

Terms of Reference for Deputy Chief Observer of the EU EOM to Sri Lanka

Presidential election – Date TBC (between 15 November and 7 December 2019)

The present Terms of Reference offer selection criteria for the Deputy Chief Observer of the European Union Election Observation Mission to Sri Lanka 2019. In addition to the Chief Observer and Deputy Chief Observer, the Core Team is composed of eight experts, whose individual Terms of Reference are outlined in the relevant Core Team Terms of Reference, published separately.

Preliminary remarks

European Union Election Observation Missions (EU EOMs) are independent in their findings and conclusions, but must, at all times, adhere to the standard EU methodology for election observation in both, political/electoral and implementation/security matters, as outlined in the “Handbook for European Union Election Observation.”¹ EU EOMs must follow standard guidelines as specified by the European External Action Service (EEAS) and the European Commission.

All EO EOM members must follow the EU Code of Conduct for election observation, as well as adhere to the UN “Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers”.²

Due to the evolving context of elections, the following Terms of Reference offer a general overview of the requested job profile that is potentially subject to changes. The final version including the detailed description of the final profile and responsibilities of the DCO will be provided in the contract the DCO will be signing with the European Commission in her/his quality of Special Advisor to the European Commission.³

The working and reporting language of the EU EOM will be English.

CHIEF OBSERVER (CO)

The CO has the overall responsibility for the EU EOM. S/he is appointed directly by the High Representative/Vice President. The CO’s duties, tasks and responsibilities are detailed in the annex attached to her/his contract.

(1) DEPUTY CHIEF OBSERVER (DCO)

As a Special Adviser to the HR/VP, the role of the DCO is to assist the Chief Observer in the conduct of the EOM and in managing its core team. The DCO will cooperate closely with the

¹ https://eeas.europa.eu/sites/eeas/files/handbook_for_eu_eom_2016.pdf

² http://eeas.europa.eu/eueom/pdf/declaration-of-principles_en.pdf

³ According to the dispositions set out in the Commission implementing decision of 29.10.2014 adopting the Implementing Arrangements for Election Observation Missions, C(2014) 7782 final.

Service Provider, so that both entities can operate smoothly in line with the overall objective of the EU EOM. The DCO also replaces the Chief Observer whenever absent, including in diplomatic and media/social media contacts, essential to the functioning of the EOM. In the absence of the CO, the DCO will act as principal spokesperson for the EU EOM. The DCO will be present in the field during the full duration of the EU EOM as well as its preparatory and winding-down phases.

The DCO acts as the principal political advisor to the CO. Under the authority of the CO, the DCO has management responsibility for the political, analytical, methodological and outreach aspects of the EU EOM. The Service Provider will discuss with the DCO the operational, security and administrative measures that need to be taken as regards the overall safety of the EU EOM, bearing in mind that the actual election observation is the key aim of the EU EOM. The DCO is responsible for the coordination of all EU EOM member activities, including vis-à-vis staff made available by the Service Provider.

The DCO will keep the CO and relevant EEAS (Global 3) and European Commission (FPI.3) services regularly informed about all aspects of the EU EOM.

S/he will:

Manage political and methodological tasks:

1. Ensure that the EU EOM adheres to the EU methodology for election observation, as outlined in the “Handbook for European Union Election Observation” and accompanying guidelines, as well as to the “Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers”, commemorated at the United Nations in October 2005. In particular, the DCO ensures that the EU EOM assesses the conduct of the election process in accordance with Sri Lanka national laws, international and regional obligations and commitments for democratic elections.
2. Ensure that the EU EOM adheres to the Administrative Arrangement signed by the Delegation of the European Union with the government of the Democratic Socialist Republic of Sri Lanka and the Sri Lanka Election Commission.
3. Understand the electoral framework and oversee identification of the main electoral and political issues.
4. Maintain regular communication and, when relevant, ensure co-ordination with domestic and international organisations involved in observing/monitoring the electoral process.
5. Meet regularly with election administration, political party leaders, political contestants, international organisations, government departments, other relevant state institutions and NGOs. Maintain regular contact with the EU Delegation and EU Member States in the host country.
6. Ensure gender mainstreaming and inclusion of EOM relevant political analysis in EU EOM reports, including in particular the assessment of political rights.

7. Inform the EEAS (Global 3) and the European Commission (FPI.3) services on important developments in between reporting cycles.
8. Ensure coordination with other International Observation organisations and with relevant domestic observation organisations.
9. Coordinate the preparation of interim reports on the election process and EU EOM activities, based on contributions from the Core Team and LTOs, using the standard format/template provided by the EEAS and the European Commission services. EEAS and European Commission services must be given an opportunity, in sufficient time (usually 48 hours), to provide comments on these reports. Final approval lies with the CO.
10. Coordinate the preparation of the EU EOM preliminary statement, based on the standard format/template provided by EEAS and Commission services, which should be approved by the CO. The EEAS and European Commission must be given an opportunity, in sufficient time (minimum one week before e-day for the first draft), to provide comments on the preliminary statement, which should be carefully considered before it is finalised. Final approval lies with the CO.
11. Under the authority of the CO, the DCO is responsible for the co-ordination, drafting and editing of the final report to be submitted by the Core Team to the EEAS services and European Commission according to the standard format/template provided and within the schedule agreed with relevant EEAS and European Commission services. Particular attention will be paid to follow-up recommendations drafted by the EOM, according to the template provided by EEAS and the European Commission services. The draft final report, including draft recommendations, should be made available at least 24h prior to the debriefing of the EU EOM upon its return. EEAS and European Commission services must be given an opportunity (over a one week period) to provide comments on the draft final report, which should be considered by the DCO before it is finalised. Final approval lies with the CO. The date for the final report delivery should be agreed during the debriefing of the EU EOM and should, where possible, be within 6 weeks of Core Team departure from the country of observation.
12. For the return visit, the DCO will be present in the country for an additional maximum ten days (not including traveling time) after the closure of the EU EOM. S/he will provide EEAS and European Commission services with a Mission report on the Return Visit and roundtable and information on the work undertaken with the EU Delegation on the preparation of the Plan for the Follow-up of the EU EOM recommendations (guidelines on reporting and templates will be provided).
13. Ensure that all reporting is of highest standard, both in terms of content and language, and based on EU EOM Core Team members and observers findings. A reporting and style guide for the Preliminary Statement and reports (including templates) will be provided during the pre-deployment briefing.
14. When relevant, ensure reliability and quality of the translation of the reports into other working languages of the EU EOM.

Manage operational tasks:

1. In the absence of the CO, assume the position of Acting CO and lead daily EU EOM activities, bringing together the Core Team, Observers and Service Provider and providing guidance to their daily work
2. Ensure a high visibility of the EU EOM, in close cooperation with the press officer and the rest of the Core Team and replacing the CO in visibility events when necessary. Provide EEAS (Global 3) and European Commission (FPI.3) with visibility material (videos, photos, tweets, including website content, etc) that can be used at EEAS headquarters level to enhance the visibility of the EU EOM outside the country where the EU EOM is deployed.
3. Oversee the work of all Core Team members, in particular:
 - Organise effective coordination and regular team meetings among Core Team members and the Service Provider;
 - Oversee the preparation of the deployment plan prepared by the Observer Coordinator and subsequent deployment of observers; ensure that the deployment plan be communicated to the Service Provider sufficiently in advance, in order to allow for all logistical and security measures to be taken in a timely manner;
 - Oversee preparation and conduct of briefing and training sessions for observers;
 - Oversee preparation of briefing materials and report forms for observers ensuring that observers are briefed on the EU, the EU foreign policy and in particular election support instruments and the European Instrument for Democracy and Human Rights (EIDHR);
 - Oversee media and social media relations and public outreach activities, including website and social media content.
4. Determine Core Team rules of procedure, which should include:
 - Rules for Core Team (meetings and other necessary rules) to ensure the effective flow of information among Core Team members and vis-à-vis observers (enhancing the need to ensure the flow of information is well coordinated);
 - Rules for interfacing with national authorities, election stakeholders (level of contacts, responsibilities etc.);
 - Internal deadlines for preparing weekly and preliminary reports, taking into account reporting guidelines;
 - Rules for establishing an operational plan for election day, ensuring smooth data flow to and from observers;
 - Rules for archiving main documents (what kind of information received must be recorded or which prepared/received documents must be retained);
 - Rules for daily coordination with the Service Provider and its staff.
 - Rules for the CT and observers' contacts with media and use of social media during the EU EOM.
5. Oversee the methodological and operational integration of locally recruited diplomatic STOs and of the MEP delegation into the EU EOM workflow.

6. Ensure smooth co-ordination with the Service Provider (SP)
 - Organise effective coordination and regular team meetings between Core Team members and the SP;
 - Ensure daily briefings with SP on logistic and security aspects;
 - Address to the SP the day-to-day logistic needs for the proper conduct of the EU EOM, and oversee its delivery according to the terms of contract;
 - Address to the SP the day-to-day appropriate security needs to ensure its proper functioning.
 - Establish proper channels and procedures for communication of emergency situations with the SP;
 - Keep up to date with the preparation of logistic aspects by the SP (transport, accommodation, working facilities etc.);
 - In cooperation with the Observer Coordinator, liaise with the SP Logistics and Security experts on deployment plan and movements of the observers;
 - Attend the preparation of security/behavioural training tasked to the SP by the EC prior to observer deployment;
7. Ensure that all EU EOM members are fully aware of the EU EOM Code of Conduct and the Guidelines on the ethical aspects of the Code of Conduct and the consequence of failing to abide by them. The DCO presents the Guidelines as a separate point in the briefings of Observers (Long Term Observers and Short Term Observers) and appoints the two Core Team focal points for addressing any complaints. The Guidelines are also distributed to all Observers and ongoing EU EOMs are requested to emphasise the point on harassment several times throughout the EU EOM. In case any problem arises (eg. harassment allegations, inappropriate behaviour) immediately inform EC/EEAS.
8. Oversee the observer evaluation process. Ensure that this is prepared in co-ordination with all Core Team members; co-sign the evaluations and certificates for observers together with the Observer Coordinator. Ensure that evaluations follow COM guidelines. Oversee the inclusion of evaluations in the roster by the Coordinator (the Observer Coordinator will sign a letter of confidentiality on the information obtained in the roster).
9. Provide record of performance of the Core Team experts in collaboration with the CO.
10. Under CO responsibility, ensure that all measures are taken to ensure the security of EU EOM members. Inform European Commission services and the EEAS in a timely manner about all security issues. Decisions related to security must be taken in a timely manner under CO responsibility, in co-ordination with the Service Provider, in charge of the security and logistical aspects of the EU EOM, and in consultation with European Commission services. Plan a security committee and possible responses to the type of incidents that might arise in the country. Convene the security committee if necessitated. In case of disagreement between the DCO (under the authority of the CO) and the Service Provider, the DCO (under the authority of the CO) and the Project Manager in country of the Service Provider shall discuss the matter in order to reach an agreement. In case no agreement can be found, the DCO and/or the Service Provider shall refer the matter to the European Commission (FPI.3), and inform the

EEAS, and the European Commission shall contact the Service Provider in order to find a mutual agreement.

11. Ensure a good working relationship within the Core Team, with the Service Provider and with the locally recruited staff. In case of the disagreement between any member of the EU EOM, the DCO is called upon to moderate and to find a solution in the view of the EU EOM's overall objectives.
12. Provide a briefing on the EU EOM's modus operandi (including objectives, rules of procedures, staff rights and duties, and the code of conduct including its ethical guidelines) for locally recruited staff.
13. Ensure the smooth and timely circulation of information to European Commission and EEAS services.
14. Ensure that any requested modification to the Terms of Reference impacting the budget is notified in due time to the Service Provider and European Commission services for final approval by the relevant European Commission services.
15. Provide the European Commission with complete LTO evaluations, as well as LTO End of Mission reports, both in line with Commission guidelines. Provide the Commission with a comprehensive synthesis of all evaluations, certificates and End of Mission reports before closure of the EU EOM.
16. Coordinate and draft, with the support of the Observer Coordinator and with the contribution of other analysts, and based on assessments by the observers, the internal final report, including feedback on individual Terms of Reference for each analyst and for observers, modus operandi of the EU EOM, lessons learnt and good practices, and suggestions for methodological improvements and information on possible areas of technical assistance. The final internal report should be approved by the CO and submitted to the European Commission and EEAS services prior to the debriefing.
17. Ensure, in coordination with the Core Team and the Service Provider, the effective closure of the EU EOM, including the archiving of main documents and donation of equipment in collaboration with the EU Delegation.
18. Perform any other duty required by the Chief Observer or Commission/EEAS services for the good functioning of the EU EOM.
19. Be available for the briefings and debriefings of the EU EOM and the return visit and roundtable.