

**United Nations Development Programme**

**Terms of Reference**

**Post-Early Presidential Election Evaluation Mission**

**Republic of Yemen**

Mission Composition: The evaluation mission will be composed of two-to-three independent international consultants appointed by the United Nations Development Programme (UNDP) in consultation with the United Nations Electoral Assistance Division (UNEAD), in addition to an independent local national consultant. It is envisaged that one international consultant shall be the Team Leader and hold overall responsibility for the submission of the final report and findings. The consultants will be supported by a local national assistant/translator(s) and receive logistical support from UNDP Yemen.

Type of Evaluation: External

Duration of the Mission: 22 days with approximately 15 days in-country

Tentative Starting Date: April 2012

Location: Sana’a, Republic of Yemen (with the prospect of travel outside of Sana’a, dependent on security assessment at the time of travel)

**I. Context**

The UNDP in Yemen is commissioning an external evaluation on behalf of the international community support to the February 2012 early Presidential Election process. This term of reference outlines the background and scope of the evaluation, the specific focus, the expected deliverables, the required expertise of the consultants, and the approximate timeline of the evaluation.

**II. Background**

In the wake of other mass protests in the Middle East, popular demonstrations started in Yemen in January 2011. These demonstrations initially focused on unemployment, poor economic conditions and corruption, and then resulted in open calls for the resignation of President Ali Abdullah Saleh.

The Gulf Cooperation Council (GCC) Transition Initiative, brokered by the GCC with United States (US) and European Union (EU) backing, envisions the safeguard of the unity, security and stability of Yemen and respect for the aspirations of the Yemeni people for change and reform. It also calls for a smooth and safe transfer of power to avoid anarchy and violence and for an immediate stop to the protests. The implementation steps of this plan, known as the “GCC Mechanism”, include the transfer of power to the Vice President and the formation of a government of National Unity. In accordance with the GCC Mechanism, Phase 1 required the Vice President to call for presidential elections within 90 days, and he thus set the date for 21 February, 2012. In accordance with the terms of the GCC Mechanism, the Vice President issued a decree appointing a Prime Minister from the opposition, tasking him to form a government of National Unity. The Vice President also set up a Military Committee for establishing safety and security. In phase 2 of the Mechanism, which began following the 21 February, 2012 election of the new president, the Government of National Unity will take steps to undertake constitutional reform, electoral reform, a conference of national dialogue, and new elections according to the terms of the new constitution. The early presidential elections will be a key measure of the transfer of power, and necessary for the establishment of an interim government to safeguard the transition process. The GCC Implementation Mechanism calls on the United Nations Secretary General, in cooperation with other agencies, to provide ongoing assistance for the implementation of this agreement. The UN is also requested to coordinate the assistance from the international community to implement the initiative and mechanism.

**III. Yemen's Democratic Experiment**

Since the establishment of the new Republic of Yemen (ROY) on 22 May 1990, and the devastating civil war of 1994, the Government of Yemen (GoY) has prioritized efforts to reform the management of the national economy, as well as to strengthen democratic structures and processes. The introduction of a multiparty system, the creation of an independent electoral body, the Supreme Commission for Elections and Referenda (SCER), as well as the promotion of civil society participation and the giving of full legal rights to women in order to facilitate their participation in the political life of the country, have been important steps toward democracy building. Central to these efforts have been the holding of several electoral processes.

Yemen's second presidential election was held in September 2006, and was considered largely free and fair. The election campaign was marked by the relative freedom afforded to the press and the raucousness of the debate. Importantly, the election was unusual in the region in that the incumbent head of state was presented with a real challenger. The Joint Meeting Parties (JMP), a coalition of parliamentary opposition parties (Islah, Yemen Socialist Party, the Union of Popular Forces, the Nasserite Popular Unionist Organization, the Arab Socialist Baath Party, and the Al Haq Party) agreed to put forward a single candidate, Faisal bin Shamlan, who was well respected in the country for his stance against corruption. The election saw Mr. Saleh return to power with a reduced majority of 77.2% of the vote, down from 96,3% in 1999, and Mr bin Shamlan received 21.8 % of the roughly 6 million votes cast. The EU election monitoring mission endorsed the poll, calling it an "open and genuine contest" and declaring it a major milestone in the democratic development of Yemen. Although the EU observers voiced some concerns over "procedural irregularities", they judged the voting process as "good or very good" in over 82% of polling centers.

Since the last electoral process, many conflicts between the Ruling Party and Opposition have surfaced. The ruling party and the opposition signed the famous February agreement for changing the elections law. However, the ruling party insisted on conducting the elections from its point of view, changed the elections law and refused all demands from the opposition. This resulted in the building of distrust between the ruling party and the opposition parties.

**IV. International Support and Partners to be Evaluated**

The international community has continued to support the implementation of the GCC Initiative and Yemen’s transitional process and as part of this commitment donors provided significant financial support for the early Presidential elections through various funding mechanisms. The following international support to the early Presidential elections is to be evaluated:

1. The UNDP Multi-Donor Basket Fund - a pooled contribution including funding from Denmark, Germany, Japan, United Kingdom, UNDP, and the UN Peace Building Fund.
2. The Joint Electoral Assistance Project (JEAP) funded by the European Commission (EC), through UNDP.
3. United States Agency for International Development (USAID) funding channeled through its implementing partners, the International Foundation for Electoral Systems (IFES) and the National Democratic Institute for International Affairs (NDI).

**V. Objectives of the External Evaluation**

The main objective of the external evaluation is to analyze the results of donor support of the electoral process in Yemen in terms of supporting the SCER and February 2012 electoral process. The evaluation will look at the quality, sustainability, relevance, coordination, coherence, implementation rate and involvement of stakeholders during the 2012 early elections period. A secondary objective is to reflect on the impact of the donor support programme in terms of the quality of the early elections and how they fit in the process of enhancing democracy in Yemen and transition to a stable and secure Yemen.

The evaluation should provide analysis leading to conclusions and relevant recommendations for formulating and executing elections assistance projects in Yemen. The evaluators should identify any problems and constraints, if any, which may have hampered the implementation of the project and the work of the SCER. They should provide recommendations for donors and participating stakeholders for assuring medium and long-term viability and sustainability of SCER and integrity of the electoral process, particularly during the transitional period. Special attention should be given to devising means to strengthen women's participation, support the role of civil society, and increase citizen information and participation.

Specifically, the evaluation will examine:

Relevance – the extent to which donor support to the early elections was able to respond to and address:

* The organizational and programming priorities of the SCER, participating media and political parties;
* Pre-election requirements for voter outreach/education;
* The different situations of women and men, youth, and of other segments of the population that may have been hampered in their participation in elections for reasons of disability, level of literacy or remote location;
* Cultural acceptability and feasibility of activities.

Coherence - the extent to which donors worked together to deliver a coherent package of support to the elections, including:

* Mechanisms put in place to ensure donor coordination, how effective they were and why;
* Satisfaction of SCER with donor support and coordination;
* Any evidence of duplication of activities, gaps, or conflicting advice from different donors, and if and how these were resolved.

Effectiveness – the extent to which donor support yielded expected outputs and contributed to expected outcomes, e.g. improved:

* *Performanc*e of the Electoral Institutions and Processes in planning and managing the elections;
* *Understanding* of the elections process among voters;
* Coverage by the media of the elections;
* *Knowledge* of political party functionaries and activists of their rights and responsibilities;
* *Cost-effectiveness*: to what extent are the inputs to the project sustainable, for future elections, particularly large procurements and investments?
* *Value for money*: Was the cost of project components justified in light of results achieved?

Efficiency/Value for Money – the extent to which project funds, expertise and time were used judiciously to achieve desired project results – i.e. with minimal duplication and redundancy. Were project inputs procured in a timely way and with intended results?

Sustainability – the extent to which any legislative and policy innovations, as well as strengthened human capacities and management systems are likely to benefit the SCER into the future with a view to the next elections. In particular, sustainability should be assessed with regard to the following:

Skills and expertise development;

Capacities for voter education;

Improvements in the media environment;

Capacities for supporting a peaceful environment;

Future use of other key procurements.

Impact– the evaluation should seek to approximate or estimate the project’s contribution to quality elections in terms of:

Election Administration

Election Campaign

Media and Elections

Election Day

# VI. Evaluation Questions

The evaluators will develop a work plan and approach that addresses the following key indicative evaluation questions:

1. Were the three donor support programmes designed in a coordinated way, and in close collaboration with key stakeholders? How relevant were they to the needs of the SCER?
2. Were the project objectives of the three programmes stated in their various monitoring plans / log frames achievable given the time and resources available?
3. Were inputs from the various projects mobilized in a timely manner and to the levels anticipated?
4. Were the management arrangements appropriate for this project?
	1. Was the UNDP basket fund programme implemented according to UNDP (Direct Implementation Modality) DIM standard procedure? Were management arrangements responsive to the requirements of different donors?
5. How did the different projects add value to the elections process, and to what extent were they responsive and harmonized in providing assistance?
6. Did the projects operate with the right number of staff, the appropriate skill sets in place and with a proper distribution of personnel across the various project functions?
7. To what extent were stated outputs achieved? Could they have been achieved to the same extent with the outlay of fewer resources?
8. To what extent was the election good quality:
	1. To what extent was SCER able to discharge its responsibilities in a responsible manner?
	2. To what extent were unregistered but eligible voters able to vote?
	3. To what extent was the election campaign open?
	4. To what extent did the election take place in a satisfactory manner?
9. To what extent did the election impact the population’s awareness of elections, feelings of trust in the change process, feelings that progress is being made towards real transition, etc? How does this vary among different groups of the population (Women, Youth, etc)? What factors led people to vote or not vote?

# VII. Methodology

The evaluation should use a combination of the following methods for data collection:

1. Document Review –documentation to be examined include:

Documents that constitute formal agreement among project partners and/or record progress covering the UNDP Multi-Donor Basket Fund, USAID programme with NDI and IFES, and UNDP / EC JEAP programme. To include project documents, M&E frameworks, progress reports, training reports, consultants reports and other internal documents.

Election plans from SCER, notes of meetings between SCER and donors, etc….

Information from opinion polls, reports from independent observers that document electoral performance (including those supported by NDI), media reporting;

Key Informant Interviews – the evaluation should include interviews with key stakeholders:

Senior management and other key focal points in SCER;

Key managerial and advisory staff in UNDP, USAID, donor partners contributing to the Multi-Donor Basket Fund, EC, etc…;

Project staff working in UNDP, NDI, IFES, etc…

Representatives of sub-contracted parties of major components;

Other national stakeholders with a mandate related to the elections (e.g. political parties, government bodies, etc…);

National electoral expert commentators, for example in academia, media, CSOs, electoral observers;

Members of the Elections Working Group and Technical Coordination Group.

Structured surveys and semi-structured telephone interviews can be used, i.e. project staff and key informants no longer in the country could be approached by telephone, e-survey or both.

Stakeholder Consultations – Consultations with groups of stakeholders i.e. media, CSOs Development Partners, Political Parties, National Observers etc.

In conducting data analysis and presenting the findings, the evaluation should use a combination of qualitative and quantitative methods. While the evaluation is expected to estimate project impact, it is understood that the evidence of impact may not be available for all components; and further that the methodological rigor usually associated with impact evaluation may not be applicable to this evaluation.

In addition to being guided by recognized international standards for free and fair elections as well as the project monitoring and evaluation frameworks, the evaluators are required to apply substantive expertise to distinguish key indicators of electoral fairness, transparency, and credibility.

**VIII. Deliverables**

The two evaluators are expected to deliver the following:

1. To submit within six days of completion of mission, a 15-25 page (excluding annexes) draft report addressing the objectives of the mission as stipulated above.
2. Upon completion of UNDP's comments on the draft report (returned within one week of receipt of draft report), the evaluators shall submit the final report within two working days.

**IX. Payment Schedule**

The evaluators shall be paid a lump sum that will cover DSA and travel expenses. Upon satisfactory completion of the final report, all remaining payments shall be made.

**X. Qualifications and Experience[[1]](#footnote-1)**

1. Advanced university degree in Social Sciences, International Relations or Law.
2. Extensive work experience related to electoral processes in developing countries.
3. Previous evaluation experience with electoral and/or other programs in similar contexts is a plus.
4. Familiarity with the Arab region, with specific Yemen political/electoral context experience an asset.
5. Good drafting and organizational skills.
6. Ability to work under demanding circumstances.
7. Timeliness and reliability of delivery.
8. Proficiency in English. Knowledge of Arabic is an asset[[2]](#footnote-2).
1. Team Leader will be selected per experience and will hold overall responsibility for the submission of final report and team findings. [↑](#footnote-ref-1)
2. Fluency in Arabic and English is a prerequisite for the independent local national consultant. [↑](#footnote-ref-2)