

## Annex I.C

### EUROPEAN UNION ELECTION OBSERVATION MISSION (EU EOM)

#### Malawi 2019

<b>Election Date</b>	Tripartite Elections 21 May 2019
<b>Country</b>	Malawi
<b>Deadline for submission of CVs from Member States</b>	.....

#### LTOs

<b>28 Long Term Observers</b>	
<b>Each Member State is invited to submit the following number of possible LTOs:</b>	Up to 3
<b>Indicative Deployment Date of LTOs</b>	14/04/2019      Departure to Malawi
	04/06/2019      Return to Europe
<b>Availability requested for selected Observers</b>	52 days
<b>Compulsory pre-deployment awareness training:</b>	None
<b>Briefing will take place upon arrival:</b>	In Blantyre : 15, 16 & 17 April 2019
<b>Lump sum (Forfait) <sup>1</sup></b>	280 € per day
<b>Risk Allowance</b>	n/a

#### STOs

<b>32 Short Term Observers (30 EU + 2 candidates from EU Focal Points)</b>	
<b>Each Member State is invited to submit the following number of possible STOs:</b>	Up to 3
<b>Indicative Deployment Date of STOs</b>	14/05/2019      Departure to Malawi
	26/05/2019      Return to Europe
<b>Availability requested for selected Observers</b>	13 days
<b>Compulsory pre-deployment awareness training:</b>	None
<b>Briefing will take place upon arrival:</b>	In Blantyre : 15, 16 & 17 May 2019
<b>Forfeit (lump sum) <sup>2</sup></b>	240 € per day

<sup>1</sup> According to the procedures set out the Commission implementing decision of 29.10.2014 adopting the Implementing Arrangements for Election Observation Missions, C(2014) 7782 final.

<sup>2</sup> According to the procedures set out the Commission implementing decision of 29.10.2014 adopting the Implementing Arrangements for Election Observation Missions, C(2014) 7782 final.

**Important remarks about the lump sum (Forfait):**

1. EU Election Observer is a volunteer activity.
2. During the training days including briefings and debriefings, although observers will be given accommodation and meals, they will be granted 84 € for LTOs and 72 € for STOs.
3. A lump sum (*forfait*) (280 € for LTOs, 240 € for STOs) should be paid per day spent serving as an observer deployed in the field within the Election Observation Mission, in order to ensure daily subsistence (accommodation, food, laundering, etc.).
4. Travelling days for mobilisation and demobilisation of LTOs will be eligible for the payment of partial or full lump sum, as long as Observers are spending the night outside of their place of residence.
5. The following rules will apply, from the day of mobilisation until the day of demobilisation, including for travelling days:
  - In the event that full board accommodation (i.e. all meals included) is provided by the EU EOM, the lump sum will be reduced to 30%. This rate also applies in the case of night flights.
  - If lunch and dinner are provided, the lump sum will be reduced to 80% of the lump sum. Each meal (lunch or dinner) represents deduction of 10% of the lump sum.
  - Breakfast represents a deduction of 5% of the lump sum.
  - If only accommodation, including breakfast, is provided, the lump sum received will be reduced to 50%.
  - If the accommodation without breakfast is provided the lump sum will be reduced to 55%.
6. Public transportation from the place of residence (as recorded in the EOM Roster at the time of the submission of the application) to the closest or economically most advantageous airport (and back) will be reimbursed, on top of the lump sum received.

**Terms of Reference Long Term Observer (LTO)****Under the supervision of the Observer Coordinator and in coordination with the Service Provider's team of experts and liaison officers, the Long Term Observers shall carry out the following specific tasks:**

1. Familiarise themselves with the methodology of EU EOMs, respective roles and duties of EU EOM members, as outlined in the EU Handbook for European Union Election Observation<sup>3</sup>;
2. Sign and abide by the (attached) Code of conduct for Election observers and by the instructions of the Core Team, the security and logistics experts. Failure to follow those code of conduct and instructions may result in an anticipated termination of the observer's assignment, immediate repatriation to the place of residence and non-recommendation for future EU EOMs;
3. Attend training sessions, briefing and debriefing sessions, as required by the European Commission relevant services, the Core team and the security and logistics expert;
4. Familiarise themselves with the applicable International standards for elections<sup>4</sup>, and the relevant country specific election rules, regulations and procedures;
5. Establish the presence of the EU EOM in their assigned Area of Responsibility (AoR);
6. Report to the Observer coordinator, the Security expert and the Logistics expert, as requested by Core team and Service provider's instructions;
7. Under the guidance of the logistics and security experts of the service provider, gather security and logistics information on their AoR including road conditions, food and water availability, and accommodation facilities;

<sup>3</sup> [https://eeas.europa.eu/sites/eeas/files/handbook\\_for\\_eu\\_eom\\_2016.pdf](https://eeas.europa.eu/sites/eeas/files/handbook_for_eu_eom_2016.pdf)

<sup>4</sup> [http://www.eueom.eu/files/dmfile/compendium-of-int-standards-for-elections\\_en.pdf](http://www.eueom.eu/files/dmfile/compendium-of-int-standards-for-elections_en.pdf)

8. Establish good working relations with the electoral and civil administration, political parties, NGOs, International Organisations and other election stakeholders in the AoR; Liaise with local domestic and international observers deployed in the AoR;
9. Follow on electoral disputes, complaints and appeals;
10. Monitor local media in accordance with the methodology specified by the Media Analyst (if required);
11. Monitor pre-electoral environment, the election campaign and administrative preparations in the AoR; Observe election day procedures, counting and tabulation operations; Monitor post-electoral developments;
12. Coordinate and manage (if applicable) the deployment of Short Term Observers in the AoR;
13. Train, brief and debrief (if applicable) Short Term Observers and Member of the European Parliament Delegation deployed in the AoR, as requested by the Core Team;
14. Evaluate the performance of Short Term Observers (if applicable) in conjunction with the Observer Coordinator;
15. Ensure that report forms used by Long Term and Short Term Observers (if applicable) in the AoR are sent back to headquarters as soon as feasible;
16. Submit an End of Mission report, based on the template provided by the Core Team;
17. Participate in an evaluation meeting with the Observer coordinator at the end of the mission;
18. Perform any additional duties and comply with any additional requests deemed necessary to the good functioning of the EU EOM.

## **Terms of Reference**

### **Short Term Observer (STO)**

**Under the supervision of the Observer Coordinator and the relevant Long Term Observers of the Area of Observation, and in coordination with the Service Provider's team of experts, the Short Term Observers shall carry out the following specific tasks:**

1. Familiarise themselves with the methodology of EU EOMs, respective roles and duties of EU EOM members, as outlined in the EU Handbook for European Union Election Observation<sup>5</sup>;
2. Sign and abide by the Code of Conduct for Election observers and by the instructions of the Long Term Observers, Core Team, the Security and Operations experts. Failure to follow this code of conduct and instructions may result in an anticipated termination of the observer's assignment, immediate repatriation to the place of residence and non-recommendation for future EU EOMs;
3. Attend training sessions, briefing and debriefing sessions, as required by the European Commission relevant services, the Core team, the Long Term Observers and the Security and Operations expert;
4. Familiarise themselves with the applicable International standards for elections<sup>6</sup>, and the relevant country specific election rules, regulations and procedures;
5. Report to the Long Term Observers; the Observer coordinator, the Security expert and the Operations expert, as requested by Core team and Service provider's instructions;
6. Monitor immediate pre-electoral environment, the election campaign and administrative preparations in the AoO; Observe election day procedures, counting and tabulation operations; Monitor immediate post-electoral developments;
7. Participate in an evaluation meeting with the Long Term Observers and the Observer coordinator at the end of the mission;

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<sup>5</sup> [http://www.eueom.eu/files/dmfile/manuel-d-observation-electorale-de-l-ue\\_fr.pdf](http://www.eueom.eu/files/dmfile/manuel-d-observation-electorale-de-l-ue_fr.pdf)

<sup>6</sup> [http://www.eueom.eu/files/dmfile/compendium-of-int-standards-for-elections\\_en.pdf](http://www.eueom.eu/files/dmfile/compendium-of-int-standards-for-elections_en.pdf)

8. Submit an End of Mission report, based on the template provided by the Core Team;
9. Perform any additional duties and comply with any additional requests deemed necessary to the good functioning of the EU EOM.

**Council Decision 9262/98 – PESC 157 – COHOM 6**

**GUIDELINES - EU POLICY ON ELECTORAL OBSERVATION**

" ... "

**"Code of Conduct**

The following guidelines will apply to nationals of any country participating in EU observation missions decided by the EU unless specifically agreed otherwise. The guidelines will not apply to EU nationals participating in e.g. OSCE or UN missions, in which case those organisation's own codes will apply.

All official EU observers should adhere to the following guidelines:

- Respect the laws of the land. Observers enjoy no special immunities as an international observer, unless the host country so provides;
- Observers will participate in all pre-election briefings with their supervising officers;
- Observers will be subject to the direction and management of the observer team leadership, carrying out their written terms of reference and covering the geographical schedules specified by team leaders;
- Observers should be aware of the presence of other electoral monitoring teams, and liaise with them under the direction of the leader of the EU observer team;
- Observers will carry prescribed identification issued by the host government or election commission, and will identify themselves to any interested authority upon request;
- Observers shall maintain strict impartiality in the conduct of their duties, and shall at no time express any bias or preference in relation to national authorities, parties, candidates, or with reference to any issues in contention in the election process;
- Observers will not display or wear any partisan symbols, colours or banners;
- Observers will undertake their duties in an unobtrusive manner, and will not disrupt or interfere with the election process, polling day procedures, or the vote count,
- Observers may bring irregularities to the attention of the election officials, but will not give instructions or countermand decisions of the election officials;
- Observers will base all conclusions on well documented, factual, and verifiable evidence, and will keep a record of the polling stations and other relevant places that they visit;
- Observers will refrain from making any personal or premature comments about their observations to the media or any other interested persons, but should provide, through a designated liaison officer or spokesperson, general information about the nature of their activities as observers;
- Observers will participate in post election debriefings with their supervising officers and will contribute fully towards appropriate EU reports on the elections monitored;
- Observers must comply with all national laws and regulations. Where these limit freedom of assembly or movement about the country, they must note where such rules prevent them from carrying out their duties;
- At all times during the mission, including during private time away from work, each election observer should behave blamelessly, exercise sound judgement, and observe the highest level of personal discretion."

" ... "

## ETHICAL ASPECTS OF THE CODE OF CONDUCT FOR EU ELECTION OBSERVERS

All EU Observers are bound by the Code of Conduct. This is in harmony with the code of conduct accompanying the Declaration of Principles for International Election Observation to which EU Observers also adhere.

### Code of Conduct for EU Election Observers (Council Decision 9262/98)

All official EU observers should adhere to the following guidelines:

(...)

14. At all times during the mission, including during private time away from work, each election observer should behave blamelessly, exercise sound judgment, and observe the highest level of personal discretion."

### Code of Conduct violations

Beyond the stipulations of the Code of Conduct, all EU Election Observation Mission members, including local staff, are expected at all times to contribute to a professional working environment that is free from intimidation or sexual harassment. EU EOMs designate focal points to whom staff members may bring any concerns in regards to the professional working environment.

EU EOM members should behave in a manner that demonstrates respect for the citizens and officials of the host country. In view of the need for EU EOMs to maintain the highest level of private and public conduct, EU EOM members should not patronise any establishments where victims of trafficking may be employed. Likewise, in accordance with the provisions of the code of conduct, which requires Observers to "*behave blamelessly, exercise sound judgment, and observe the highest level of personal discretion*", in particular the abuse of alcohol, use of illegal drugs, and use of prostitution is strictly prohibited.

### Sexual harassment

EU EOMs have zero tolerance to sexual harassment. The following behaviour may constitute sexual harassment:

- Repetition of suggestive remarks, or sexual insinuation; use of rude or obscene language and gestures;
- Repeated and exaggerated compliments on the appearance of a colleague;
- Unwanted physical contact;
- Acts of voyeurism and exhibitionism;
- Any other unwelcome conduct related to sexual harassment.

If unwanted behaviour is identified it is important to react immediately and it should be reported in real time so that the mission has sufficient time to take the appropriate measures. The Observer Coordinator is the Core Team member to whom sexual harassment cases should be reported. In addition and in order to ensure gender balance another member from the Core Team will also be appointed as contact point for these issues. The issue of sexual harassment will be treated in the initial briefing of Observers. When facing a harassment case or in case there is uncertainty on defining whether the incident falls under sexual harassment EOM staff will contact the Observer Coordinator directly (or the second appointed contact point within the Core Team) and report the incident. The case will be discussed between the two and possible actions will be explored. The Observer Coordinator will also immediately and confidentially report the case to the Deputy Chief Observer who will report to FPI and EEAS HQ in order to inform them of the incident and discuss possible corrective measures.

Overall, the Observer Coordinator will guarantee complete confidentiality and will not take any action without the agreement of the perceived victims.

## **General Advice**

EU EOMs often operate in different cultural environments and the local culture of the country needs to be respected. Cultural differences within the EU EOM are also a reality that needs to be taken into account.

These cultural differences can affect the perception of acts, words and body language. Observers are therefore expected to abstain from any type of conduct felt to be inappropriate or embarrassing. The same also holds for clothing. Although there is no dress code for Observers, clothing should be appropriate for staff working in an EU mission and ensure that it does not offend the values of the country.

### **Dealing with harassment**

Observer Coordinators play a key role in implementing the policy to combat harassment. Observer Coordinators are colleagues working within the mission (core team members) who have this responsibility for the duration of the EU EOM.

Their role is to assist individuals who feel that they have suffered any form of harassment by listening to them, helping and supporting them, providing information and accompanying them. They can also provide mediation, if necessary.

Observer coordinators treat the information they receive in complete confidence and act only with the agreement of the perceived victim. Whistle-blowers will be equally protected, and the information provided will be treated with the same confidentiality.

Dealing with that type of cases can be difficult; therefore they must be able to demonstrate the following skills and abilities:

- a capacity for listening, empathising and communicating;
- discretion and respect for confidentiality;
- ability to distance oneself from one's own beliefs and value judgments;

### ***Designation of confidential counsellors***

Two contact points will be designated within the Core Team, one of them being the Observer Coordinator and another person that would ensure gender balance with the Observer Coordinator. Two focal points within the local staff will also be appointed by the DCO at the beginning of the mission.