

Democratic Republic of Congo, 2006 National Elections

UN Integrated Electoral Assistance Case study

Case Study

“It is important to point out that the Congolese elections [were] the largest that the UN has ever supported: the largest country (the size of western Europe); the largest electorate (25 million); and the largest challenge (no roads; no identity cards; no recent census; no multi-party elections in 40 years). In fact, the United Nations has never undertaken anything quite on the scale of the Congolese elections.”¹

Despite staggering political, technical and logistical challenges, the Democratic Republic of Congo’s 2006 post-conflict elections, the first multi-party elections in the country since 1965, are frequently cited as the high water mark of UN Integrated Electoral Assistance (IEA). The UN demonstrated solid complementarity, put in place particularly ambitious integration structures and methods, not only between MONUC components and between MONUC and UNDP, but also with extensive co-location and innovative coordination with other international assistance providers, and with the EMB². This short study, with twenty-two interviews of UN and non-UN staff, has confirmed this to be the case, in particular that **IEA structures and methods systematically improved the efficiency and effectiveness of the electoral assistance**. Interviewees however expressed concern about the level of political integration, the transparency of planning, and the sustainability of UN assistance.

UN electoral mandates and planning

The 2006 Presidential and legislative elections in DRC - the first multiparty elections in the country in over forty years - were a condition of the 2002 Global and Inclusive Agreement on Transition in the DR Congo³. Security Council Resolution 1493 (2003) mandated “MONUC, in coordination with other United Nations agencies, donors and non-governmental organizations to provide democracy assistance, during the transition period for the preparation and holding of elections”⁴.

A NAM conducted in October 2003 was itself integrated, comprising of representatives of DESA, DPA, DPKO, MONUC, OSRSG-CAAC, UNDP, as well as invited guests such as the AU, EC and the Organisation Internationale de la Francophonie.⁵ This was the first time such an inclusive NAM had been carried out and resulted in recommendations for an inclusive multilateral committee structure to oversee the electoral assistance. Interestingly, in the case of DRC, it is considered that the real push for integration came from the field. Faced with the staggering logistic and capacity challenges, let alone political legacies of the war, people on the ground

¹ Former SRSR, William Lacy Swing, Institute for Security Studies. Situation Report: The UN Mission in the DRC: Experiences and Lessons, 2007

² Colonel Mohammed Ajmal Zafar. DCSO Ops Sp, MONUC FHQ, Elections in DRC: AAR the best practices and lessons learned

³ <http://www.ucdp.uu.se/gpdatabase/peace/DRC%2020021216.pdf>

⁴ <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N03/443/15/PDF/N0344315.pdf?OpenElement>

⁵ Mission Report, Electoral Assistance to the DRC, 4-14 October 2003, EAD, DPA

perceived an integrated approach to be “common sense” for increasing efficiency and effectiveness in these first post-conflict elections.

It was a case of “starting from scratch” in terms of legal and institutional framework for the 2006 elections. Electoral operations in the DRC began in June 2005 with over 25 million voters registered (a major achievement in that the estimated eligible population was 28 million) and a referendum to adopt the constitution held in December 2005⁶. In conjunction with this, a complex and essential legal framework had to be put in place within a tight timeframe for the elections to go ahead. This included the electoral law itself, laws on voter registration, political parties, laws to establish the principle institutions of governance, a law on nationality and an amnesty law, among others⁷.

UN Electoral Leadership and Structures

The structure attached shows the level of integration of the UN family, perhaps the most every achieved by the UN in a Mission setting before or after. Adopting some of the earliest integration methods, before much of it was UN policy, at the very end of 2004 MONUC benefited from the appointment of a DSRSR/RC/HC, linking the Mission (the largest at the time) and the UN Country Team. When established, the Electoral Division (ED) reported through the DSRSR/RC/HC. This greatly facilitated the integration of MONUC and UNDP electoral assistance and provided much needed substantive and operational cohesion to the UN’s approach to electoral assistance. MONUC was led by the SRSG, with the DSRSR/RC/HC leading the UNCT and acting as the principal interface between the UN peacekeeping operation and the UNCT. The second DSRSR/P was responsible for the coordination of the other MONUC components. Without fail, in every interview, it was noted that the reason integration worked so well in DRC in 2006 was because of **exceptionally strong leadership** and because there was a group of people working together, committed to getting a result. Structures, as integrated and effective as they were, were perceived to be a secondary factor. There was general consensus that even the perfect system would fail without the right people in the right positions.

The highly integrated and effective structure of the MONUC Electoral Division was initially proposed prior to the IEC and well in advance of the promulgation of the electoral legislation⁸. The ED started out as fully integrated, and from the beginning of recruitment pulled together UN staff of various contracts and from various UN institutions into the one team (see staffing table attached).⁹ In effect, the ED and the UNDP “*Appui au Processus électoral au Congo (APEC)*” project were operationally merged and they worked together as one team, co-located within the IEC. A common workplan was agreed and all staff included in one integrated organizational chart, showing clear reporting lines. The director of MONUC’s ED had overall responsibility for all electoral activities. That the mandate of the mission supported the political prioritization of elections was undoubtedly beneficial to electoral integration.

⁶ Both of these processes benefitted from the same UN electoral assistance support.

⁷ Electoral Law 06/006 of 9 march 2006 <http://www.glin.gov/view.action?glinID=181606>

⁸ Report of the Secretary General to the Security Council on elections in DRC, 19 May 2005

⁹ This validates the current SG policy (2010/23) to integrate the electoral component from the outset

A **Memorandum of Understanding (MoU) between MONUC and UNDP in 2005**¹⁰ was key to ensuring, upfront, a clear articulation of the administrative and financial aspects of the arrangement. A division of labor was established with a clear allocation of roles and responsibilities between the two entities.¹¹ MONUC was given responsibility for the political, logistical and security aspects of electoral assistance as well as coordination of international stakeholders with regard to electoral operations, whereas UNDP was responsible for the mobilization of resources, the management of the basket fund and the provision of technical expertise to the IEC for programming activities. MONUC's overall evaluation was that "it simply would not have been possible to deliver the 2006 presidential, legislative, provincial, senatorial and gubernatorial elections had the efforts of MONUC and UNDP *not* been integrated"¹².

Integrated Electoral Assistance Methods

Although MONUC was not originally an integrated mission, at the strategic level, MONUC agreed on common goals and developed a common plan. This was done by elaborating a joint political strategy, which was then used to prepare a Mission Implementation Plan (MIP) and a unified results matrix¹³. At the programmatic level, some sectors, MONUC and the agencies became fully integrated, in others, only partially integrated, while in still others, the mission and agencies worked in parallel. According to interviewees, the prioritization of integrated electoral assistance helped push forward the UN integration agenda as a whole in DRC. MONUC was among the first missions to establish a Joint Mission Analysis Centre (JMAC) and a Joint Operations Centre¹⁴. At the time of the second round of the Presidential elections, there were 21,521 working with MONUC. 17,398 of these people were UN military¹⁵. A huge number of military peacekeepers, planners and administration staff were responsible for the bulk of DRC's logistics, security and operations, as well as large substantive components.

In addition to existing integration structures, a series of **effective election-specific integration and coordination structures** were established. MONUC assumed overall responsibility for coordinating international assistance and did so through a range of formal multilateral committees at the political and technical levels (see attached). UNDP assumed responsibility for the management of the international community's financial support for the elections through the basket fund.

At the political level, a high-level diplomatic consultative mechanism, the International Committee to Accompany the Transition (known by its French acronym, CIAT) was established under the chairmanship of the SRSG, to ensure continued international political commitment and support to see the transition process through to the elections and to debate the political aspects arising from the electoral process and

¹⁰ Memorandum d'Accord, ED, MONUC & UNDP, 19 July 2005

¹¹ MONUC, Integrated Mission Briefing, 12 November 2008

¹² MONUC, Integrated Mission Briefing, 12 November 2008

¹³ MONUC, Integrated Mission Briefing, 12 November 2008

¹⁴ William Lacy Swing, End of Assignment Report, 14 January 2008

¹⁵ DPI/1634/Rev.66 UN Peacekeeping Operations, Factsheet, November 2006

provide advice to the national authorities.¹⁶ That the CIAT proved to be an active and invaluable mechanism for high-level mediation efforts was undoubtedly helped by the fact that the 14 representatives represented some of DRC's most important donors. The EU alone was contributing EUR165 million in support to the electoral process. Considering the current status of DRC's political environment, some interviewees described more humble UN achievements in the UN's work to level the playing field.

Reporting to different DSRSGs, a weak link in the IEA provided for 2006 elections was that **the MONUC Political Division and Integrated ED tended to work in silos**. The perception was that ED tended to be very technically focused. However, an election cannot be approached as a wholly technical process. If technical issues do not work well they can have political implications. Moreover, there were some complaints that elections calendars were drawn up with little consideration of the logistic realities. Institutionally these two streams needed to be brought more closely together based on the same vision.

Two integrated multilateral committees were also established based on a recommendation of the NAM, namely the APEC Steering Committee and the Technical Committee. The Steering Committee was co-chaired by DSRSG/RC/RR/HC & IEC President and the Technical Committee was chaired by the ED chief and the IEC President. The APEC Steering Committee was a high-level forum to monitor and guide the APEC project. The Technical Committee was at the working level and the principle forum for information sharing and coordination of international assistance.

Participation in these committees was inclusive (IEC, MONUC, UNDP, UN agency personnel, international NGO partners, donor development agencies etc.) The two committees were actively engaged throughout and played a very positive role, proving to be "essential" as they brought everyone together, ensured information sharing and operated under measured diplomatic management. In addition, there was a twice-weekly internal coordination meeting co-chaired by MONUC & IEC. There was also a "SPEC" committee focused on issues pertaining to election security¹⁷. UN IEA for the 2006 elections in DRC was a tightly run ship.

UNDP took the lead on delivering number of programmes to support the electoral process, women's participation and securing the elections. This included financial management of the electoral assistance support through a basket fund, which served as the structure for joint mobilization, coordination and management of financial resources. To give an idea of the impact this had on UNDP's work, the volume of programmes managed by Governance Unit between 2004 and 2005 went from US \$5 million to US \$159.4 million¹⁸.

¹⁶ CIAT had been set up a formal body of the Transitional Government under the Global and Inclusive Agreement signed in Pretoria in 2002. Membership of the CIAT comprised of the European Union, African Union and United Nations, the five permanent members of the Security Council, as well as Angola, Belgium, Canada, Gabon, South Africa and Zambia.

¹⁷ Sécurisation du Processus Electoral au Congo

¹⁸ Evaluation of UNDP Assistance in Conflict Affected Countries. Case Study: DRC. UNDP Evaluation Office. Carrol Faubert

<http://web.undp.org/evaluation/documents/thematic/conflict/DRC.pdf>

Overall, **UN electoral assistance demonstrated solid complementarity between MONUC and UNDP**. Interestingly, an evaluation conducted in 2006 noted that UNDP's work in the DRC assumed "a much more operational role than is customary for the organization"¹⁹. They also, in hindsight, reflected that the UN supported methods of electoral administration that the DRC electoral organs could not hope to replicate in the future. Also, in spite of best efforts, much of the complex operational planning (security and logistics) took place within MONUC's integration structures, to some degree at the expense of more transparent planning with the IEC.

Administrative hurdles, **lack of standardization of systems between MONUC and the agencies**, particularly on the Mission side, rendered integration more challenging. Interviewees often used **UN Mission transport rules** as an example: agency personnel were not allowed to board MONUC vehicles, even in remote locations, without written authorization from Kinshasa. In a country the size of Western Europe, transportation was a strategic issue for the electoral process and although agency personnel were working directly to support MONUC activities, they were given lower priority in terms of access to flights.

Different UN communication systems caused unnecessary delays and complications in day-to-day electoral assistance, for example, different email systems between the agencies and MONUC, inhibiting rapid electronic communication. A lack of standardization is particularly troublesome in area of communication as this can result in increased security risk. For example, the Telecom and VHF radio standards differed between MONUC and the agencies, thus making day-to-day and emergency communication unreliable. General rules and regulations on information sharing did not always facilitate working together in an integrated team. For example, agency personnel did not have access to Lotus notes, where flight, security and other administrative information was disseminated. Another example being that DPKO was unable to share the minutes of the "Panel of the Wise" (CIS) meetings with UNDP due to internal confidentiality rules, despite the fact it was a UNDP project. A better informational management plan, governing internal information flow as well as to other partners, was lacking in DRC in 2006.

IEA in DRC in 2006 also demonstrated **the need for more responsive and flexible human resources and recruitment processes**. A large number of ED staff started off on UNDP contracts (this in itself demonstrating good integrated working arrangements) as in a number of cases it took over one year - at which point the elections had already taken place - to switch staff over to DPKO contracts. Without UNDP, people would not have been in place in time. However, it should be noted that this initial solution in terms of recruitment in turn led to administrative problems as UNDP staff members were unable to get access to MONUC vehicles, flights, office supplies etc. even when seconded to MONUC ED. One very positive thing was that in DRC in 2006, **key UN electoral staff with strong national EMB backgrounds** gave a lot of credibility to the UN in working with IEC.

Sustainability and First Post-Conflict Elections

¹⁹ <http://web.undp.org/evaluation/documents/thematic/conflict/DRC.pdf>

As with other first post-conflict elections, in the early stages of planning the 2006 process, all national and international actors were confronted with a dilemma: to focus their effort on strategies supporting an environment for sustainable and cost-effective electoral organs, electoral administration and political processes, or; to deliver the CPA and this national election. Increasingly, as the peace process stumbled, war returned to the Kivus and UN SG Special Envoy Olusegun Obasanjo was mediating the Great Lakes Region conflict, the choice was clear. The Congolese and the international community needed to invest deeply in this electoral process to ensure it took place. Indeed, from the outset, international support was grounded in the assumption that these elections were “too important to fail” and so the electoral process was principally organized, financed and secured through international assistance²⁰. As noted in a DFID report, “it is safe to say, that the elections would not have nor could have taken place without this involvement”²¹. An extraordinary amount of resources were made available for 2006 elections.

APEC	Electoral Process Support Project	Basket fund – financed by international community & managed by UNDP	US\$ 276
CEI	Independent Electoral Commission	Financed by DRC government + contributions of USAID & CIDA	US\$62
LOG	MONUC Electoral Logistics	Financed by the UN	US\$86
SPEC	Electoral Process Securitisation Project	Basket fund – financed by the international community & managed by UNDP	US\$58
Total budget for electoral process in DRC			US\$482

Such an investment, both financial and human, ran the risk of creating high expectations for the IEC downstream and also of creating a dependency, especially in terms of technical assistance, financing, logistics and transport. At the time of the election the collective air assets in the DRC – fixed and rotary wing – were the largest in Africa, and a very high percentage were managed by MONUC. Indeed, the 2011 elections in DRC proved much more challenging in terms of electoral assistance. The report of the IEC on the 2011 elections was scathing of international partners noting a “lack of confidence and frank collaboration” as well as repeated “acts of abandonment”²².

“Founding” elections, although difficult, are oftentimes more successful than the second and third elections²³. As noted in the Secretary General Report on MONUC’s

²⁰ Denis Kadima, David K. Leonard & Anna Schmidt, “Elections and Democratisation in the Democratic Republic of Congo”, EISA, Journal of African Elections, Volume 8, No. 1

²¹ DFID Brief, Elections in the DRC in 2006

²² CENI Report “Coexistence entre la CENI et L’assistance elettorale: S’il y a eu un point qu’il faut relever dans l’évolution de ce processus électoral, c’est le manque de confiance et de franche collaboration entre l’Assistance Electorale Internationale et la CENI depuis sa prise de fonction le 03 Mars 2011 jusqu’aux élections du 28 novembre 2011. Les actes d’abandon se sont fait voir à plusieurs reprises au cours du processus, créant ainsi le doute entre les deux parties et contribuant ainsi à la grande confusion politique. March 2012

²³ Staffan I. Lindberg, Democracy and Elections in Africa, John Hopkins, 2006, P. 72

post-transition mandate “early disengagement following elections in other post-conflict countries had led to the resumption of conflict a few years later, requiring costly re-intervention”²⁴. The SRS in his end of assignment report noted that a “sustainment strategy” is more urgent than an “exit strategy”.²⁵ How to sustain support to transitional countries after a first election until democratic processes have taken root, is a key challenge for the UN. It is important to study this context if measuring impact/success of the integrated electoral assistance in DRC in 2006. Because although the 2006 elections can be said to have met their objectives of re-establishing legitimate government, the culture of democracy in DRC remains fragile.

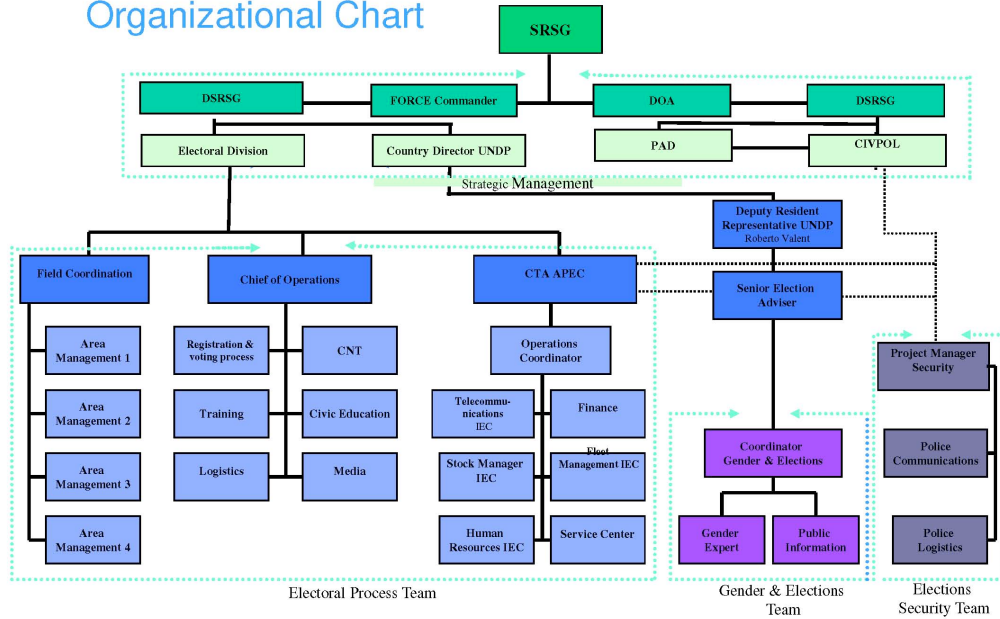
Mary O’Shea
July 2012

²⁴ Twenty third report of the SG Report on united nations organization Mission in the DRC. SG Report on MONUC’s Post-Transition Mandate, 11 December 2006

²⁵ William Lacy Swing, End of Assignment Report, 14 January 2008

Annex 1

UN Integrated Electoral Assistance Organizational Chart



Annex 2

Supervision

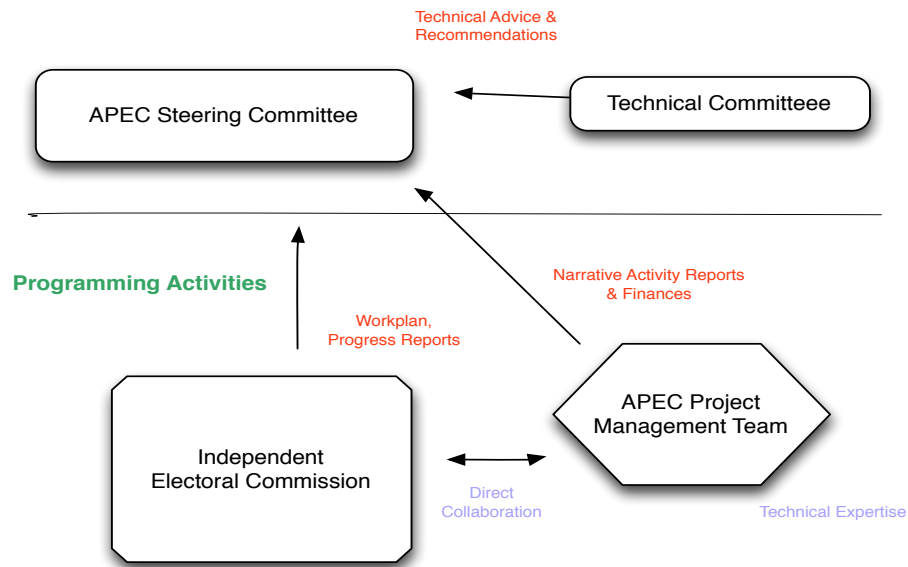


FIGURE: Institutional Framework for management of Electoral Process in DRC

Annex 3: Bibliography

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