

UNITED NATIONS DEVELOPMENT PROGRAMME

**COUNTRY: MALAYSIA**

**PROJECT DOCUMENT**

**MALAYSIA ELECTORAL REFORM SUPPORT (MERS)**

**April 2019- December 2020**

**Project Title**: **Malaysia Electoral Reform Support (MERS)**

**Project Number: 00117414**

**Implementing Partner: UNDP**

**Start Date:** **April 2019** **End Date:** **December 2020**

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| **Brief Description** |
| The overall results of the project will be strengthened electoral reform institutions that are able to successfully deliver the electoral reforms for Malaysia. This will be achieved through the following four substantive outputs:  Output 1: Strategic support to the ERC provided on the overall reform management process as well as technical advice to develop reform recommendations in the clusters of voter registration, transitional provisions and other legal aspects.  Output 2: Technical advice provided to the ERC to develop reform recommendations on boundary delimitation, the conduct of elections and voter education (to be implemented by IFES).  Output 3: Technical advice to the ERC provided to develop reform recommendations in the clusters of electoral systems, political parties and electoral management design (to be implemented by International IDEA).  Output 4: Technical advice to SPR provided, capacity strengthened and a sustainable approach to accurate voter registration developed and implemented.  Output 5: Project management and integration of international assistance.  The project will be implemented through the Direct Implementation Modality under the guidance of the Project Board. |

Contributing Outcome (UNDAF/CPD, RPD or GPD):

11th Malaysia Plan Pillar 1: Reforming governance towards greater transparency and enhancing efficiency of public service

CPD Pillar 1: Inclusive Development and Growth

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| **Total resources required:** | USD1,614,104 | |
| **Total resources allocated:** |  | |
| **UNDP:** | 50,000 |
| **Australia (DFAT)[[1]](#footnote-2):** | 432,344 |
| **UN-DPPA:** | 105,000 |
| **Government Cost Sharing:** | 350,000 |
| **Unfunded:** | 676,760 | |

Agreed by:

Ministry of Economic Affairs

Agreed by:

Election Commission of Malaysia (SPR)

Agreed by:

Prime Minister’s Department

Agreed by:

United Nations Development Programme (UNDP)

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# DEVELOPMENT CHALLENGE

Malaysia is a federal constitutional monarchy. The federal lower house of Parliament and State Legislative Assemblies are elected directly through single member constituencies using the first-past-the-post electoral system. The Government is headed by the Prime Minister, who must be a member of the House of Representatives and who, in the opinion of the King, commands the support of a majority of members. The *Barisan Nasional* (National Front) and its predecessor *Parti Perikatan* (Alliance Party) formed the ruling coalition from 1957 to 2018.

The General Election on 9 May 2018 resulted in a new ruling coalition *Pakatan Harapan* (Alliance of Hope, PH) in government. PH ran on a platform of comprehensive governance reform. In their manifesto, 21 of 60 commitments are related to good governance. One key aspect of this reform agenda is comprehensive electoral reform that the government wants to undertake within the next few years. The reforms aim to address the core development challenge, which is the need to enhance electoral integrity and foster more inclusive political processes.

Two institutions have been designated to lead this electoral reform agenda. Both have discrete yet very much interlinked roles. The Electoral Reform Committee (ERC) was established by the Prime Minister in August 2018 with a broad mandate to review Malaysia’s electoral laws and processes. It is tasked with presenting, within two years (i.e. by August 2020), recommendations to the Government on a full range of electoral issues. The issues have been grouped into nine clusters.

The Election Commission or the SPR (as the Election Commission is known) is also a designated driver of reform with a newly-appointed Chair at its helm. The SPR has taken useful first steps in engaging political actors, including from the opposition, as well as civil society actors and intends to tackle operational issues that do not require legislative amendments. Among these, improving the comprehensiveness and accuracy of the voter roll is a priority.

The Malaysian authorities want to develop a clear roadmap for formulating concrete proposals with broad political and popular support. For this process to be based on international best practices and to benefit from expert high-level advice, the ERC approached the United Nations, as well as International IDEA and IFES for support. The ERC and the SPR also requested the United Nations to provide strategic and technical advice on managing the process of reform, and to coordinate international electoral assistance. Furthermore, SPR requested the United Nations to provide technical assistance for improving the electoral roll and for strengthening operational and legal processes pertaining to elections.

The United Nations received a formal letter from the government requesting a needs assessment mission mid-October 2018 and the UN Electoral Assistance Division (EAD) deployed such an assessment mission in November 2018. The recommendations of the mission, delineating the areas of assistance, were approved on 12 December 2018. Recognising UNDP’s unique capacity of providing wide-ranging electoral assistance, the UN Focal Point for Electoral Assistance recommended that the approved UN assistance for Malaysia be delivered by UNDP. This project document sets out an electoral assistance project in line with the recommendations to address Malaysia’s needs and demands.

# STRATEGY

The overall objective for this project is described in the 11th Malaysia Plan (reviewed and realigned in 2018) within its Pillar 1 titled “Reforming governance towards greater transparency and enhancing efficiency of public service”. In addition, it is also reflected in the UNDP strategic plan 2018-2021 as per Outcome 2 (indicator 2.2.2) and the Malaysia CPAP 2016-2020.

As such, to respond to the contextual and development challenge described above, the project will apply a Theory of Change (ToC) process to define how and why change will take place through the project based on the underlying assumptions. The ToC promotes effectiveness through predicting Change Pathways to inform planning with evidence of what has worked or not, as per available knowledge and helps to think about longer-term changes to embed sustainability of project results.

The overall theory of change can be captured as:

Pathway from the Problem Tree

The right for every citizen to take part in the conduct of public affairs is not guaranteed.

The electoral architecture does not ensure fully genuine and inclusive elections

Past practices and capacity of electoral authorities did not meet international standards

The political context did not allow for the consolidation of Malaysian democracy

Development Challenges

Immediate Causes

Underlying Causes

Structural Root Causes

Malaysia will ensure genuine, periodic and inclusive elections

International partners will provide technical assistance and advice

Malaysian authorities are working on a comprehensive reform of the electoral architecture

Malaysia’s first alternation in power opened up political space

Solution Pathway

The project is expected to have three major pillars:

1. Strategic advisory support to the Electoral Reform Committee (ERC) on managing the electoral reform process and on engaging all relevant stakeholders. In addition, specific, need-based and-short term advisory support to the ERC on substantive areas (clusters) identified by the ERC.
2. Strategic advisory support to the Election Commission (SPR) on managing the electoral reform process and technical advisory support – notably for improving the accuracy of the electoral roll. In addition, institutional strengthening training initiatives and advisory support on key legal and technical areas as identified by the SPR.
3. Coordination of the international assistance provided to the ERC and SPR by all partners. This will include coordinating financial resources and advisory services.

In essence, the above three pillars will directly respond to the following elements:

* Providing high-level technical advice to both the ERC and SPR, adapted to the specific needs of the two institutions but in a manner that strengthens the collaboration between the two;
* Providing technical advice to the ERC and SPR both at the strategic level on managing the reform process and at the technical level for specific technical areas and issues; and
* Mobilizing technical advice and support from three of the world’s leading international electoral assistance providers, IFES, International IDEA and UNDP.
* Providing the advice and support in an integrated manner to ensure coordination, coherence and complementarity between all electoral assistance providers.

Upon request of the Malaysian authorities and after consultations among UNDP, IFES and IDEA, it was agreed to establish an integrated electoral team, in which:

1. a UNDP Chief Technical Adviser (CTA) will be responsible for overall coordination and serve as initial contact point for international support by the three entities. The CTA will be the only continuing presence, supported by short-term advisers as needed;
2. the team will work based on a common strategy and work plan;
3. there will be a division of labour among the three entities (under UN coordination), around the reform clusters identified by the national authorities. The division of labor set out in this document indicates which of the three partners will take the lead in supporting each cluster. It is not intended to be absolute or exclusive: other partners may supplement the lead supporter, in consultation with each other.

A separate bi-lateral agreement, based on the provisions of a model UNDP Letter of Agreement (for International IDEA) and of a model UNDP Responsible Party Agreement (for IFES) will detail the working arrangements with the partners[[2]](#footnote-3).

The implementation is scheduled to end by December 2020, with strategic advisory support to the Electoral Reform Committee expected to be completed by August 2020, in line with the timeline set out by Malaysian authorities. The remaining months will see continued support to the Election Commission as well as the project review and final evaluation.

# RESULTS AND PARTNERSHIPS

***Expected Results***

The overall goal of the project is that for Malaysia to be ready to ensure genuine periodic and inclusive elections through comprehensive electoral reforms that were developed by the ERC based on international best practices and that benefit from a broad consensus in Malaysian society, including through stakeholder consultations. The expected result by December 2020 is strengthened electoral reform institutions that are able to successfully deliver the electoral reforms for Malaysia.

This will be achieved through the following four substantive outputs:

**Output 1: Strategic support to the ERC provided on the overall reform management process as well as technical advice to develop reform recommendations in the clusters of voter registration, transitional provisions and other legal aspects**

Activity 1.1: Reform management action plan developed, adopted and implemented: The ERC is mandated to develop recommendations for reforms across a range of areas, many of which may require constitutional amendment. Ongoing advisory support will be provided to the leadership of the ERC on the process management, which will include advice on inclusive stakeholder engagement, public consultations and strategic communications. To streamline this process, a reform management action plan will be developed, detailing steps and timelines for all the necessary consultations, engagements and communications.

Activity 1.2: Working groups on voter registration, transitional provisions and legal aspects supported: Specific expert advice will be provided to the ERC working groups in the three clusters of i) voter registration (ensuring an accurate and inclusive register), ii) transitional provisions (such pre and post-election measures for media access and caretaker governments) and iii) other legal aspects of the reform, including the possibility of introducing special measures for the participation of women.

Expert support will include comparative analyses, case studies, deployment of relevant experts and other advisory assistance as deemed necessary by the ERC in developing recommendations in the specific areas, such as consultations with other stakeholders, including SPR.

**Output 2: Technical advice to the ERC provided to develop reform recommendations in the clusters of boundary delimitation, conduct of elections and voter education (to be implemented by IFES)**

Activity 2.1: Working groups on boundary delimitation, conduct of elections and voter education supported: Specific expert advice will be provided to the ERC working groups in the three clusters of iv) boundary delimitation (including measures to avoid malapportionment), v) conduct of elections (including polling, counting and results management, access, observation and prevention of fraud), and vi) voter education.

Expert support will include comparative analyses, case studies, deployment of relevant experts and other advisory assistance as deemed necessary by the ERC in developing recommendations in the specific areas, such as consultations with other stakeholders, including SPR. Given the link between delimitation issues and electoral systems, this activity will also involve support for extensive consultations, both among internal and external stakeholders.

**Output 3: Technical advice to the ERC provided to develop reform recommendations in the clusters of electoral systems, political parties and electoral management design (to be implemented by International IDEA)**

Activity 3.1: Working groups on electoral systems, political parties and electoral management design supported: Specific expert advice will be provided to the ERC working groups in the three clusters of vii) electoral systems, viii) political parties (including political party engagement, registration, political and campaign finance), and ix) electoral management design, notably strengthening the role and independence of electoral management bodies, including through focusing on commissioner appointment processes and the powers and functions of the EMB during election times.

Expert support will include comparative analyses, case studies, deployment of relevant experts and other advisory assistance as deemed necessary by the ERC in developing recommendations in the specific areas, such as consultations with other stakeholders, including SPR. This activity will also involve support for all necessary outreach and consultations to ensure broad political and popular support for any or all of the proposed alternatives.

**Output 4: Technical advice to SPR provided, capacity strengthened and a sustainable approach to accurate voter registration developed and implemented.**

Activity 4.1: Support SPR in developing a sustainable approach to ensuring the accuracy of the voter roll: This will include advice on analysing the voter register, designing and implementing processes to collect and exchange relevant data and conducting campaigns to ensure the register is comprehensive and inclusive subject to such data being treated by UNDP, IFES and IDEA in absolute confidence pursuant to any Confidentiality Agreement to be executed by all Parties. SPR has identified specific issues that will be addressed as a priority.

Activity 4.2: Strengthening institutional capacity of the SPR through adapted adult learning methodologies: Customized courses will be developed and delivered for SPR staff issues such as polling place accessibility, the use of technology, media management and engaging youth, women, people living with disabilities and other marginalized groups in electoral processes. Some of the training will use existing modules of Building Resources in Democracy, Governance and Elections (BRIDGE), while other training will be developed specifically for the SPR. Customized modules for newly appointed commissioners will also be developed in coordination with IFES and International IDEA.

Activity 4.3: Strategic and technical advice in the area of electoral operations: The Chief Technical Advisor will be available to advise the Chair and the Commissioners of the SPR on other electoral issues that may arise. This will include the involvement of women and youth in all aspects of the electoral process. The CTA may also call on short-term experts working for other outputs of the project, including experts deployed by IFES and International IDEA, to advise SPR on issues related to their field of expertise.

**Output 5: Project management and integration of international assistance**

Activity 5.1: Coordination of international assistance: At the request of the ERC, in order to administer donor funding in the most efficient way and to maximize the impact of their support, IFES, International IDEA and UNDP Malaysia have agreed to provide all their assistance to the Electoral Reform Committee and SPR in an integrated manner. The project will serve to coordinate all technical assistance provided by international partners to the electoral institutions. This will involve developing a common work plan to ensure each responsible organization delivers the assigned outputs and to ensure crosscutting issues, such as gender equality and social inclusion, are taken into account. The Chief Technical Advisor will be responsible for overall identification, supervision and coordination of all expert advisors deployed to the project and all other technical and strategic support to the EMBs. The CTA will be continually present in the country, coordinate the work of the project and address over-arching and strategic aspects of the reform process.

To this end, the CTA will:

1. Provide strategic advice to the ERC on the management and organization of the reform process, including on broad and inclusive consultations;
2. Serve as the primary liaison vis-à-vis the ERC and the SPR for any matter related to current or prospective support by any member of the project, including work delivered by consultants/personnel;
3. Manage the day-to-day work of the project: maintain an overview of activities planned and delivered; track implementation of the common strategy and work plan; identify needs and opportunities for international support; follow work delivered by all consultants/personnel provided to the ERC and the SPR through the project; monitor funding levels; and propose appropriate action, to the other members of the project, on any matter related to support to the ERC;
4. Convene regular coordination discussions with the other members of the project, at least once a month;

Activity 5.2: Management and operational support: The overall project assurance that includes:

1. Providing day to day project assurance and oversight, policy and technical advisory services to successful delivery of project outputs- ensuring these are in line with the agreed deliverables- both financial and substantive;
2. Ensuring human resource, procurement, financial and audit services to the project;
3. Overseeing financial expenditures against approved project budgets;
4. Ensuring that all activities including procurement and financial services are carried out in strict compliance with UNDP procedures by the UNDP Malaysia country office;
5. Raise funding for the project, and to encourage coordination with the project of other bilateral support to the electoral process;
6. Undertake organizational representation of UNDP in all relevant fora; and
7. Appointing independent financial auditors and evaluators.

In addition, this project will be implemented under Direct Implementation Modality (DIM), which means that complete operational support on human resources, procurement and other administrative requirements will be undertaken by the UNDP country office.

***Resources Required to Achieve the Expected Results***

Staff from UNDP Malaysia will be involved in providing supervision on project implementation and financial management. A programme specialist will be assigned to perform project assurance, to keep the project progressing on the right track. UNDP Malaysia will also provide in-house expertise on communication and advocacy, support knowledge management and draw on necessary expertise from UNDP HQ, regional and country office network or other UN entities such as UN Department of Political and Peacebuilding Affairs (UN DPPA) or UN agencies, where applicable.

The Project Management Unit (PMU), supported through the UNDP country office, will be in charge of the day-to-day operational activities of the project. One project finance staff will be recruited to complement the capacity of the existing PMU. In the context of direct implementation, the UNDP enterprise resource planning (ERP) system ATLAS will provide the management information system to ensure accuracy and transparency of financial information. The Country Office will use ATLAS to keep track of the financial status of the project at all times, to control expenses; handle outstanding commitments; make payments; and monitor the performance of contractors. Atlas will be used for both financial management and substantive monitoring. This will enable the production of reports that are part of UNDP Country Office central oversight and monitoring while serving as the building blocks for periodic reviews and communications with stakeholders.

International and national experts will be recruited or deployed and contractual service companies will be retained to provide relevant expertise for delivering on the planned the outputs and activities.

This project is funded through cost sharing contributions from the Australian Government (Department of Foreign Affairs and Trade – DFAT), the Malaysian Government, the UNDP and United Nations Department of Political and Peacebuilding Affairs- Electoral Assistance Division (EAD). In order to address the funding shortfall, UNDP will seek to mobilize additional funds from potential donor(s) during the project duration.

***Partnerships***

As the Implementing Partner, UNDP will be responsible and accountable for managing the project, including the monitoring and evaluation of project interventions, achieving project outputs, and for the effective use of designated resources. Global experience in electoral assistance demonstrates that a single channel of common ‘basket’ fund managed by UNDP provides stronger coordination, reduces transaction costs (increases efficiency) and helps deliver effective results. This has also been highlighted by the government and other development partners. As such, to ensure that UNDP brings together the best possible global expertise on electoral assistance within the aegis of this project, a number of responsible parties will be designated to deliver on certain project outputs. UNDP will enter into responsible party arrangements with these institutions which will, on the basis of written agreements, carry out project activities and produce outputs contributing to the overall successful delivery of results. Hence, for this project, based on the organizations’ comparative advantages, UNDP will designate the International Foundation for Electoral Systems (IFES) to be the responsible party in delivering the output on advisory support to the ERC on boundary delimitation, conduct of elections and voter education; and International Institute for Democracy and Electoral Assistance (IDEA) to be the responsible party for delivering the output on advisory support to the ERC on electoral systems, registration of political parties and EMBs.

Capacity assessment for IFES and IDEA: Since both organizations will be involved as responsible parties, a HACT micro assessment will be required for any funds over USD 250,000. However, in the view of the current resources, each organization will be serving as the responsible party for less than USD 200,000. To ensure that should the scope and need for both organizations to serve as responsible parties expand, a micro assessment will be undertaken within the first four months of implementation of the project.

***Risks and Assumptions***

| **#** | **Description** | **Type** | **Probability & Impact** | **Countermeasures** |
| --- | --- | --- | --- | --- |
| 1 | Political will for the reform agenda is not sustained | Political | Probability = 1 (low)  Impact = 4 (high) | The UN will seek to facilitate continuous consultation with all relevant stakeholders, which may include the Government, the opposition, political parties and broader civil society, in order to contribute to sustaining the political will for the electoral reform agenda. |
| 2 | Resistance to change by key stakeholders result in reducing the pace of the reform initiatives | Political | Probability = 1 (low)  Impact = 4 (high) | The project team will facilitate ERC/SPR engagement in open discussions and consultation with all political parties, and all relevant stakeholders to promote inclusive dialogue on policy issues and counter divisive narratives. |
| 3 | Competing priorities in the reform agenda and lack of resources and capacity within the ERC/SPR may reduce the pace of reform measures | Operational | Probability = 2 (low)  Impact = 3 (medium) | The project team will assist with managing the sequencing and prioritization of items on the reform agenda to enable progress, and provide continuous strategic advice on how to manage the reform process. |
| 4 | Inadequate harmonizing and/or competing donor programmes or agenda | Operational | Probability = 1 (low)  Impact = 3 (medium) | A specific aspect of UN engagement in the project will be its role in the coordination of international support, given its convening power and political neutrality, and this will ensure that a single channel of assistance and consistent key messages are provided. |
| 5 | Risk of inadequate internal control at UNDP Malaysia | Organizational | Probability = 1 (low)  Impact = 3 (medium) | UNDP Malaysia has adequate local and corporate auditing and financial control capacities. |

***Stakeholder Engagement***

One of the key deliverables of this project will be to ensure systematic and timely stakeholder engagement as it pertains to electoral reform and strengthening electoral management. This will contribute to ensuring broad support for the proposed reports and facilitate their implementation. The project aims to support the SPR and the ERC develop a comprehensive communication and engagement plan as part of the electoral reform management process. National and sub national consultations on key issues will be undertaken. The process will also ensure engagement with all underrepresented groups such as women, youth, people living with disabilities, indigenous population and relevant stakeholders from across the socio-political spectrum.

***South-South and Triangular Cooperation (SSC/TrC)***

One of the key aspects of the project will be to draw on global experience and make available to the ERC and SPR expert advisory support, comparative analysis, best practices and lessons learned. South-south cooperation will play a significant role including through the connection of Malaysian institutions to other regional and international EMBs for regional and global knowledge-sharing, expert support and learning.

***Sustainability and Scaling Up***

This project aims to support the Malaysian ERC and SPR, through technical and strategic advice, to respond to and to take forward the electoral reform process. The timeline for this is two years, until the end of 2020. As such, given the requirement and the timeline, a case for further scale-up of the project, if at all, will only be considered closer to the end of the term, provided there will be a continued interest from the national authorities involved.

In terms of the sustainability of the project, national ownership is extremely high and UNDP will work with the EMBs to ensure appropriate measures are taken to safeguard the capacities enhanced and the full ownership of the outputs and outcomes of the project.

# MONITORING AND EVALUATION

In accordance with UNDP’s programming policies and procedures, the project will be monitored through the following monitoring and evaluation plans:

**Monitoring Plan**

|  |  |  |  |
| --- | --- | --- | --- |
| **Monitoring Activity** | **Purpose** | **Frequency** | **Expected Action** |
| **Track results progress** | Progress data against the results indicators in the RRF will be collected and analysed to assess the progress of the project in achieving the agreed outputs. | Every Month | Slower than expected progress will be addressed by project management. |
| **Monitor and Manage Risk** | Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP’s Social and Environmental Standards. Audits will be conducted in accordance with UNDP’s audit policy to manage financial risk. | Quarterly | Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken. |
| **Annual Project Quality Assurance** | The quality of the project will be assessed against UNDP’s quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project. | Bi-annually | Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance. |
| **Project Report** | A progress report will be presented to the Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined targets at the output level, the annual project quality rating summary, an updated risk log with mitigation measures, and any evaluation or review reports prepared over the period. | Bi-Annual | Two project reports will be produced. A mid-year project report and as annual project report. |
| **Project Board** | The project’s governance mechanism (i.e., project board) will hold regular project reviews to assess the performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project’s final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences. | Quarterly | Any quality concerns or slower than expected progress should be discussed by the project board and management actions agreed to address the issues identified. |

**Evaluation Plan**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Evaluation Title** | **Partners (if joint)** | **Planned Completion Date** | **Description** | **Cost and Source of Funding** |
| Mid-term Needs Assessment Mission (NAM) | UN DPPA- Electoral Assistance Division (EAD) | January 2020 | This will be a midterm political assessment carried out in collaboration with EAD to ensure that all the context and scope for electoral assistance by the UN still holds. | Project |
| Final Evaluation |  | January 2021 | This will be the final evaluation of the project after it ends. | UNDP |

# RESULTS AND RESOURCE FRAMEWORK AND MULTI YEAR WORK PLAN

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**\*Unfunded**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Intended Outcome as stated in the 11th Malaysia Plan: **Reforming governance towards greater transparency and enhancing efficiency of public service** | | | | | | | | |
| Outcome indicators as stated in the Country Programme: **Promoting Inclusive development and growth** | | | | | | | | |
| Applicable Output(s) from the UNDP Strategic Plan: **Output 2.2.2** | | | | | | | | |
| Project title: **Malaysia Electoral Reform Support**  Atlas Project Number : **00117414** | | | | | | | | |
| **EXPECTED OUTPUTS**  **Output Indicators, baseline and targets** | **PLANNED ACTIVITIES** | **Planned Budget by Year** | | | | | | **RESPON-SIBLE PARTY** |
| **2019**  **(Funded)** | **2019**  **FUNDING SOURCE**  **for Committed Funds only** | **2019**  **(Unfunded)** | **2020**  **(Funded)** | **2020**  **FUNDING SOURCE**  **for Committed Funds only** | **2020**  **(Unfunded)**  **(Indicative)** |
| **Output 1**  Strategic support to the ERC provided on the overall reform management process as well as technical advice to develop reform recommendations in the clusters of voter registration, transitional provisions and other legal aspects.  *Output indicator 1.1: Status of reform management action plan; Baseline (2019): no plan; Target: 2019:Plan drafted and adopted, 2020: Plan implemented*  *Output indicator 1.2: # of clusters that receive expert inputs; Baseline (2019): 0; Target:*  *2019: 3, 2020: 3*  *Output indicator 1.3: # of stakeholders at the national and subnational levels consulted; Baseline (2019): 0; Target:*  *2019: 10; 2020: 10* | 1.1 Reform management action plan developed, adopted and implemented | 23,000 | DFAT, GCS, UNDP |  | - | - | - | UNDP |
| 1.2 Working groups on voter registration, transitional provisions and legal aspects supported   * international expert advisor deployed * national and sub national consultations held | 60,000 | DFAT, GCS, UNDP |  | 20,000 | GCS | 40,000 | UNDP |
| **Output 2:**  Technical advice provided to the ERC to develop reform recommendations on boundary delimitation, the conduct of elections and voter education  *Output indicator 2.1: # of clusters that receive expert inputs; Baseline (2019): 0; Target: 2019: 3; 2020: 3*  *Output indicator 2.2: # of stakeholders consulted at the national and subnational levels; Baseline (2019): 0; Target:*  *2019: 10, 2020: 10* | 2.1 Working groups on boundary delimitation, conduct of elections and voter education supported .   * international expert advisor deployed * national and sub national consultations held * programme support | 144,000 | DFAT |  |  |  | 150,000 | IFES |
| **Output 3**  Technical advice to the ERC provided to develop reform recommendations in the clusters of electoral systems, political parties and electoral management design  *Output indicator 3.1: # of clusters that receive expert inputs; Baseline (2019): 0; Target: 2019: 3, 2020: 3*  *Output indicator 3.2: # of stakeholders consulted at the national and subnational levels; Baseline (2019): 0; Target:*  *2019: 10, 2020: 10* | 3.1 Working groups on electoral systems, political parties and electoral management design supported   * international expert advisor deployed * national and sub national consultations held * programme support | 144,000 | DFAT |  |  |  | 150,000 | IDEA |
| **Output 4:** Technical advice to SPR provided, capacity strengthened and a sustainable approach to accurate voter registration developed and implemented.  *Output indicator 4.1: Voter roll accuracy and comprehensiveness (%)*  *Baseline (2019): unknown; Target: accuracy tbd, comprehensiveness tbd*  *Output indicator 4.2a: Status of institutional capacity building plan; Baseline: unknown; Target: 2019: plan adopted, 2020: plan reviewed*  *Output indicator 4.2b: % of substantive staff having completed required trainings for position as per institutional capacity building plan. Baseline (2019): unknown; Target: tbd* | 4.1 Support SPR in developing a sustainable approach to ensuring the accuracy of the voter roll | 70,000 | DFAT, GCS,UNDP |  | 60,000 | GCS |  | UNDP |
| 4.2 Strengthening institutional capacity of the SPR through adapted adult learning methodologies | 60,000 | DFAT, GCS, UNDP |  | 5,621 | GCS | 25,000 | UNDP |
| 4.3 Strategic and technical advice in the area of electoral operations | 45,000 | DFAT, GCS, UNDP |  | 15,000 | GCS | 25,000 | UNDP |
| **Output 5** Project management and integration of international assistance.  *Output indicator 5.1: Extent to which the EMBs feel the international support extended is coherent and coordinated; Baseline (2019) None; Target: 2019: Fully; 2020; Fully*  *Output indicator 5.2a: % of financial delivery*  *Target: 2019: 90; 2020: 90*  *Output indicator 5.2b: # of PBs and SWGs held*  *Target: 2019: 3 PBs and 6 SWGs; 2020: 4 PBs and 8 SWGs* | 5.1 Coordination of international assistance   * CTA | 105,000  (May-Oct) | UN DPPA,  UNDP | 34,000 |  |  | 185,000 | UNDP |
| 5.2 Management and operational support   * project support staff * programme management support | 50,000 | GCS |  | 23,000 | GCS | 20,000 | UNDP |
| 42,060 (DPC) | GCS, DFTA, UNDP, UN DPPA | 2,040 | 8,428 | GCS | 43,000 |
| **GMS** | GCS @ 6% | 6819.36 |  |  | 8,428 |  |  |  |
| DFAT,UNDP, UN-DPA @ 8% | 46,987.52 |  | 2,720 |  |  |  |  |
| **Total** |  | **796,866.88** |  | **38,760** | **140,477.12** |  | **638,000** |  |

# GOVERNANCE AND MANAGEMENT ARRANGEMENTS

This project will be implemented by the UNDP through the Direct Implementation Modality (DIM) with maximum national ownership of results. The direct implementation modality insulates the EMBs from dealing with the operational and administrative aspects of managing technical assistance and allows them to focus on substantive results to be achieved through the assistance. It also allows for effectively coordinating and making available to the EMBs the most advantageous combination of technical strengths among different electoral assistance organizations.

In this project, UNDP will undertake the technical and administrative responsibilities for the running of the project while the ERC and the SPR will take leadership in the planning processes and ownership of results and the overall ownership of outcomes. UNDP will also enter into agreement with the International Foundation for Electoral Systems (IFES) and the International Institute for Democracy and Electoral Assistance (IDEA) as responsible parties to deliver certain outputs. This is because both IDEA and IFES bring in global expertise in specific areas of electoral management and UNDP is committed to make possible technical expertise available to the Government of Malaysia within the aegis of the project. A coordinated approach with the best possible skill mix was also indicated as the preferred way forward by the national counterparts and the funding partners

In implementing the project, UNDP will follow all the established organizations policies and procedures (i.e. procurement of goods and services, recruitment of project personnel) in accordance with the UNDP Financial Rules and Regulation (FRR).

The governance arrangement of the project is detailed below:

**Project Board (PB**)

The Project Board (PB) is a highest decision-making body of the project, providing overall strategic leadership and oversight. It comprises UNDP as the implementing partner, the ERC and SPR as the national counterparts and Australia (DFAT), UN DPPA, the UN Resident Coordinator (UN RC) and the Ministry of Economy (MEA) as funding and other partners. MEA is the UNDP overall national country programme counterpart and the government cost sharing partner. In the event of funding from other partners, membership of the Project Board will expand to include said partners. The Project Board will make decisions on the basis of (non-voting) consensus. The PB is co-chaired by the UNDP Resident Representative and the Chairman of the Election Commission or the Chairman of the Electoral Reform Committee (in an alternate fashion). The PB will meet every quarter to discuss and approve implementation of the work plan, project performance and risk mitigation. In case of urgent requirements, the PB may be convened more frequently on an ad hoc basis. The project board will:

* Provide general, high-level, strategic oversight to the project activities including financial oversight;
* Provide high-level quality assurance for project results;
* Approve changes and amendments to the existing project document;
* Approve overall work plans previously reviewed and agreed by the Stakeholder Working Group;
* Reach consensus and take decisions on any change in the project work plan;
* Provide input and advice to ongoing risk analysis;
* Consider funding for emerging issues;
* Receive regular progress reports submitted by the Chief Technical Adviser/ Project Manager;
* Monitor progressive achievement of project objectives and provide guidance on long term

sustainability of the project’s achievements

The board may decide to invite any other (election) stakeholders to participate in the meetings as observers, as it deems fit.

The chief technical adviser in his/her role as also the project manager will report on behalf of the project to the board. The UNDP country office (governance team) will provide secretariat services for the project board by coordinating meetings, producing documentation and meeting minutes, managing correspondence, information management / dissemination and related tasks.

**Project Management Unit (PMU)**

A Chief Technical Adviser (CTA) will be recruited to provide the overall guidance, coordination and ongoing technical advice to the leadership of the two ERC and SPR. The CTA will also serve as the project manager in overseeing the day-to-day implementing of activities by mobilizing goods and services, checking on progress and addressed problems that may arise. In this the CTA/project manager will be supported by the UNDP country office project management support unit and the country office operations team. a) a UNDP CTA will be responsible for overall coordination and serve as initial contact point for international support by the three entities (the only continuing presence would be the CTA, the others would be short-term advisers as needed); b) the team will work based on a common strategy and work plan; c) there will be a division of labour among the three entities (under UN coordination), around the reform topics identified by the national authorities;

**Project Quality Assurance**

As per UNDP rules of programme and project management, 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. This delegated role is undertaken within the UNDP Country Office by a dedicated focal point, often the portfolio manager of the thematic area. In case of UNDP Malaysia, this role will be undertaken by the Governance Specialist. The project assurance role involves oversight over the entire technical and operational processes of the project, budget planning and finance management, stakeholder coordination and donor contribution management; and oversight of the project responsible parties - ensuring the quality, timeliness and adherence to proper policies and procedures of all deliverables. The quality assurance focal point is also responsible for serving as the secretariat to the project board.

**Stakeholder Working Group (SWG)**

The Stakeholder Working Group is the thematic review body for the project and meets at working/technical levels. It will be co-chaired by the Election Commission (SPR) and the Election Reform Committee (ERC). The SWG will discuss and may make recommendations, when necessary, to the Project Board for approval on issues on the basis of (non-voting) consensus. Members include the CTA/PM, UNDP (Governance Specialist), IFES and IDEA. The SWG will serve to enhance coordination and information-sharing amongst key stakeholders and meet at least once every six weeks (or as often as required). The Stakeholder Working Group agenda is established by the SPR and ERC with inputs from the CTA/PM and will generally include an update of the project activities.

The Stakeholder Working Group will

* review progress updates and provide technical feedback.
* review the overall project work plans and give substantive guidance to achieve project results
* as well as monitor the achievement of results.
* review policy matters pertaining to the project and the electoral process.
* consider emerging issues and needs, and agree on issues to be flagged, if necessary, to the Project Board.

**Project Organisation Structure**

**Project Board (PB)**

(*Strategic leadership and oversight*)

Implementing Partner

**UNDP**

Government Counterparts

**SPR, ERC**

Donors and Other Partners

**Australia (DFAT),UN DPPA/ UN RC, MEA, other Donors**

**Stakeholder Working Group (SWG)**

*(Working level coordination and advisory group)*

UNDP, ERC, SPR, CTA, IDEA, IFES

**Project Quality Assurance**

UNDP Country Office

**Project Management**

**Chief Technical Adviser/ Project Manager**

**Project Support**

# LEGAL CONTEXT AND RISK MANAGEMENT

**Legal Context Standard Clauses**

This project document shall be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement between the Government of Malaysia and UNDP, signed on September 12, 2012   All references in the SBAA to “Executing Agency” shall be deemed to refer to “Implementing Partner.”

**Risk Management Standard Clauses**

1. UNDP as the Implementing Partner shall comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)
2. UNDP agrees to undertake all reasonable efforts to ensure that none of the project funds 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 [hthttp://www.un.org/sc/committees/1267/aq\_sanctions\_list.shtml](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.
3. Consistent with UNDP’s Programme and Operations Policies and Procedures, social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (http://www.undp.org/ses) and related Accountability Mechanism (http://www.undp.org/secu-srm).
4. The Implementing Partner shall: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
5. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.

# ANNEXES

## ANNEX I: LETTER OF AGREEMENT- IDEA

## ANNEX II: RESPONSIBLE PARTY AGREEMENT-IFES

## ANNEX III: TERMS OF REFERENCE: PROJECT BOARD

## ANNEX IV: TERMS OF REFERENCE: STAKEHOLDER WORKING GROUP

## ANNEX V: TERMS OF REFRENCE: CHIEF TECHNICAL ADVISOR (CTA)

## ANNEX VI: PROJECT ANNUAL REPORTING TEMPLATE

1. The intended DFAT contribution at the time of signature was of AUD 600,000. The exact USD equivalent will be determined by that date funds are received. [↑](#footnote-ref-2)
2. See annexes [↑](#footnote-ref-3)