> | | <p>1) IOM, in collaboration with MFAEI, will develop the ToR for an international expert whose task would be developing of training curricula for consular officers on ToT and creation of a sustainable training system within the Consular Department on how to further improve provision of consular services to country nationals, including OCV.</p> <p>2) Based on the developed ToR, IOM and MFAEI will identify an expert with relevant experience and IOM will conclude a service contract with the selected expert.</p> | 30.10.08 |
| | | 1.1.2 | <i>Expert’s 1st (assessment) visit to Moldova</i> | | The expert will conduct a 4 days visit to Moldova aiming to assess the current state of affairs regarding training of consular staff and the needs for its further improvement in accordance with the ToR. | 20.11.08 |
| | | 1.1.3 | <i>Development of the curricula for ToT</i> | | Based on the assessment made, the expert will develop in collaboration with IOM and MFAEI a detailed curriculum for training of selected staff (up to 15 persons) from the Consular Department and other MFAEI structures on how to organize a permanent in-house training system for | 30.12.08 |

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| | | | | | relevant staff, using traditional and electronic / Intranet facilities. | |
| | | 1.1.4 | <i>Development of the curricula for Training of staff</i> | | The expert will also develop on the same ground a detailed curriculum for continuous training of relevant consular officers by selected trainers through traditional and electronic / Intranet facilities. | 15.01.09 |
| | | 1.1.5 | <i>Expert's 2nd visit and Training of Trainers</i> | | The expert will make a 4 days visit to Moldova for conducting the Training of Trainers on how to organize a permanent in-house training system for relevant staff, using traditional and electronic / Intranet facilities. | 15.02.09 |
| | | 1.1.6 | <i>Implementing the training system for consulate offices abroad</i> | | Based on the curricula for Training of staff developed by the international expert and in conjunction with the developments of the activity No. 1.3 "Upgrading of the consular websites regarding consular communication system and relevant database(s)", the participants to ToT will conduct trainings with the consular staff through electronic / Intranet facilities in order to cover the respective capacity development needs of all consulates abroad. | 25.02.09 |
| | | | | | <i>The activity 1.1 will be developed in conjunction with the activity 1.3 "Upgrading of the consular websites regarding consular communication system and relevant database(s)"</i> | |
| 1.2 | Enhancement of consulates' capacity in organizing voting abroad | | | IOM, MFAEI, CEC | | |
| | | 1.2.1 | <i>Expert's visit to Italy</i> | | The expert (see activity No. 1.1) will pay a visit to Moldovan consulates in Rome and Bologna for assessing the current capacity and needs of the Moldovan missions to Italy in terms of ensuring a reliable system of providing services to migrants and ensuring the protection of their human rights, including their due participation and voting in Parliamentary elections. The expert's assessment will serve as a background for developing the curricula for setting up of a permanent in-house training system for relevant staff, using traditional and electronic / Intranet facilities (see p. 1.1.4). | 05.12.08 |

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| | | 1.2.2 | <i>Expert's visit to Russia</i> | | The expert will pay a visit to Moldovan consulate in Moscow for assessing the current capacity and needs of the Moldovan missions to Russia in terms of ensuring a reliable system of providing services to migrants and ensuring the protection of their human rights, including their due participation and voting in Parliamentary elections. The expert's assessment will serve as a background for developing the curricula for setting up of a permanent in-house training system for relevant staff, using traditional and electronic / Intranet facilities (see p. 1.1.4). | 20.12.08 |
| | | 1.2.3 | <i>Study visit of selected consular staff to Poland</i> | | <p>After the completion of Training of Trainers, as part of the practical training and logical continuation of capacity building process, IOM will organize a study tours for training participants to Poland.</p> <p>The main objectives of the study tour will be:</p> <ul style="list-style-type: none"> • exposure of the training participants to the relevant international experience. and best practice examples in the area of consular activity; • familiarizing of the training participants with best practices in the area of consular services for migrants; • spurring of discussion between Moldovan officials and their counterparts in Poland on ways of improving consular services and future cooperation in different areas of consular activity. | 19.01.09 |
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| 1.3 | Upgrading of the consular websites regarding consular communication system and relevant database(s) | | | IOM, MFAEI | | |

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| | | 1.3.1 | <i>Commissioning of the local expert (company)</i> | <p>IOM, in collaboration with MFAEI, will develop the ToR for a local expert (IT development company) whose task would be upgrading of the consular websites and establishing a reliable communication system between the Consular Department and its consulate offices abroad as well as between consulates and Moldovan nationals in the respective countries. An important component of the activity will be creation of relevant databases for consular evidence and voting registering.</p> <p>The upgrades will implicitly contribute to developing of the sustainable training system within the Consular Department through Intranet facilities. (See activity No. 1.1)</p> <p>Based on the developed ToR, IOM and MFAEI will identify a local expert (IT development company) with relevant experience and IOM will conclude a service contract with the selected expert.</p> | 20.10.08 |
| | | 1.3.2 | <i>Developing the necessary software for website upgrading</i> | <p>Based on the developed ToR and in close cooperation with the Consular Department and IOM IT personnel, the expert will develop the software for comprehensive upgrades to the consular websites regarding consular communication system and relevant database(s). The upgrades should implicitly contribute to keeping contacts with the Moldovan nationals residing in the respective countries and to organizing a permanent in-house training system for relevant staff through electronic / Intranet facilities. (See activity No. 1.1)</p> | 15.12.08 |
| | | 1.3.3 | <i>Implementing the upgrades</i> | <p>The developed upgrades to the consular websites regarding consular communication system and relevant database(s) will be put in place and duly tested by the developers and Consular Department in order to become operational in a short period of time and to serve as a tool for enhancing the communication and training capacity of the Consular Department and its offices abroad and to be practically used during the 2009 elections.</p> | 15.01.09 |

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| 1.4 | Development of registration system for out of country voters | | | IOM, MFAEI, CEC | | |
| | | 1.4.1 | <i>Commissioning of the international expert(s)</i> | | <p>1) IOM, in collaboration with MFAEI and CEC, will develop the ToR for an international expert whose task would be developing of a registration system for out of country voters to be integrated into the existing and upgraded electronic communication system of the Consular Department and CEC and thus establishing a necessary prerequisite for ensuring a larger turnout of absentee and out-of-country voters during the 2009 elections.</p> <p>2) Based on the developed ToR, IOM and MFAEI will identify an expert with relevant experience and IOM will conclude a service contract with the selected expert.</p> | 30.10.08 |
| | | 1.4.2 | <i>Expert's assessment visit to Moldova</i> | | The expert will pay an up to 5 days visit to Moldova aiming to assess the current state of affairs with the voters registration in the country and the needs for its further improvement as regarding absentee and out-of-country voters in accordance with the ToR and best international practice as well as in full compliance with the Moldovan legislation and CEC relevant instructions. | 27.11.08 |
| | | 1.4.3 | <i>Developing the out of country voters registration system</i> | | Based on the assessment made, the expert will develop in collaboration with IOM, MFAEI and CEC a system for absentee and out of country voters registration updated to the needs of the CEC and Consular Department, which will be further integrated into the existing electronic information and communication systems of these two institutions to be used for the next 2009 elections. | 15.12.08 |
| | | 1.4.4 | <i>Expert's visit for Implementation of the new registration system</i> | | The expert will pay a 4 days visit to Moldova for organizing the implementation of the developed system for absentee and out of country voters registration and testing of the system with the CEC and Consular Department through the existing communication system in order to become operational in a | 12.01.09 |

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| | | | | | short period of time and to serve as a tool for enhancing the voters turnout during the 2009 elections. | |
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| 1.5 | Development of the networking communication system for consular offices | | | IOM, MFAEI | | |
| | | 1.5.1 | <i>Commissioning of the international expert(s)</i> | | <p>1) IOM, in collaboration with MFAEI, will develop the ToR for an international expert whose task would be developing of the networking communication system for consular offices to be integrated into the existing and upgraded electronic communication system of the Consular Department and thus establishing, along with other relevant activities of the project, better links of the consulates with the Moldovans in the respective countries for further improvement of consular services as well as a necessary prerequisite for ensuring a larger turnout of absentee and out-of-country voters during the 2009 elections.</p> <p>2) Based on the developed ToR, IOM and MFAEI will identify an expert with relevant experience and IOM will conclude a service contract with the selected expert.</p> | 30.10.08 |
| | | 1.5.2 | <i>Expert's 1st (assessment) visit to Moldova</i> | | The expert will pay an up to 5 days visit to Moldova aiming to assess the current state of affairs with the networking communication system for consular offices and the needs for its further improvement as regarding ensuring of better links of the consulates with the Moldovans in the respective countries for further enhancement of consular services, which implicitly should serve as a necessary prerequisite for ensuring a larger turnout of absentee and out-of-country voters during the 2009 elections. | 27.11.08 |
| | | 1.5.3 | <i>Developing the networking communication</i> | | Based on the assessment made, the expert will develop in collaboration with IOM, MFAEI a new networking communication system for consular offices, through different communication means as e-mails, Internet forums, telephone | 30.12.08 |

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| | | | <i>system</i> | | hot-lines (call centres) etc. which will be further integrated into the existing electronic information and communication systems of these two institutions. | |
| | | 1.5.4 | <i>Expert's 2nd visit to Moldova and Establishing of the networking communication system</i> | | The expert will pay a 4 days visit to Moldova for organizing the implementation of the new networking communication system for consular offices with the Consular Department through the existing communication system in order to become operational in a short period of time and to serve as a tool for countries for further enhancement of consular services and voters turnout during the 2009 elections. | 15.01.09 |
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| 1.6 | Development of the periodical consular newsletters and Public Service Announcements | | | IOM, MFAEI, CEC | | |
| | | 1.6.1 | <i>Commissioning of the local expert (company)</i> | | IOM, in collaboration with MFAEI and CEC, will develop the ToR for a local expert (media design company) whose task would be to develop the periodical Consular Newsletters and Public Service Announcements for out-of-country voting to be published on the consular websites and in mass media for ensuring the visibility of the consular activity, improvement of the consular services and enhancing the participation of the Moldovans abroad in elections organized in the country. Based on the developed ToR, IOM and MFAEI will identify a local expert (company) with relevant experience and IOM will conclude a service contract with the selected expert. | 30.10.08 |
| | | 1.6.2 | <i>Developing the design of periodical consular newsletters and public announcements</i> | | Based on the developed ToR and in close cooperation with the Consular Department and IOM the expert will develop the design of the periodical consular newsletters and Public Service Announcements, which should be published further on by the Consular Department on the consular websites and in mass media. | 15.11.08 |

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| | | | <i>(PSA) for voting abroad</i> | | | |
| | | 1.6.3 | <i>Broadcasting the PSA for voting abroad</i> | | IOM in collaboration with the MFAEI will conclude contracts with local media with international covering for broadcasting the PSA for voting abroad during the election campaign for 2009 election. The options of broadcasting the PSA through the websites of the Moldovan communities abroad and media of the main destination countries for Moldovan migrants (Russia, Italy, Spain) will also be explored. | 15.12.08 |
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