Evaluation of UNDP/Lesotho’s “Deepening Democracy” Project

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by

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**Acronyms**

ABC All Basotho Convention

AU African Union

BAC Basotholand African Congress

BCP Basotholand Congress Party

BCPR Bureau for Crisis Prevention and Recovery

BNP Basotho National Party

CCL Christian Council of Lesotho

CG Consultation Group

CSO Civil Society Organisation

DDP Deepening Democracy Project

DEX Direct Execution

DfID Department for International Development (UK)

EAD Electoral Assistance Division of the UN Department of Political Affairs

EISA Electoral Institute of Southern Africa (South Africa)

ERIS Electoral Reform International Services

FBO Faith-Based Organisation

FPTP First-Past-the-Post

FT Facilitation Team

GoL Government of Lesotho

IEC Independent Electoral Commission

IPA Interim Political Authority

IT Information Technology

LCD Lesotho Congress for Democracy

LCN Lesotho Council of Non-Governmental Organisations

LDF Lesotho Defence Force

LPC Lesotho People’s Congress

LMPS Lesotho Mounted Police Service

LNCM Lesotho Network for Conflict Management

LWP Lesotho Workers’ Party

MISA Media Institute of Southern Africa

MMP Mixed -Member Proportional

MMP Media Monitoring Panel

NAM Needs Assessment Mission

NDI National Democratic Institute for International Affairs (USA)

NEX National Execution

NGO Non-Governmental Organisation

NIP National Independent Party

NUL National University of Lesotho

PR Proportional Representation

SADC Southern African Development Community

SADC PF SADC Parliamentary Forum

ToT Training of Trainers

TRC Transformation Resource Centre

UNDAF UN Development Assistance Framework

UNDP United Nations Development Programme

UNDPA United Nations Department of Political Affairs

UNEAD United Nations Electoral Assistance Division

1. **Background of the Project**

In mid-2006 in anticipation of the forthcoming 2007 elections in Lesotho, the UNDP began designing an elections project called “Deepening Democracy in Lesotho.” With support from a UNDP team from New York, stakeholders were interviewed and a project was designed. The Independent Electoral Commission (IEC) was selected as the project’s implementing partner. The anticipated outcome from the project is “Deepening peace and democratic institution building by supporting the process of establishing an appeased parliamentarian democracy in Lesotho with a legitimate Government.”

In addition to its own resources, the UNDP was able to mobilise funding from other financial partners. With DfID and Irish Aid support, the UNDP established a basket fund, managed by the UNDP, to support the elections. The overall budget for Deepening Democracy was US$1.6 million, and Deepening Democracy was expected to be a short-term elections project with an original timeline between September 2006 and December 2007. Due to post-election conflicts, the UNDP together with its development partners decided to extend the project’s deadline through 2008 and then 2009 in order to provide support to the SADC mediation process.

At US$1.6 million, the Deepening Democracy project is reportedly the second largest in the 40-year history of the UNDP in Lesotho. The UNDP has a long-standing relationship with Lesotho’s IEC with previous elections projects. UNDP selected a National Execution (NEX) management arrangement whereby the IEC was responsible for managing the project. Due to capacity limitations in managing this large amount of funding, the UNDP determined that the IEC would not receive advances, but rather work through direct payment requests for funds to the UNDP and request for UNDP support for certain transactions (such as procurement and recruitment). This is in line with what the UNDP calls Country Office Support to National Execution which maximized ownership while at the same time maintaining high levels of financial accountability.

1. **Political Setting**

Lesotho is a constitutional monarchy. The head of state is the King, and the head of government is the Prime Minister. Lesotho’s parliament is bicameral with a lower house called the National Assembly and the upper house called Senate.[[1]](#footnote-2) Since independence from the British in 1966, Lesotho has had a troubled history of elections marked with post-election conflict and violence. On the eve of independence, the Basotho National Party (BNP) was elected to become the country’s first popularly elected government. The first elections after independence in 1970 were cancelled and the constitution was suspended when it looked certain that the opposition Basotholand Congress Party (BCP) was going to win. From 1970 to 1993, Lesotho was ruled by a succession of authoritarian and military regimes until the military, which had seized power through a coup in 19986, handed over to a democratically elected government in 1993.

Since the re-introduction of multi-party politics in March 1993, voters in Lesotho have gone to the polls four times (1993, 1998, 2002 and 2007). The BCP won the historic 1993 elections, and a splinter party, the Lesotho Congress for Democracy (LCD) won the elections five years later. However, these elections in 1998 resulted in violent protests due to the disproportional results. The BCP won 79 of the 80 seats although the opposition won a substantial percentage of the vote. This post-election violence resulted in an armed intervention by the SADC forces of South Africa and Botswana, and an Interim Political Authority (IPA) was subsequently set up to address the causes and implications of the 1998 post electoral conflict and to forge agreement on the way forward. The IPA recommended a restructuring of the Independent Electoral Commission, increase in the number of parliamentary seats from 80 to 120, and adoption of a new electoral system, the Mixed Member Proportional (MMP).

The new electoral system was adopted in order to deal with Lesotho’s electoral conflict. Until 2002, all MPs were elected through the first-past-the-post (FPTP) system. Due to a change in the electoral system to a mixed proportional system (MMP), now 80 MPs are elected through FPTP and 40 are elected through PR on party lists. So, although the LCD won 79 out of 80 FPTP seats in 2002, the PR seats were distributed to 9 parties thereby breaking the disproportionality problem. The 2002 elections were the first in Lesotho’s troubled history that produced an inclusive parliament with unprecedented post-election stability. The international community, especially the UNDP, played an important role in this regard.

As the people of Lesotho went to the polls on 17 February 2007, observers and citizens alike wondered if these elections would resemble the successful 2002 elections or the conflictual elections of Lesotho’s past. All election observer mission reports, including that of the SADC Parliamentary Forum, the Commonwealth, and the Electoral Institute of Southern Africa concluded that, despite the exceptional circumstances of the 2007 ‘snap’ election, the conduct and outcome of the election represented a fair reflection of the will of the Basotho. All election observer teams noted that the elections were credible and free, albeit the question of fairness rested to some extent on the interpretation of the degree of manipulation of the Mixed Member Proportional electoral model adopted by Lesotho.

1. **Project Design and Expected Outputs**

In order to achieve project objectives, the organisation that is expected to implement the activities must be thoroughly involved in the design of the project. In the case of Deepening Democracy, the evaluation consultant investigated the degree to which a participatory design process took place.

On August 2005, the Chairperson of the IEC Mr. A. L. Thoahlane wrote to the Resident Representative of UNDP/Lesotho requesting that UNDP provide the IEC with “technical backstopping and capacity assistance that will further strengthen our preparations for the election.” The IEC Chair further requests that UNDP field a Needs Assessment Mission to “help identify the areas that the IEC could further improve upon...” In response to this request, the Resident Representative informed the IEC that the UN Department of Political Affairs (DPA) endorsed the request and would field a Needs Assessment Mission (NAM).

From 5-15 December 2005, a NAM was undertaken by two consultants from the United Nations Electoral Assistance Division (UNEAD) and supplemented later by two additional consultants from UNDP. During this period, the NAM team held discussions with the IEC and conducted a needs assessment, and the second team was “to elaborate a project further to the recommendations of a needs assessment mission” where a broader range of stakeholders were consulted including civil society (called the Local Project Appraisal Committee). This second consultancy constituted the design work of the Deepening Democracy project.

During the consultations with the IEC, key needs were identified and possible project activities were outlined. Through these extensive consultations, the IEC was able to outline what was needed in order to conduct the 2007 elections, as well as the broader capacity needs of the organisation.

Despite significant evidence to the contrary, the evaluation consultant heard complaints from different sources within the IEC that it was not consulted during the design of the Deepening Democracy Project. IEC management explained that a needs assessment was not carried out by the UNDP and complained of lack of adequate consultation. A senior IEC official commented, “So you get handed a project that has already been designed and you then align yourselves to the document and the project.” Yet, clearly a UNDP team was despatched to Lesotho *at the request of the IEC* to conduct a needs assessment prior to the elections which led to the design of Deepening Democracy. In fact, the design work was done well in advance of the 2007 elections allowing for the project to be in place despite the ‘“snap” elections being called earlier than expected. After analyzing the complaints, the evaluation consultant concluded that the IEC was consulted during the design phase, but these consultations may not have been adequately communicated within the IEC due to organisational weaknesses.

The evaluation consultant commends UNDP for its forward planning and early consultations, but the IEC seems to have needed a second set of consultations which went beyond senior management and include department heads. In this way, any technical issues such as complex IT matters would come to the surface which may not have come to the surface during the consultations in 2005. Due to the internal weaknesses within the IEC, consultations with top management seem to be inadequate, because technical information is not fed upward, nor are management decisions communicated downward. Wider consultations with all technical heads would result in a broader understanding of the organisation’s needs. Beyond consultations, a full needs assessment of the IEC is needed for the IEC’s own internal purposes as well as for requesting external support.

The IEC management readily admits the need for building capacity, but the specific areas that are in need of strengthening were not clearly articulated. The UNDP’s provision of technical assistance depends on what is requested from the IEC, and the IEC’s request was not specific in the types of support that was needed. This resulted in a reduced level of ownership of the Deepening Democracy project. Only during a crisis situation in January 2007 was IT technical assistance identified by the IEC. Fortunately, the UNDP was flexible in its implementation and a consultant was immediately recruited.

*Recommendation: As with the previous support cycle, UNDP may wish to consider conducting a joint needs assessment of the IEC to identify and prioritise the areas in need of building capacity during 2010/11 to prepare for the 2012 elections.*

*Recommendation: UNDP and the IEC management may wish to consider including technical heads of departments in the IEC during the consultations so that detailed technical information can be provided during the consultation phase.*

The implementation of any project deviates from the original planned activities, and the Deepening Democracy project was no exception to this rule. From the original plans contained in its Project Description, Deepening Democracy has four components or outputs:

Output 1: Strengthening the IEC

Output 2: Supporting Conflict Transformation

Output 3: Enhancing Civic Responsibility

Output 4: Coordinating International Support

The project started on the eve of the election when the overriding priority was to support the IEC to conduct the election. The “snap” elections and the tense political situation resulting from the elections clearly had an effect on the planned activities and not all the results that were originally set out in the project document were achieved. In fact, as a result many of the activities done were not in the original project document and some of the activities that are in the project document were not done. For example, a National Framework for Civic Education, a grant scheme for CSOs, gender mainstreaming, and support to public media for the 50/50 gender campaign were not completed. This indicates a need for a stocktaking after the project to determine what is still outstanding and why.

*Recommendation: While realities necessitate revisions in the project document, UNDP should re-examine the activities listed in the project document that were not done to see if they could and should be included in future programmes.*

1. **Major Accomplishments of the Deepening Democracy Project**
   1. Capacity Building

The Independent Electoral Commission was created by the Second Amendment to the Constitution of Lesotho in 1993. The IEC is comprised of a Chairperson and two Commissioners. They are appointed by the King upon advice from the Council of State and are independent from all outside influences. According to Article 66 A (1) of the Constitution, the IEC is tasked with registering parties, registering voters, conducting parliamentary elections, promoting knowledge of the electoral process, and adjudicating disputes among others. The electoral law (National Assembly Election Order 1992) adds to this list and includes: to maintain relations with civil society, political parties, to understand electoral research, to review legislation, to promote civic education, and to develop and maintain a register of candidate and party symbols. The IEC has an extremely important mandate and is responsible for conducting successful elections. Beyond the conduct of elections, the IEC is charged with other responsibilities such as in the area of civic education.

The Independent Electoral Commission ‘delivered’ credible, free and fair elections in 2007 under exceptionally difficult circumstances. This was no small task. With Lesotho’s history of contested elections, the polling day in February 2007 went smoothly and was accepted by all parties. Voting materials were ready in most polling stations, and there was very little violence reported. The support from the Deepening Democracy Project was fundamental in the IEC’s success. Everyone interviewed during this evaluation stated that the elections would not have been successful had it not been for this critical and timely intervention.

* + 1. Information Technology

One of the most important contributions to the IEC from the Deepening Democracy Project was in the area of IT. Through the DDP, the IEC received computer hardware and software. This was invaluable. Although the Government of Lesotho had supported the IEC through the acquisition of computers in the past, the computers and other hardware had become antiquated and with this assistance the IEC was able to get state-of-the-art equipment including a much needed server that was necessary for the complex database of the voter’s roll.

The most important contribution of the project to the success of the elections was the IT consultant who came to assist the IEC as a result of the crisis just before the February 2007 elections and stayed throughout the elections. Although voter registration is supposed to be an ongoing exercise in Lesotho, the reality is that voters register just before the elections. In January 2007, 78,000 forms were not processed. When the voter’s roll was first published, 120,700 names were missing. Some were lost in the system, others were partially missing due to the failure of scanners, and others were missing due to errors in coding at the registration centres. As a result of the problems, the IT department in the IEC requested technical assistance from DDP and UNDP responded quickly. After the IT consultant had assisted the IEC, the IEC’s revised roll had resolved the vast majority of technical problems. Of the original 120,700 names missing, only 623 still had to be accounted for. This is a success story not only for the consultant and the IT team but for the entire electoral process. Therefore, the DDP’s contribution was critical in assisting the IEC and has made a significant impact on the capacity of the IEC.

Many of the problems of 2007 could have been avoided had the IT consultant’s recommendations from 2002 and 2005 been implemented. The reports are comprehensive and outline the hardware, software and server limitations that the IEC faces. Due to the complicated technical requirements of IT at the IEC, regular visits from the IT consultant may be necessary to build the capacity of the IT department, especially in light of the staff turnover due to the competitive private sector salaries in Lesotho. A thorough stocktaking of the current software and hardware is needed in order to assess the capacity and the needs in the future.

*Recommendation: The evaluation consultant concurs with the recommendations from the IT consultant’s reports. UNDP should revisit these reports and assist the IEC to implement them. This includes but is not limited to the development of an IT strategy, the long-term considerations of the structure of the IT department and the replacement, upgrades and developments required for future elections.*

*Recommendation: UNDP should consider including funding for regular maintenance of all computers it procures for the IEC. A maintenance contract with the computers should be standard practice.*

*Recommendation: UNDP may wish to conduct a training assessment for the IEC staff and then provide training to upgrade the staff’s skills.*

*Recommendation: UNDP may wish to consider on-going technical assistance and hardware assistance to the IEC to ensure that the IT requirements for the 2012 elections are in place.*

* + 1. Logistics

Based on the request from the IEC, the UNDP contracted a logistics consultant to assist the IEC just before the elections. During the interviews, IEC officials could not name any contribution he made to the logistics preparations of the elections. In fact, the date of arrival of the consultant was disputed. According to several individuals, the logistics consultant arrived after the elections. Although this was found to be untrue, what is clear is that the logistics consultant arrived too close to the elections to make any meaningful contribution. By the time he arrived, all the logistics of getting materials to the polling stations had been completed. After the elections, the consultant appears not to have conducted and evaluation of the logistics operations and nor to have produced a logistics plan for the IEC. Therefore, the evaluation consultant must conclude that the logistics consultant was not effective and made no meaningful contribution to the IEC. Although UNDP was clearly trying to respond to the needs and the request of the IEC, the implications of the three-month period needed to recruit an international consultant seemed not to have been considered when recruiting decisions were made.

*Recommendation: UNDP should work with the IEC to determine if logistics is an area where technical assistance is needed in the future and if so, to ensure that the consultant arrives timely in order to make a significant contribution to the process given the leadtime that the international recruitment process takes.*

The evaluation consultant learned that due to the “snap” elections, UNDP struggled to find consultants who were available to arrive in Lesotho just before Christmas 2006 for the Feb 2007 elections. An analysis of the logistics consultant’s CV indicates that the consultant was not well qualified for the position since most of his experience was in security and business development. According to several people interviewed, the top choices for consultants were not available at the rate being offered by the UNDP and therefore less qualified individuals were considered. In retrospect, given that the logistics had been done, the consultancy should have been abandoned all together. In the end, the consultant’s contract was terminated early.

The degree to which UNDP involved the IEC in the selection process of the consultants is unclear. However, all parties now agree that a better system of selecting consultants is needed in the future. Given that the electoral system of Lesotho provides for elections that are not fixed in schedule, this scenario may happen again in the future.

*Recommendation: UNDP may wish to consider a mechanism to provide consultants at short notice. The IEC has requested that in the future UNDP provide them with a list of consultants and their CVs well in advance of the elections in order to secure the availability of the best possible consultants.*

* + 1. Project Manager

The third expatriate consultant provided to the IEC was a Project Manager who was to provide overall project management from within the IEC. Given the capacity constraints within the IEC, the concept of a DDP -funded project manager to assist with the implementation of the project seems well-advised. However, the actual role the consultant was expected to play seems disconnected from the Terms of Reference. A mid-level consultant would seem to be appropriate for the position of project management, but UNDP senior management at the time decided that instead a senior position should be funded, given the expected complexity of the project. This senior position was more than a project manager and was expected to be an elections advisor, although never explicitly stated to the IEC. According to a former UNDP employee, UNDP senior management at that time intended for the project manager to advise the Commission on elections issues, but this was not in the TORs for the position of Project Manager. The IEC claims that they were not involved in the selection of this person. Since the IEC did not take part in the selection, the Project Manager did not serve as an advisor to the Commission nor did he assist in guiding the project from within the IEC. As with the logistics specialist, the Project Manager arrived in Lesotho just a few weeks before the election at a time when the IEC was too busy with preparations for the elections to be concerned with a new expatriate in their midst. Once again, the IEC officials did not remember his name and most IEC staff members were unaware that his office was located within the IEC. The UNDP in Lesotho informed the evaluation consultant that his contract was terminated early. Therefore, the evaluation consultant concludes that the Project Manager made little, if any, contribution to the Deepening Democracy Project.

*Recommendation: UNDP should carefully consider the appropriate level and expected role within the IEC of future project managers and ensure this is aligned with the needs identified by the IEC.*

* + 1. Resource Centre

The DDP was responsible for funding the establishment of the IEC resource centre/ library. The librarian has sourced materials from the Electoral Institute of Southern Africa (EISA), International IDEA, and other important elections-related resources. At the time of the evaluation, the documentalist was cataloguing and organising materials for the centre. Due to space constraints within the IEC, the establishment of the centre has been delayed for quite some time. The IEC has now allocated separate office space in the building across the street from the IEC for the centre. In order for NGOs and political parties to make use of the library, much publicity will be needed since its location is hidden and separate from the IEC. The documentalist is currently scanning all books and periodicals into an electronic format so IEC officials can access resources electronically. The evaluation consultant found this task to be extremely time-consuming and is concerned that this may lead to further delays in the Resource Centre becoming operational. There are currently no plans to monitor the usage of the Resource Centre once it opens.

*Recommendation: UNDP may wish to consider assisting the IEC to host a high-profile opening event with extensive media coverage. UNDP should continue to monitor the Document Centre and assist the IEC in publicising its existence in order to ensure its usage.*

According to interviews at the IEC, delays in payment from UNDP to the publishers have negatively affected the document centre. The IEC was left with high and unexpected expenditures in VAT and clearance charges to Lesotho Revenue Authority (LRA). In other cases, some books were out of stock by the time the payment came through to the publisher.

*Recommendation: The details of procurement are beyond the scope of this evaluation. However, UNDP should work with the IEC so that clear procurement rules, roles and responsibilities are more clearly established in future programmes.*

* + 1. BRIDGE Training

Through funding of the Deepening Democracy Project, several IEC officials had undergone Building Resources in Democracy, Governance and Elections (BRIDGE)[[2]](#endnote-2) training and others had undergone BRIDGE Train the Facilitators Training. This represents a significant benefit and achievement of the DDP. According to the work plan, more IEC officials including IEC Commissioners, managers, officials and employees were meant to undergo BRIDGE but this has yet to be completed.

*Recommendation: The IEC should evaluate the progress made so far with BRIDGE training and then develop a training plan to complete the training of its staff. This is a need of the IEC regardless of UNDP’s future programming.*

* 1. Conflict Management

Although the period since the 2007 elections to the present has been marked by the post-elections dispute between the political parties, this dispute has not been violent and has not been fought in the streets as in previous elections. Instead, the dispute has been fought in the courts, in public opinion, in the media and in regional bodies. This is a significant achievement and can be attributed to the important role the Deepening Democracy project has played in conflict management.

Election-related disputes did not come as a surprise, and UNDP anticipated this area in its initial design of the project. Due to forward planning, the project was able to meet the country’s needs in a timely manner and assisted greatly in mitigating conflict in Lesotho’s fragile democracy. The conflict activities can be analysed in three distinct time periods: pre-elections, during the elections, and post-elections activities.

* + 1. Pre-elections activities

The evaluation consultant notes the excellent workshops conducted by the civil society IEC-UNDP Facilitation Team under the aegis of the DDP. On 4-5 December 2006, the DDP sponsored the National Symposium on Political Tolerance and Conflict Transformation. This included all political parties, security forces (police and defence), media, and civil society organisations. A second workshop on the role of the media was held. A third workshop was held specifically for security personnel. The role of the Facilitation Team in providing workshops for the Lesotho Military and Security Forces in the run-up to the election is particularly welcome given the particular challenge of regularising civil military relations in Lesotho, particularly at election times. The DDP also sponsored policy debates (February 3 and 10) among seven political parties. Unfortunately, at the last minute, the ruling party did not participate. However, voters were able to hear different parties provide information on policies, which was a first in Lesotho. This is a significant contribution to the quality of the elections and should become standard practice in the future. Finally, election mediators to be deployed in all 10 districts were trained in conflict management (February 8-10).

The evaluation consultant did not evaluate the content of all of these workshops. However, several the modules (Human Rights, Law and Order, Managing Conflict, Media Principles in Covering Elections) were reviewed by the consultant to examine the focus and appropriateness of the training. In the modules provided and reviewed, the content of the workshops appeared at times to be somewhat abstract and academic as opposed to developing skills and techniques. In this regard, timing, sequencing and priorities are important. Under a normal election cycle, civic education and training is an iterative process, but given the short time available under the snap election of 2007, questions of issue management and crisis management and indeed practical steps to avoid and deal with conflict, rather than some of the more abstract interventions, may have been more useful to the targeted participants. Furthermore, role playing and indeed workshop theatre, which have been used to illustrate practical techniques, could be used by the police, military and IEC staff in dealing with potential and actual conflict situations rather than the more traditional lecture format.

*Recommendation: A successor programme, if there is to be one, may develop a sequenced, scalable and iterative training programme that builds on previous experience, but which extends from principles to practice in preparation for the next election campaign in Lesotho.*

*Recommendation: UNDP may wish to consider continuing its work with political parties to assist them in developing policy positions to give voters clear choices. This support goes beyond elections-related activities and could be part of broader political party development.*

* + 1. Activities during elections

Building on the training from the now defunct Lesotho Network for Conflict Management (LNCM) during the 2002 elections, the Facilitation Team (FT) trained “mediators” to go to polling centres to mediate anticipated conflict. While it is commendable to find those who had been trained in 2002 to build on existing capacity, only 11 participants were located and trained in 2007. The evaluation consultant concluded that these activities and resources did not produce the type of results that could have been achieved through alternative programming. The mandate of the “mediators” was unclear. Were they representatives of the IEC? Were they civil society representatives? When they found problems and reported them to the IEC officials, did they have authority to intervene? Inconsistent answers were given to these questions indicating a lack of consensus on the role of these “mediators.” According to the information contained in their reports, they were really election monitors and performed typical monitoring duties by pointing out when IEC officials had not followed procedures. Their interventions in the polling stations produced important results, but this was not an effective use of resources.

These 11 “mediators” were deployed only for 9 days throughout Lesotho. In sum, DDP paid for 11 domestic monitors to go to polling centres throughout Lesotho. Not only was this an administrative burden for UNDP to undertake, since each mediator was contracted and paid separately by UNDP, but the costs for rental cars alone were more the US$30,000. This seems high in relation to the results achieved.

A much cheaper and easier alternative could have been utilised with potentially larger and more sustainable results. Rather than bring mediators from the capital city who may not be familiar with the local political context, local mediators or monitors could have been trained (although the logistical cost of training them might have been higher). Furthermore, given that conflict in rural areas can occur prior to the polling day, these central election monitors may miss important conflict flash points. In the end, the focus of activities during the elections was at local level conflict, but real conflict was at the national level. This could not have been anticipated in the project design.

*Recommendation: UNDP should encourage, and assist if necessary, the IEC to accredit, train and deploy civil society and party monitors as well as domestic observers throughout the country.*

*Recommendation: UNDP should consider funding the civil society and/or political party monitors located in rural areas to do the work that the “mediators” were hired to do only on polling day in order to increase sustainability.*

*Recommendation: The IEC should evaluate what inter-party mechanisms exist in rural and urban areas and should consider the establishment and facilitation of multi-party liaison committees that meet throughout the campaign and elections period to deal with issues that arise and are dealt with at the local level. This is a more sustainable option that the one pursued under Deepening Democracy.*

* + 1. Post-elections activities

Lesotho’s 2007 elections were largely orderly and peaceful with very little election-day conflict. Parties did not dispute the actual polling process. Instead, the post-election conflict has largely been due to the allocation of the PR seats. When the opposition achieved lower numbers than expected due to the allocation of PR seats to a party that is seen as pro-government, the potential for violence was significant. Fortunately, the SADC Mission (discussed more fully below) gave all parties the hope that the conflict would be resolved in an open, transparent and neutral manner.

The DDP played a significant role in the post-election dispute resolution process and is to be commended for this. Electoral commissions in the Southern Africa region are increasingly aware of the importance of playing a role in post-election legitimisation, conflict dispute mediation and resolution. Given Lesotho’s history of post-election dispute and indeed violence, there is a vital role to be played by the IEC, particularly as the country’s democracy is relatively new and as the destructive violence pursuant to the 1998 elections is still fresh in the minds of many Basotho. Whereas the 2002 elections arguably represent the high-point in Lesotho’s democratic renaissance, the post-2007 election period threatened to revert to type. Such was the intensity of the dispute between the ruling party and the opposition regarding the manipulation of the MMP system and the non-recognition of the newly-formed All Basotho Convention as the official opposition, that stay-aways ensued and the mood of many in an around Maseru in particular became a cause for concern. This high-level concern spread to Lesotho’s neighbours prompting the Southern African Development Community SADC Organ on Politics Defence and Security Co-operation to conduct an assessment report of the Lesotho elections and post-election disputes in April 2007. Consequently the troika recommended the appointment of an eminent person to facilitate dialogue between all relevant stakeholders (including the IEC), resulting in Tanzanian President Jakaya Kikwete appointing former Botswana President His Excellency Sir Ketumile Masire to lead the SADC-sponsored dialogue process in June 2007. Although Masire retired his mission in 2009 arguing that the government of Lesotho was not committed to the dialogue process, the SADC mission was instrumental in avoiding an already tense political climate from deteriorating further into civil unrest. The UNDP was approached to lend logistical and financial support to the Masire mission, which it did through the DDP. The UNDP arranged and paid for flights, accommodation and meeting rooms for the Masire mission and was able to secure additional funding to do this. While questions may be raised about whether or not such interventions and support fall within the ambit of the DDP and whether it was appropriate or indeed cost-effective for the DDP to support the Masire mission remains moot. However, to reiterate, all interviews conducted by the evaluation consultant suggest that the support provided to the Masire mission by the DPP was welcomed, valuable and justified. Moreover, the UNDP declined to continue funding the activities of the mission when unreasonable or unjustifiable funding applications were submitted, particularly those relating to financial support for a large delegation to travel to Australia. All funding decisions to the SADC mediation mission have been made through consultation with the partners involved.

DDP’s financial support to these missions was instrumental in bringing all parties to the table to discuss the political conflict the country faces. While no one would argue that the SADC missions were successful in producing a resolution to the conflict, the DDP-funded SADC missions surely convinced all parties that talking rather than fighting would produce results. Perhaps one of the unanticipated activities in Deepening Democracy has proven to be one of its most important.

*Recommendation: UNDP may wish to consider supporting further cross-party dialogue activities.*

* 1. Civic Responsibility
     1. Material and SMS Voter Registration Messages

The Deepening Democracy project funded the production of voter education materials produced by the IEC to encourage citizens to vote. The IEC also used DDP funding to send an SMS to all Vodacom cell phone numbers in the country. Although none of the materials could be located to show the evaluation consultant, numerous officials stated that the materials were of high quality and quite effective. The evaluation consultant was not able to ascertain whether the voter’s information leaflet “Easy Steps on How to Vote” was produced and whether advertising billboards which carry a message about polling day were done. Given the turnout during the registration and the elections, DDP’s contribution was significant to the success of these initiatives.

*Recommendation: Civil society organisations and non-partisan, ecumenical church organisations may be used for the distribution of materials in order to reach rural communities more effectively.*

Recommendation: *The IEC should evaluate the effectiveness of its messages and the mechanisms it uses to distribute its messages (posters, radio adverts, SMSes) with the assistance of a communications expert.*

* + 1. Voter Education

According to the project description, a small grants scheme was intended to be established to provide CSOs with the needed resources to educate the population. Due to the “snap” elections, there was insufficient time for this activity to be carried out. Instead, one church-related CSO received financial support to conduct voter education through the DDP. Given the extensive network that the churches have throughout the country, this is an effective mechanism to communicate voter education.

*Recommendation: UNDP should encourage the IEC to utilise CSOs, especially non-partisan ecumenical ones, to distribute voter and civic education materials throughout the country.*

Although the Facilitation Team said that media monitoring was a component of their work, no systematic collection of data on media coverage by volume or message content was done. Given the importance of the media in any election campaign and the problems of independence and objectivity confronting the Lesotho media in particular, the evaluation consultant wonders why there was little engagement between the UNDP/DDP and media entities such as the Media Institute of Southern Africa during the electoral period.

*Recommendation: A media monitoring unit within the IEC or by civil society should be established to monitor the media coverage of the elections systematically in order for the citizens of Lesotho to have access to information about the parties and candidates.*

In the design of the DDP, “politically marginalised groups” were indentified: women, youth and the disabled. Gender-sensitive voter civic education and youth-targeted voter and civic education were identified. These are all still outstanding. No grants were made to youth, gender or disabled groups during the 2007 election. This may have been due to the limited time available from the calling of the election. However, alternative approaches could have been explored. The DDP did not advertise the availability of grants for civil society organisations and therefore no or limited voter education was provided to these politically marginalised groups.

*Recommendation: UNDP may wish to consider setting up a small grants programme for these marginalised groups now for civic education and then voter education closer to the elections period.*

*Recommendation: The UNDP should call together organised civil society organisations periodically, but increasingly frequently in the year leading up to elections to identify whether they have the capacity to conduct civic education and to ensure that they fully understand the processes, procedures and requirements of applying for grants.*

* 1. Donor Coordination

The final set of activities under Deepening Democracy is related to donor coordination. UNDP played a key role in donor coordination. According to development partners interviewed, good relations existed during the elections with UNDP playing the facilitating role. Heads of missions were kept well-informed of all elections and more broadly political events due to the coordination role that UNDP is uniquely well-suited to carry out. The UNDP was never perceived of interfering with the sovereignty of Lesotho. The evaluation consultant was provided with a comprehensive archive of the UNDP-led diplomatic mission meetings. These were held regularly, and indications from all interviews conducted suggested that they were of value. One senior diplomat noted that the UNDP coordination meetings were particularly useful in pointing out where election issues needed to be addressed, brought back on track, or initiated. The UNDP also played a central role in ensuring that all international election observers worked together in a coordinated effort. The UNDP ensured that all international observers had IDs and attended briefing sessions before deployment.

While the UNDP plays an important role in donor coordination during the elections period and is unparalleled in its abilities to bring donors together, this should not preclude the IEC’s role in overseeing international observers. IEC needs clear guidelines for observers and monitors, both international and domestic. According to interviews with IEC officials, there seems to be a conflation between observers and monitors. Clear accreditation criteria need to be established by the IEC and fees may be charged by the IEC.

*Recommendation: The IEC should accredit all monitors and observers.*

Finally, “observer kits” were provided to all international observers and funds were provided for these items out of Deepening Democracy. These kits included bags, shirts, and caps. Such materials for international observers are not a good use of scarce development resources and do not assist in Lesotho’s electoral processes when the organisations could pay for these items. In other countries in the region, accreditation fees of US$100 per individual observer (and higher for organisations) are paid. Furthermore, most organisations have their own t-shirts and caps made therefore making the DDP-funded items unnecessary.

*Recommendation: The IEC should charge an accreditation fee for all international observers. UNDP may wish to assist the IEC to set up accreditation fees for all international observers and out of which bags, shirts and/or caps may be provided.*

1. **Issues and Challenges**
   1. “Snap” Elections

Throughout the evaluation, the “snap” election was the reason for many of the difficulties faced by the IEC. Several officials said that they were caught completely by surprise when the early elections were announced.[[3]](#footnote-3) While the heads of mission were in regular contact with the Government of Lesotho, the IEC appeared not to have been. Such consultations between the IEC and government are not irregular. For example, the South African government consults extensively with the IEC before naming the date for a general election. Since a snap election remains a tool at the disposal of any government following a Westminster system, the prospects of another snap election being called in Lesotho cannot be ruled out. The IEC must be vigilant in its planning and must communicate openly and honestly with the Government on its state of preparedness.

*Recommendation: The evaluation consultant recommends that successor programmes to the Deepening Democracy Project work closely with the IEC to ensure that it is as prepared as it can possibly be for a snap election. This means inter alia conducting an ongoing process of voter registration and electoral roll cleaning. While acknowledging the importance of the existing regular meetings between the IEC and political parties, the IEC should be urged to work with the government of Lesotho to consult with it on a regular basis to ensure that that the government understands the degree of preparedness or otherwise so that the country is not plunged into a political, constitutional or electoral crisis by the IEC not being able to manage another snap election.*

* 1. Organisational Capacity at the IEC

An important distinction needs to be made between an evaluation of the Deepening Democracy Project and an evaluation of the IEC. This evaluation is of the former not the latter. Nevertheless, as capacity-building of the IEC was a significant objective of the Deepening Democracy Project, the evaluation consultant does wish to comment on the organisational capacity of the IEC in those areas where internal IEC issues are sufficiently problematical to hamper the success of the DDP.

Interviews conducted with the IEC from top management downwards suggest that the organisation is faced with challenges relating to leadership, management, employee alignment, motivation, internal and external communications and organisational development in general. The relations between senior management and the commissioners are in need of greater clarity and improvement. The current acting Director has served in an acting capacity for some time and it is of concern that the permanent post has not been advertised, nor is it clear if and when this will happen. The consultant also heard of low morale amongst some IEC personnel, high levels of frustration amongst others, as well as incidents of breakdown in communication between executive, managerial and other levels of personnel within the organisation.

Despite training provided through DPP to the IEC, capacity of the organisation remains low and expatriate experts are anticipated to be needed for the next elections. No performance management system is in place within the IEC and thus the effectiveness of the DDP-funded training and capacity building is difficult to assess objectively. The evaluation consultant also noted the relatively high levels of personnel turnover at the IEC which raises questions relating to conditions of service and consequently the sustainable development of the organisation and impact of the DDP capacity building and training between elections.

The evaluation consultant found that there are at least three different versions of the organogram and that the organisation has no clear lines of authority. Several employees could not identify who their line manager is. The evaluation consultant found that the IEC has weak procurement procedures, in need of revision and at times bypassed. Despite extensive ICT support from Deepening Democracy, the evaluation consultant found that the IEC web site ([www.iec.org.ls](http://www.iec.org.ls)) was down, off-line or inaccessible. This is a considerable waste of scarce and expensive resources.

*Recommendation: UNDP should provide the IEC with a consultant to complete the Organisational Development exercise that was started but remains unfinished due to the death of its consultant. During this exercise, the consultant may wish to make recommendations regarding staffing levels, capacities, retention, and structure.*

*Recommendation: UNDP may wish to facilitate a strategic planning workshop or retreat one year prior to the next parliamentary elections. Team building activities should be included. Commissioners should attend this retreat.*

*Recommendation: UNDP may wish to inquire about the status of the website.*

* 1. Budgeting and Forward Planning for 2012

The lessons from the 2002 elections had not been adopted or implemented by the IEC in preparation for the 2007 elections. After the 2007 elections, the UNDP project manager did not write the 2007 lessons learned report although this was requested by the IT consultant. He is no longer employed by UNDP and therefore this cannot be recommended at this stage. Currently the IEC concedes that it lacks the time and capacity to thoroughly self-evaluate its performance and preparedness for an election as it moves from parliamentary elections into local government elections within a two to three-year period. Such a regular evaluation can be linked to an IEC-generated work plan, training, personnel development, logistics and ICT planning and indeed funding cycles. The existence of such evaluations and work plan would also assist the government in its own planning and budget cycles.

*Recommendation: The state of preparedness of the IEC to conduct and deliver an election should be regularly reviewed and reported on by local, regional or international experts to the UNDP and other stakeholders.*

*Recommendation: In the future, the UNDP-funded Project Manager must prepare a lessons learned report as a contractual obligation.*

* 1. Unclear Mandate for Voter and Civic Education

The role of the IEC in civic education is not clear. In its legal mandate, the IEC is to “promote civic education.” What this means is highly contested among staff. There is lack of clarity, consensus and ‘buy-in’ regarding the mission, roles and responsibilities of the IEC in the provision of both voter and civic education. While there is greater agreement among senior IEC officials on their roles and responsibilities with respect to voter education, there is no agreement on whether the IEC should be engaged in civic education and if so at what level and how extensive this role should be, less still the particular interventions and programmes to be conducted. This is a highly significant point as it impacts not only on internal IEC capacity, it is fundamental to the IEC’s roles and responsibility with respect to civil society, the media, and most importantly the electorate.

None of the planned Deepening Democracy activities in the area of civic education were carried out by the IEC due to ill-designed activities and the contested mandate of the IEC. A National Framework for Civic Education, found repeatedly in various work plans and project documents as a Deepening Democracy deliverable, was not done by the IEC. As part of the 2008 DfID funding extension, Deepening Democracy promised that “a civic education strategy and an outreach programme will be developed and CSOs will be engaged to develop a Lesotho programme.” This was not done. The evaluation consultant believes that no further activities can be done in the area of civic and voter education until the IEC examines the mandate and capacity of the IEC’s Civic and Voter Education Unit as well as the capacities of its civil society partners.

Some officials interviewed did not adequately differentiate between voter education and civic education. The activities that the IEC should be conducting in the run-up to an election should only be voter education. Civic education cannot be conducted a few weeks before an election but rather is the longer, on-going education provided to citizens. The Deepening Democracy project did not adequately differentiate between the two either. Some planned civic education activities in Deepening Democracy such as training secondary school teachers should have only been post-election activities, and the project presupposed that the IEC was best-suited to conduct civic education. Therefore, it is not surprising that these activities were not done during the project.

The IEC needs to given various options to consider for both civic and voter education. In one model, the IEC provides these services directly. In a second model, the IEC provides the content and the materials but the actual training is carried out by civil society organisations. In the third model, the IEC only accredits CSOs to carry out their own civic and voter education. There are numerous regional and international best practices for the IEC to model according to the unique situation in Lesotho. And, the model that works for voter education may be different than for civic education.

Although beyond the scope of this evaluation, the consultant’s initial findings in this regard may be noted. Given the capacity challenges of the IEC, the IEC may not be well-placed to carry out civic education. Furthermore, given the complexities of the Lesotho electoral system, much is needed to be done on the area of voter education. Therefore, sharing the tasks of civic education with CSOs and other government departments while the IEC concentrates of voter education seems prudent.

*Recommendation: UNDP should engage a civic education specialist to conduct an audit on what has been done in the area of voter and civic education, to identify the gaps, and to recommend who is well-suited to fill the gaps. Then, a major stakeholder workshop may be held where different models of civic education are presented and a national plan of action is determined. Different Ministries, the media, civil society organisations, development partners, the IEC itself and political parties may be invited to participate in this.*

A separate but related issue concerns the lack of gender activities during Deepening Democracy. Although the program objective was “a broad-based, gender-balanced, inclusive and therefore fully representative National Assembly,” there were no gender activities carried out by the IEC or CSOs with Deepening Democracy support. While more female MPs were elected than ever before, challenges to female leadership in Lesotho society remain. The 50/50 campaign is an on-going campaign and should be broader than just during the elections.

*Recommendation: UNDP may wish to consider a gender component within its successor programme which targets CSOs who work on gender issues and which also addresses female MPs such as a women’s caucus at parliament in order to promote the 50/50 campaign.*

* 1. Activities and Indicators

One of the primary ways to assess the success of a project is to examine the indicators in the project’s monitoring and evaluation plan. The evaluation consultant found that the Project Description included a weak M&E component. Although a number of reports have been written by stakeholders involved in the DDP, inadequate monitoring of programme activities, deliverables, timelines and outcomes occurred throughout the life of the programme. What are listed as indicators in the project description are not indicators. Although Deepening Democracy was clearly a successful project that produced results, the evaluation consultant wishes this could be shown more objectively and perhaps quantitatively. Both *output* indicators such as “number of people trained” and *outcome* indicators such as “number of complaints brought to the IEC during the elections” are needed to show this success more clearly.

*Recommendation: An M&E specialist should be appointed during the conceptualisation phase of subsequent governance programmes, if funding allows. M&E indicators should be monitored and recorded either by UNDP or the IEC by a dedicated specialist.*

* 1. Project Management

In Lesotho, there is a small pool of potential donors able to fund democracy and governance programmes. UNDP should be commended for designing Deepening Democracy and then attracting funding from other development partners. In the case of the DDP, three donors contributed to this basket fund - Irish Aid, DfID, and the UN itself. Due to the economic crisis in the West and the narrow pool of donors present in Lesotho, a well-coordinated democracy and governance working group is necessary to ensure that no gaps in programming emerge.

*Recommendation: UNDP may wish to call together all donors, diplomats and development partners in order to co-design – even if not co-fund - future governance programmes which would serve to ensure greater coordination and alignment as well as promote greater partner buy-in.*

The management structure of Deepening Democracy was overly and unnecessarily complex. The Project Coordinator reports to the Steering Committee (UN RC, Irish Ambassador, DfID Rep, IEC Chair, PS Min of Finance, CS representative). He or she has an unclear relationship (dotted line) with the IEC Deputy Director of Elections and the UNDP Programme Specialist. Then there is another committee called a Technical Committee with the Director of Elections (as opposed to the Deputy Director). The UNDP Programme Specialist, who sits at UNDP, must have more oversight and authority over the Project Coordinator, a short term UNDP consultant who sits at the IEC, in order to ensure accountability and effectiveness.

*Recommendation: UNDP should attempt to make management structures as clear and simple as possible in order to ensure maximum accountability to both UNDP and to the IEC.*

Due to previous challenges encountered by the UNDP, including the difficulties experienced by beneficiaries to account for funding from UNDP, all financial payments with the DDP were made directly by the UNDP itself. This included payments to the IEC, to consultants and suppliers. While this modality of payment provides for better corporate governance, tighter control and cleaner reconciliation, it has the consequence of encountering delays and bottlenecks in payment to beneficiaries and their suppliers and vendors. It also has lead to the IEC resenting the high salaries of international consultants. Although the UNDP has had a funding relationship with the IEC since 1996, the IEC still encounters delays in receiving payment from the UNDP, which, in turn, places it under pressure from its own vendors, suppliers and creditors. Similar dissatisfaction was expressed by the IEC-UNDP Facilitation Team in the time taken to receive payment for workshops and consultancies.

*Recommendation: The accounting department at UNDP should provide additional training to the IEC accounting personnel to ensure that all rules and procedures are followed.*

As previously stated, the heavy administrative burden to UNDP due to the individual payments (and individual contracts) with the election mediators, and many individual consultants led to inefficiencies in the project. Each per diem, each rental car and each consultancy required different payments. Sub-grants and contracting arrangements to an umbrella organisation such as the Lesotho Council of NGOs (LCN) or other modalities may be considered as an alternative. The efficiency of payments to the IEC may be improved if the administrative burden in other areas is decreased. In reviewing the alternative mechanisms, the capacity of these other partners as well as the additional costs involved must also be considered. After a thorough investigation of these aspects, outsourcing may or may not be a viable option that would increase efficiency.

*Recommendation: A more efficient mechanism may be considered in order to improve the efficiency of services to key partners such as the IEC. Outsourcing of certain tasks to other organisations, building up additional capacity in IEC or alternatively in UNDP may be considered.*

The TORs for international consultants were broad and unfocused. The TORs were written for one year with the possibility of extension to two years but without clear post-election activities planned. Revisions to the TORs were not done in the context of the “snap” elections.

*Recommendation: TORs for the international consultants should be developed with the IEC which provide specific tasks and deliverables. Shorter consultancies (6 weeks to 6 months) may also be considered if snap elections are called.*

The evaluation consultant was informed that of the three vehicles purchased for the IEC one of the vehicles was retained by UNDP for two years. While the evaluation consultant understands the constraints under UNDP held consultations with the IEC on this matter due to the particular circumstances at the time, the use of project funds meant for the IEC has lead to ill-feelings and resentment.

*Recommendation: UNDP should transfer the vehicle to the IEC as the terms of agreement that led to this arrangement are no longer applicable.*

* 1. Reporting requirements

A basket funding arrangement is intended to streamline administration and reporting requirements. However, there is no evidence that the basket fund provided this to UNDP. There was no joint reporting requirement to DfID and Irish AID. On separate reports, the same items appear on both Irish and DfID report. For example, a 2nd quarter DfID report has same items as 1st quarter Irish Aid report. This is likely due to the costs being divided between the two donors. Furthermore, there were no anomalies in the audit reports. Given the clean and certified audit records, this reporting anomaly seems to be related to an overburdened reporting mechanism and is not due to double counting.

When examining the quarterly reports, the evaluation consultant was surprised to read reports that outlined what should be done rather than what had already taken place. Rather than outline planned activities of what “should” be done, a quarterly report usually outlines what has been done. Most activities in the reports read by the consultant were planned but not actually done.

*Recommendation: Donors contributing to UNDP’s democracy and governance programmes should agree to common reporting requirements.*

*Recommendation: UNDP should adopt a more useful reporting format for quarterly reports to report on completed activities with brief explanations as to why planned activities had not yet taken place.*

* 1. Value for Money

Salaries played a very important role in the Deepening Democracy Project. Approximately one-third of the budget was allocated for international consultants. When adding local consultants and national staff, 40% of the Deepening Democracy budget was for salaries. Therefore, the evaluation consultant paid special attention to the benefits from these salaries.

The evaluation consultant had difficulty evaluating the role of the two international consultants. When the international expert Project Manager and the Logistics expert arrived in Lesotho for the 2007 elections is disputed. Several IEC officials contended that both experts may have arrived *after* the 2007 elections. The evaluation consultant independently established that the Project Manager arrived in Lesotho on 18 January 2007 and the Logistics Expert arrived on 17 January 2007. In other words, both international experts arrived just one month before the elections were held on 17 February 2007. The international elections IT expert arrived in Lesotho a few days earlier in January 2007. The Logistics and Project Manager left Lesotho 16 July and 18 July 2007, respectively. The IT consultant left in March 2007.

Officials from both UNDP and the IEC felt that the two international expert consultants had not met UNDP expectations and standards resulting in both being released early from their contracts. The reasons for this require closer examination from the UNDP perspective, but no IEC Commissioner, manager or employee interviewed by the evaluation consultant felt that the Elections Project Manager or the Logistics Manager had added value to either the IEC or the management of the 2007 election more broadly. In contrast, the IT consultant was unanimously praised for the excellent services he performed and was well worth the expatriate rates.

While both the Election Manager and the Logistics Manager were circumscribed by the acute time constraints of their appointment, as both arrived just a month before the election, Lesotho’s elections were anticipated to take place in April/May 2007 and thus an earlier expert recruitment process could have been conducted in order short-list and ‘secure’ the availability of international experts.

Significantly, IEC delivered the election without significant input from the international Project Manager and the Logistics expert. Therefore, this was clearly not a prudent expenditure of donor funds. UNDP should carefully consider the type of expertise required but also the type of candidates needed for future consultancies. UNDP may wish to consider how and when local and regional experts to the IEC may be used and when international experts are best-suited. The IEC is open to international technical advisors but a needs assessment and selection of candidates should be done jointly in order to maximise the utilisation of these expenses.

*Recommendation: A list of UNDP electoral experts in each functional area – logistics, project management, IT, communications, etc – may be developed in the second half of 2010 in preparations for the 2012 elections, provided that this arrangement follow the required competitive selection process.*

The international experts were expected to have important post-election activities in the area of capacity building, although this was not explicit in their TORs. Even if the two experts added little value in the short time available before the election in February 2007, it is not clear why they did conduct a thorough post-election evaluation of the operations, successes and challenges of the IEC and to conduct post-election capacity-building programmes.

There is no documentation available from either consultant for the evaluators to review to determine how the international experts conveyed their work experiences (and challenges and difficulties) to the IEC (formally or informally) and likewise to the UNDP.

The evaluation consultant was informed that the international experts are settling final contractual issues and therefore were reluctant to discuss their experiences with the 2007 election. Such a situation means that the UNDP, the IEC and the Lesotho electorate, more broadly, are losing or have lost the benefit of a potentially important debriefing in preparation for the planned local and general elections.

Finally, IEC officials suggest that ill-feeling was created between the IEC, the international experts and the UNDP by virtue of the rate of payment to the international experts, although this was never communicated to UNDP. The rate at which the international experts are compensated (irrespective of whether this is regarded as an acceptable rate or value for money) led to resentment, which should have been anticipated between local IEC staff and the international experts given local and international salary differentials. The procedural question is the wisdom and sensitivity of IEC officials signing off on the pay to the international experts rather than simply certifying or approving the quality of work conducted.

*Recommendation: UNDP may wish to consider paying the UNDP consultants directly rather than through the IEC.*

* 1. Communication
     1. Between the Financial Partners

According to the representatives of financial partners, there were no problems or issues reported regarding communication between development partners.

* + 1. Between UNDP and IEC

According to UNDP and the IEC officials, positive relations existed throughout the 2007 elections and to the present period. Regular meetings were held and communication flows were unimpeded. Any small issue is “water under the bridge” and does not affect the positive relationship. Since the successor programme, Consolidating Democracy, is built upon the Deepening Democracy, full consultations were not necessary since the UNDP has been working with the IEC for many years. However, periodic reviews and overviews are helpful and help create a sense of ownership for the implementing organisation.

*Recommendation: The UNDP may wish to conduct a series of workshops with all relevant stakeholders, but particularly with the IEC to explain more fully the objectives of its governance programmes and in particular its mode of financial and managerial engagement. This will avoid misunderstanding and enhance the efficient and effective working and financial relationship between the UNDP and all stakeholders.*

* + 1. Within the IEC

As previously reported, the IEC at times struggles with internal organisational weaknesses and communication challenges which result from these weaknesses. During the interviews, the evaluation consultant heard several examples from staff members of communication issues. The most problematic and recent case in point relates to the treatment of the internal IEC 2005 post-election evaluation report. The evaluation consultant was given varied accounts of this issue. In essence, the IEC prepared its own 2005 post-election report to be discussed internally, but before doing so the IEC had announced it would release the report publicly. After discussing and debating the report internally, the IEC later decided that the report should not be released publicly. This decision created an atmosphere of distrust and heightened the perception that the IEC was not confident of its own performance during the 2005 election, or worse that it had failed to carry out its duties independently, thereby opening itself to political and legal challenges. The internal report was subsequently leaked to the media, and the credibility of the IEC was temporarily tarnished by this.

*Recommendation: Through the OD exercise recommended earlier, internal communications within the IEC should be included.*

* + 1. With other Stakeholders

Development partners, the IEC and civil society organisations agree that the IEC communicates better and more regularly with development partners from other countries than it does with its own Basotho stakeholders. Political party officials, especially from the opposition, often relied on information from the IEC briefings with development partners which were held regularly when their own briefings were not. Despite two senior officials with communications in their job titles, neither the Public Relations Officer nor the Publicity Officer seems to have the confidence of the Commission to speak on its behalf. Having two competing offices with unclear lines of authority and unclear job descriptions produces tension and immobilizes the IEC from effective communication.

In the request for additional funding from DfID in 2008, Deepening Democracy was to support the development of the IEC’s Communications Strategy. This was not done. The contracting of an effective communications and media consultant (referred in the project documents as a “spin doctor”) is important and will assist the Commission to communicate more effectively but will not be worthwhile until the internal organisational issues are resolved first. Only when the officers have job descriptions and the organisation an organogram with clear lines of authority will a Communications Strategy with stakeholders become relevant.

*Recommendation: After the IEC completes its organisational development assessment, UNDP may wish to support the IEC’s Communications Strategy.*

* + 1. With Government

IEC communications before, during and after the 2007 elections were problematic. While the IEC itself acknowledges that it has not yet “weaned itself off” the government, the IEC would prefer to have more budget, personnel and mission independence from the government. Politically and institutionally, the IEC would prefer to answer to Parliament rather than the Ministry of Justice. Public perceptions of this lack of political independence became significant during the time of the post-election disputes. Whereas there is little doubt that the IEC acted within the Electoral Act and its actions were constitutional, poor communications particularly during the post-election disputes meant that this message was not as crisp and clear as it could and should have been at this vital time.

1. **Conclusion**

The Independent Electoral Commission of Lesotho conducted free, fair and credible elections according to all international and domestic observers’ reports. Voters in Lesotho went to the polls in February 2007 due to the “snap” elections called unexpectedly by the Government. Despite this short notice as well as the capacity and technological challenges faced by the IEC, the elections were regarded as a success. The contributions to the IEC from the Deepening Democracy project were fundamental to the success of the elections. On the eve of the elections, the IEC faced a crisis with a voter’s roll with thousands of missing names. Through technical assistance, hardware and software provided with funding from the DDP, the problems were solved and all stakeholders regained confidence in the IEC. Although post-election political disagreements still remain, DDP’s support of the SADC mission to help resolve the crisis provided a platform for discussion and gave parties a non-violent solution to their conflict. The UNDP’s forward planning well ahead of the elections made it possible for substantial levels of support despite the short timeline. The 2007 elections have provided important lessons for the IEC to prepare for future elections. With continued support from the UNDP and other development partners, the IEC will continue to build its capacity to conduct elections in support of Lesotho’s fragile democracy.

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“Site Visit to National Conference Centre,” Meeting Note Number 3, by David Mathieson, 24 January 2007.

*Supplemental Documents Provided to the Consultant*

Letter from IEC Chair to UNDP Resident Representative. 24 August 2005.

Letter from the UNDP Resident Representative to the IEC Chair. 18 October 2005.

“Report of the Auditor General on the Financial Statements of Deepening Democracy in Lesotho...For the Year Ended 31 December 2008.”

“Report of the Electoral Needs Assessment Mission: Lesotho.” 5-15 December 2005.

1. **List of People Interviewed (in alphabetical order)**

*Development Partners*

Sekhonyana Bereng, UNDP/Lesotho Head of Governance Unit and Governance Specialist

Pat Curran, Country Director of Irish Aid/Lesotho

His Excellency Paddy Fay, Ambassador of Ireland to Lesotho

Manthatisi Matamane, former Project Assistant

Georges Van Montfort, UNDP/Lesotho Deputy Country Representative

John Viner, former UNDP/Lesotho Governance Specialist (other places he is called Programme Specialist)

Toby Weaver, former DfID/Lesotho

*IEC Management and Staff[[4]](#footnote-4)*

Hantsi, Public Relations Officer

Nthakoana Hlahle, Research and Evaluation Officer

Malefetsane Nkhahle, Commissioner

Nthakoana Hlalele, Research and Evaluation Officer

Lydia Macheli, Civic Education Manager

Mphasa Mokhochane, Acting Director of Elections

Pontso Mamatlele Matete, Training and Publicity Officer

Majoro Mohapi, Voter Education Officer

Kotsi Christopher Mohaoi, Logistics Officer

Itumeleng Malefa Mosala, Human Resources Manager

Lehlomela Makume, Information Technology Manager

Mohale, Chief Legal Officer

Peniel Hloele Phafuli, Documentalist

*Deepening Democracy Consultants*

David Mathieson, Director, Electoral Reform International Services

Sehoai Santho, Facilitation Team Leader

Nchafatso Sello, Facilitation Team Governance Consultant

*Civil Society Representatives*

Booi Mohapi, Catholic Commission for Justice and Peace

Mabulara Tsuene, LCN

*Lesotho Government Officials*

Thabang Lekhela, Deputy Principal Secretary, Ministry of Foreign Affairs

*Political Party Representatives*

The evaluation consultant was advised not to interview political party representatives due to the ongoing sensitive nature of the post-election political and legal disputes. Thus, the evaluation consultant was unable to meet with and assess the activities with one of Deepening Democracy’s major intended beneficiaries.

*Media*

Since the media was trained through Deepening Democracy, meetings with media representatives were requested but no meetings were arranged.

*Security Sector Representatives*

Since training was conducted through Deepening Democracy for the security sector, meetings with the LMPS and the LDF were requested but no meetings were able to be arranged.

1. **TORs of the Evaluation**

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| **AIM:** The main aim of this assignment will be to conduct an evaluation which examines the efficiency, effectiveness, relevance, sustainability and impact of the project against targets as set in the project document and annual work plans formulated since the initiation of the project, “Deepening Democracy in Lesotho” for the period 2006 to 2009 . It is intended that this evaluation will, moreover, provide stakeholders with lessons learned as well as concrete findings and recommendations that will inform future UNDP programming.  **BACKGROUND:** The United Nations Development Programme (UNDP) in Lesotho collaborated with the Government of Lesotho, Irish Aid, the United Kingdom’s Department for International Development (DfID), and UNDP’s Bureau for Crisis Prevention and Recovery (BCPR) as part of the country’s efforts to vigorously respond to the challenges of electoral administration in the country and, thereby, to strengthening democratic governance in Lesotho. The purpose of this programme, which has spanned the period 2006 to 2009, following approval by the Government and signature by UNDP (on behalf of all participating partners) in December 2006, was to support peace and democratic institution building in the Kingdom of Lesotho, through assistance to the IEC in nurturing a conducive environment to peaceful, free and fair general elections in 2007. Such elections would lead to a broad-based, gender-balanced, inclusive and, therefore, fully representative National Assembly.  Through a comprehensive approach to deepen democracy in Lesotho, the project sought to provide technical support in four main areas:  i) strengthening the Independent Electoral Commission through technical advice, training, and increased regional cooperation ii) helping to develop conflict transformation capacities within the IEC and among stakeholders, in particular political parties. iii) enhancing civic responsibility by developing a countrywide voter and civic education programme.  iv) supporting donor coordination, including facilitation of international observation to ensure fairness and transparency in the electoral process.  Lesotho has a history of contested elections. The first post-independence general election of 1970 led to the suspension of the Constitution by the BNP government after preliminary results had suggested certain victory by the main opposition Basotholand Congress Party (BCP). Lesotho would be ruled by authoritarian and military regimes for the next 23 years until restoration of democracy in 1993. The BCP won the democratic election of 1993 and, five years later, the Lesotho Congress for Democracy, a splinter party of the BCP, won 79 seats in the expanded 80-seat National Assembly. But the election results sparked violent protests and riots. Following armed intervention by the SADC combined forces of South Africa and Botswana, an Interim Political Authority (IPA), consisting of two members from each of the twelve parties that had contested the election, was established. The IPA initiated a number of key electoral reforms including the restructuring of the Independent Electoral Commission, adoption of a new electoral model, the Mixed-Member-Proportional (MMP) model, and increase of parliamentary seats from 80 to 120.  The international community, including UNDP, played a supportive role to the IPA process and, along with Basotho political leaders, helped ensure that the ensuing 2002 general election would result in the country’s most inclusive parliament as well as unprecedented post- electoral stability.  The first local elections since independence were held in April 2005 under the FPTP system. An important feature of the election was the mandatory allocation of one third of all Local Council seats to women candidates in fulfilment of Lesotho’s commitment to a SADC protocol in that regard.  “Deepening Democracy” sought to build on these developments to further strengthen the IEC’s capacity to plan and conduct elections in Lesotho. In addition, the project sought to build the capacity of key governance institutions, including the IEC and political parties, to manage election related conflict through inclusive and widely participative conflict management fora that would facilitate open dialogue on sensitive national issues. Finally, and in keeping with its established role as coordinator of donor support to electoral processes, UNDP—Lesotho would continue to coordinate pre-election consultations between the IEC and members of the resident donor community to facilitate joint exploration of opportunities for collaboration.  The project focused on providing the IEC with adequate technical capacity to further conduct free and fair elections. Support was, therefore, predominantly directed not to the 2007 general election per se but to long-term capacity development of the IEC, while taking advantage of skills and resources in the region and ensuring that assistance given was politically neutral while enhancing the quality of elections. The project aimed to provide support in four areas: strengthening of the IEC; support to conflict transformation; enhancing civic education and coordinating international support.  To mobilize resources necessary to conduct the activities of this project, UNDP would work with a number of bilateral and other donor agencies. The project would also serve as a platform to better coordinate direct donor support to the electoral process, including support to public awareness programmes and electoral observation.  Capacity development within the IEC would be further improved through provision of up-dated training packages, including Bridge modules for IEC staff and generic electoral training for party agents and official witnesses. Further, technical advice would be provided as required by the IEC in particular in the areas of permanent voter registration, election procedures, logistical planning, system processes, development software, and disaster recovery.  With regard to Conflict Transformation, drawing on the past efforts and knowledge, the project would support the capacity of the IEC in conflict prevention through national mechanisms for constructive problem-solving, collaborative negotiation, dialogue and dispute resolution over a range of issues, particularly those related to the electoral process.  Prior to the 2007 general election, an initial programme would be rolled out to promote dialogue and consensus formation, constructive negotiation, mediation and implementation of conflict prevention initiatives. The programme would specifically target IEC staff, political party leadership, civil society organizations, Members of Parliament, the media, women and youth groups as well as selected government officials and would seek to establish a professional, nation-wide cadre of mediators and dialogue facilitators.  With regard to Enhancing Civic Responsibility, it was envisaged that a programme aimed at developing a National Framework for Civic Education would be designed in close collaboration with the Independent Electoral Commission, the Government of Lesotho, civil society organizations and others international and national partners already active in voter and civic education. Activities carried out in this area would seek to contribute to long-term and sustained national consolidation of democracy in Lesotho by transmitting important democratic concepts concerning: the right to choose representatives through free and fair elections pluralism, dispute resolution and peaceful participation in public life.  The Independent Electoral Commission was responsible for executing most of project activities, following UNDP’s guidelines. However, taking into account agreed opportunities for further improvement within the Secretariat of the IEC, and in view of facilitating timely project delivery, several components of the project, such as recruitment of technical advice and regional cooperation, were implemented directly by the UNDP |
| **SCOPE & OBJECTIVES:**  The Evaluation will cover the period from project initiation to operational closure, namely from December **2006 to December 2009.** The evaluation will assess project performance in keeping with the broad categories of relevance, efficiency, effectiveness, sustainability and impact. More specifically, the evaluation will seek to provide concrete findings, conclusions and recommendations that address the following areas:  **RELEVANCE:**   - Evaluate project alignment with national priorities and needs;  - Assess the extent to which project activities and outputs have responded to the development challenges.  - Assess level of ownership in project design and implementation including involvement/ participation of target beneficiaries and stake holders in project design.  **EFFICIENCY:**  - Evaluate the appropriateness of management structures, including financial management procedures and assess their consistency with UNDP requirements and guidelines   - Evaluate the efficiency of project activities and actions to determine whether outputs were achieved in a cost effective and timely manner  - Evaluate the monitoring & accountability structures and procedures used during the implementation of the project and assess their consistency with UNDP requirements and guidelines.  - Assess the capacities of Executing/Implementing Agencies  **EFFECTIVENESS:**  - Evaluate the extent to which project outputs, as stipulated in the project document, have been/or have not been met and why  **SUSTAINABILITY:**  - Evaluate the extent to which capacity gaps have been addressed  - Examine whether project outputs and deliverables led to benefits beyond the project life cycle.  - Highlight key capacity gaps remaining as they apply to the objectives of the project  - Assess the extent to which project design took into consideration the sustainability of results  **IMPACT:**  -  Assess project impact against the project logical framework focusing on outputs and outcomes (both intended and unintended)  - Achievement of the immediate objectives: summarize the major positive and negative outcomes.  **LESSONS LEARNED:**  -  Where needs are identified, provide concrete recommendations for the provision of future support to capacity building in electoral administration, conflict management, enhanced civic responsibility and observer coordination. |

1. The 33-member Senate is comprised of 22 Chiefs and 11 nominated Senators. [↑](#footnote-ref-2)
2. See http://bridge-project.org [↑](#endnote-ref-2)
3. Even the UNDP Needs Assessment report does not mention early elections as a possibility. Only June and September 2007 are mentioned as possible dates. (Point 18, Page 8) [↑](#footnote-ref-3)
4. A number of key individuals who were working for the IEC during the Deepening Democracy Project and in particular during the 2007 elections have since departed. Conversely, some key individuals within the IEC were not employed by the IEC at the launch of the Deepening Democracy Project or indeed the during the 2007 election. [↑](#footnote-ref-4)