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**REPORT OF THE MEETING OF GOVERNMENT EXPERTS
TO CONSIDER THE FEASIBILITY STUDIES FOR THE
ESTABLISHMENT OF AN ELECTORAL ASSISTANCE
UNIT AND FUND**

**INTRODUCTORY NOTE ON THE REPORT OF THE MEETING OF
GOVERNMENT EXPERTS TO CONSIDER THE FEASIBILITY STUDIES ON
THE ESTABLISHMENT OF A DEMOCRACY AND ELECTORAL UNIT
AND ASSISTANCE FUND**

1. The report on the meeting of government experts to examine the feasibility studies on the establishment of a democracy and electoral unit and assistance fund reviews the conclusions and recommendations of these experts that resulted from the deliberations of their Brazzaville meeting of 6 and 7 June 2006.

2. It should be recalled that the decision to create an administrative unit to monitor and observe elections was taken by the OAU Council of Ministers in July 2002 in Durban, South Africa. Subsequently, the Summit of Heads of State and Government that also met in Durban in July 2002 had, in accordance with the OAU Declaration on the principles governing democratic elections in Africa, requested the Organization's Secretary General to undertake a feasibility study on the creation, within the General Secretariat, of a electoral monitoring unit and the promotion of democratization.

It must be equally recalled that in accordance with the same Declaration, the Secretary General was requested to undertake a feasibility study for the establishment of a democracy and electoral assistance fund to facilitate success in the implementation of the said Declaration.

3. Both studies were completed by the African Union Commission in April 2006. They were presented for validation to a meeting of independent experts held in Addis Ababa from 2 to 4 May 2006.

The Commission then convened a meeting of government experts in Brazzaville, Republic of Congo, from 6-7 June 2006, with the purpose of reviewing these studies.

4. Concerning the feasibility study on the establishment of a democracy and electoral assistance unit, government experts supported the principle of creating the unit but underscored the need for in-depth reflection on the practical modalities for its implementation. They in particular, raised questions relating to the sustainability of the project, operational costs for the Unit and the risk of duplicating its functions with those of the existing Department of Political Affairs that deals with democracy and electoral issues.

After clarifications given by the Commission on all these concerns, government experts recognized that the need to create the unit was in response to a previous decision of the Council of Ministers and to a mandate of the Heads of State and Government and that the feasibility study must be accepted as such.

Considering the conclusions of the study presented by the Commission and the recommendations of the meeting of independent experts on 2, 3 and 4 May 2006, the government experts meeting recommended the following:

- a) The general mandate of the Unit must be the coordination of all the Commission's actions aimed at promoting democracy and democratic elections in Africa;
 - b) Missions devolved to the Unit as they result from this mandate should be the promotion of democracy in general, the observation and monitoring of elections and electoral assistance;
 - c) The unit should be directly attached to the Directorate of Political Affairs and staffed appropriately; initially its structure could be skeletal and the recruitment of personnel should be gradual;
 - d) The capacities of the Department of Political Affairs should be strengthened in order to enable it to implement the Commission's programme in the area of democracy and elections;
 - e) The running costs for the unit should be funded from the ordinary budget of the Union but its operations and programs could be financed from the Fund.
5. Concerning the study on the establishment of the democracy and electoral assistance Fund, government experts also supported the idea of establishing such a Fund that responds, also, to the mandate of Heads of State and Government.

After consideration of the issue, they recommended the following:

- a) The Fund should be assigned to the activities of the democracy and electoral assistance Unit;
- b) The Fund should be managed administratively by the democracy and electoral assistance Unit within the directorate of Political Affairs and managed financially by the Department of Finance in accordance with the financial rules of the Union,
- c) The beneficiaries of the fund should in priority be Member states as well as other institutions particularly, national electoral institutions, civil society organizations, political parties, media and other actors of democratic process, in accordance with activities carried out by the Unit;

- d) The Commission should determine the procedures for accessing the Fund as well as evaluation and performance mechanisms which conform to the supervision and evaluation procedures of the African Union;
- e) The Commission should devise mobilization strategies to ensure that the financial resources of the Fund are sustainable
- f) The Fund, while being open to external resources of partners of the African Union, should remain an exclusively African tool for the promotion of democracy and democratic elections on the continent.

6. Considering the conclusions and recommendations of the meeting of government experts, Council is invited to take the necessary decisions for the establishment of the democracy and electoral assistance Unit and Fund. In this regard, we recommend the following:

- a) Take note of the report of the meeting of government experts that was held in Brazzaville on 6 and 7 June 2006, and approve the recommendations thereof,
- b) Adopt the draft decision on the establishment and organization of a democracy and electoral assistance that is submitted;
- c) Adopt the draft decision on the establishment of Special Fund for democracy and electoral assistance;
- d) Authorize the Commission to undertake all required actions to effectively put in place the Unit and the Fund for democracy and electoral assistance.

7. The report of the meeting of government experts as well as the two feasibility studies are attached to the report submitted to you.

I thank you.

**REPORT OF THE MEETING OF GOVERNMENT EXPERTS TO CONSIDER THE
FEASIBILITY STUDIES FOR THE ESTABLISHMENT OF AN ELECTORAL
ASSISTANCE UNIT AND FUND**

I. INTRODUCTION

1. The Council of Ministers of the Organization of African Unity (OAU), meeting in Durban, South Africa, in July 2002, decided to establish an administrative unit for monitoring and observing elections, with the responsibility to coordinate and organize OAU's participation in elections monitoring, in collaboration with the authorities of concerned Member States.

Subsequently, the Heads of State and Government, meeting also in Durban in July 2002, in pursuance of the OAU Declaration on the Principles Governing Democratic Elections in Africa, requested the Secretary General of the Organization to carry out a feasibility study on the establishment, within the General Secretariat, of an elections monitoring and democracy promotion unit.

2. In the same Declaration, the Secretary General was requested to conduct a feasibility study on a Democracy and Electoral Assistance Support Fund to facilitate the implementation of the said Declaration.

3. The Commission conducted these two feasibility studies in April 2006. They were then submitted to a meeting of independent experts held in Addis Ababa from 2 to 4 May 2006 for validation.

4. The African Union Commission then convened a meeting of government experts, in Brazzaville, Republic of the Congo, from 6 to 7 June 2006 to re-examine the studies. The government experts equally examined the report of the meeting of independent experts held from 2 to 4 May 2006.

5. The report of the government experts meeting features as Annex 1 to this report.

II. CONSIDERATION OF VARIOUS DOCUMENTS:

A. Report of the independent experts meeting to validate the feasibility Studies for a Democracy and Electoral Assistance Unit and Support Fund

6. The government experts took note of the report and of its conclusions and recommendations. They also observed that the Commission had, in essence, incorporated all the recommendations made by the independent experts into the two studies.

B. Feasibility Study for a Democracy and Electoral Assistance Unit

7. The government experts supported the idea to set up the Unit, but stressed the need to further reflect on the practical aspects of operationalizing it. Some of the

important questions they raised included the sustainability of the project, the running costs of the Unit and the risk of it duplicating the current Division handling electoral issues within the Political Affairs Directorate.

8. Following clarifications made by the Commission in answer to these concerns, the government experts admitted that the need to set up the Unit was in fulfillment of an earlier decision of the Council of Ministers and a mandate of the Heads of State and Government; consequently the feasibility study had to be accepted as such.

9. Considering the conclusions of the study presented by the Commission and the recommendations of the independent experts meeting held from 2 to 4 May 2006, the government experts meeting made the following recommendations.

- a) The broad mandate of the Unit would be to coordinate all Commission activities geared towards fostering democracy and democratic elections in Africa;
- b) The duties of the Unit as derived from this broad mandate would be the enhancement of democracy in general, observation and monitoring of elections and provision of electoral assistance;
- c) The Unit would be directly attached to the Political Affairs Directorate and be provided with the appropriate personnel. Initially it would be a light structure and personnel would be recruited gradually;
- d) The capacities of the Political Affairs Directorate should be strengthened so that it can implement the Commission's programme on democracy and elections;
- e) The running expenses of the Unit should be charged to the ordinary budget of the Union, while its operations and programmes could be financed by the Fund.

10. The feasibility study on the establishment of the Democracy and Electoral Assistance Unit features as Annex II to this report.

C. Feasibility Study for a Democracy and Electoral Assistance Fund

11. The government experts also upheld the idea of establishing a Democracy and Electoral Assistance Fund, which is also a fulfillment of a mandate of the Heads of State and Government.

12. Upon considering the question, the government experts made the following recommendations:

- a) The Fund should serve as a support to the activities of the Democracy and Electoral Assistance Unit;
- b) The Fund should be managed administratively by the Democracy and Electoral Assistance Unit within the Political Affairs Directorate,

and financially by the Finance Directorate, in accordance with Union financial regulations;

- c) Fund beneficiaries should, as a priority, be Member States, and also other institutions, notably national electoral institutions, civil society organizations, political parties, the media and other stakeholders in the democratic process, all depending on the activities of the Unit;
- d) The Commission should determine the procedures for accessing the Fund as well as evaluation and performance modalities which should comply with African Union supervision and evaluation procedures;
- e) The Commission should conceive strategies for the sustainable mobilization and replenishment of resources required for the Fund's activities;
- f) While being able to receive external resources from the African Union's partners, the Fund should remain an entirely African mechanism for fostering democracy and democratic elections in the continent.

13. The feasibility study on the establishment of a Democracy and Electoral Assistance Fund features as Annex III to this report.

III. CONCLUSIONS AND RECOMMENDATIONS

14. It should be recalled that the ultimate goal for the establishment of the Democracy and Electoral Assistance Unit is to enable the African Union to implement its programme for the promotion of democracy and democratic elections on the continent.

Therefore, the cardinal objective sought in the establishment of the Unit is to enhance the institutional capacity of the Commission to enable it to play the role it has set for itself in this specific domain.

15. Similarly, the establishment of the Democracy and Electoral Assistance Fund is aimed at facilitating the mobilization of extra-budgetary funds in order to enable the African Union to effectively pursue its election observation activities on the continent, to lend support to Member States needing financial assistance in view of organizing free and fair elections, to provide capacity-building for national electoral institutions and more generally to foster democracy in all its aspects throughout the continent.

16. Given these conditions, the African Union needs to have the institutional and financial mechanisms enabling it to live up to its commitments in respect of fostering democracy and democratic elections in Africa.

17. In light of the foregoing, the Council is requested to take the necessary decisions for the setting up of the Democracy and Electoral Assistance Unit and Fund. In this respect, the Council is recommended to:

- a) Take note of the report of the meeting of government experts held at Brazzaville on 6 and 7 June 2006, and approve the recommendations contained therein;
- b) Adopt the draft decision relating to the setting up and organization of a Democracy and Electoral Assistance Unit submitted to it;
- c) Adopt the draft decision relating to the establishment of a Democracy and Electoral Assistance Special Fund submitted to it;
- d) Authorize the Commission to take all the necessary actions towards the effective establishment of the Democracy and Electoral Assistance Unit and Fund.

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Report of the Meeting of Government Experts to consider the feasibility studies for the establishment of an electoral assistance unit and fund

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