

## **Composite Response to queries and observations received following the mustering of the Election Observation Roster, 2019-2023**

As per previous undertakings and following completion of security vetting and verification, including adherence to new GDPR requirements, below is a composite response to various queries and observations received from applicants to the 2019-2023 election observation roster.

### **1. The purpose of the roster**

Individual EU and OSCE Member States operate their own national systems for the nomination of observers to election observation missions (EOMs). Some maintain rosters, others do not. The specific characteristics of rosters vary from country to country. In some cases, the roster is managed by a stand-alone body; in others by the Foreign Ministry. In the case of Ireland, a roster of volunteers willing and suitable to partake in overseas election observation missions is maintained by the Department of Foreign Affairs and Trade (the Department). The Department does not consider applications for nomination to election observation missions from members of the public who are not members of the roster. The Department maintains a roster so that: 1) there is a suitably skilled, trained and security-vetted pool of individuals who are available to participate in certain election observation missions (EOMs), which can arise at short notice; and 2) there is greater efficiency, as EOM calls are circulated to roster members who are pre-vetted and responsible for ensuring their online profiles with the EU and OSCE are correctly maintained as required.

### **2. The need for the roster to be maintained by the Department**

As international election observation is a contribution to democratisation, human rights and the rule-of-law, and as the practice today is for Ireland to contribute to missions organised by the EU and the OSCE, the roster is managed by the Department with responsibility for these matters - the Department of Foreign Affairs and Trade.

### **3. The statutory basis and history of the roster**

The roster exists on a non-statutory basis. With the abolition of the former Agency for Personal Service Overseas (APSO), from 1 January 2004 the Department took on responsibility for maintaining certain APSO activities, including volunteer election observation and the APSO register of volunteer election observers. Over time, it became clear that a modernised, fit-for-purpose, vetted roster with an appropriate mix of skills and experience was appropriate for this area of voluntary activity. After a comprehensive review in 2013 a smaller time-bound roster was established on the basis of an open mustering process. That roster expired in 2018.

### **4. Requirement to apply for EOMs**

It is a condition of continued roster membership that every member<sup>1</sup> applies for at least two EOMs by 31 December 2021. There is of course no guarantee of nomination from Department, and no guarantee that the EU or OSCE will accept each nominee that Ireland submits.

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<sup>1</sup> This applies to every member from the point when they have completed security vetting and begin to be circulated for missions, unless they have been granted an exemption, e.g. on grounds of certain types of leave such as maternity leave.

## **5. The size and lifetime of the roster and vacancies**

The roster comprises 201 volunteers. The number of annual missions can rise or fall in any year, but a roster of this size allows Ireland to nominate around 60 STOs and LTOs to approximately 14 EOMs each year. It is expected that the roster will have a 5-year lifetime (2019-2023). There is no reserve list. Should members remove themselves, or be removed, from the roster, it is intended that the roster will continue to operate with a reduced number. The Department is currently undertaking a review of the operation of the election roster which will examine the duration of future volunteer rosters.

## **6. The budgetary and staffing resources allocated to election observation**

The Inter-Departmental Committee on Ireland's Official Development Assistance (IDC) approved a budget of €180,000 for election observation for each of the years 2019 and 2020. Staffing of the elections desk within a section responsible, in the main, for Irish Aid grant funding is proportionate to this budget and to that of the wider Civil Society and Development Education Unit (which was responsible for a budget of over €122,000,000 in 2019). One officer manages the day-to-day operation of the roster and is provided with administrative support as necessary. Two additional officers assist, as appropriate, with specific calls and with the drafting of responses under the various transparency mechanisms applying in the State. An additional temporary staff member joined the section during the mustering process to manage the extra administration required and an additional diplomatic officer was added to the section, in the main to manage responding to the various transparency mechanisms as noted above.

The Department is satisfied that the budget and staffing resources and the size of the roster are sufficient to permit Ireland to contribute to about 14 EOMs per year. Election observation is just one aspect of Ireland's comprehensive support for democratisation, human rights, the rule of law, and an enabling environment for civil society. Further information can be found in the [Government of Ireland Official Development Assistance Report for 2018](#).

## **7. The requirement to apply to be a members of the new roster**

Some members of previous rosters asked why it was necessary for them to apply for the 2018 mustering given their previous experience. Some stated that they did not realise that they needed to give examples on the application form. Members of the previous volunteer roster were emailed on 2 July 2018 to draw their attention to the application form and the opening of the new mustering process. On 10 August 2018 an email was sent to members of the last roster informing them that anyone wishing to be considered for the new roster would need to complete and submit an application form. In this form, it was necessary for all potential observers to demonstrate that they possessed the competencies sought.

Some applicants contrasted this mustering with that of the Rapid Response Corps, where responders with specific expertise are sought from time-to-time, but where core membership rolls over, subject to review and to the proactive engagement of Corps members. While it is possible that current or past members of the election roster are also members of the Response Corps, the roles to which observers and responders deploy are different and different mustering processes apply. Humanitarian response requires very particular expertise, such as logistics, engineering, humanitarian protection and of basic resource provision. Short term election observation does not require this specific expertise.

Short term election observation is not a niche activity and the Department was of the view that there were likely to be many people who had not previously observed an election who would bring new skills and experiences to the roster. A characteristic of the Irish roster has been the broad base of expertise which Irish volunteers have brought in its different iterations since it was first established. Each new mustering is an opportunity to refresh the roster, and to extend the opportunity to take part in a large-scale EOM to a range of new potential observers of differing backgrounds. The rotation of members also ensures the sustainability of the roster into the future.

#### **8. Re: use of competency-based applications and interviews**

The decision to shortlist on the basis of written applications was consistent with the practice for shortlisting for recruitment and promotion competitions in the public service (although as noted roster members are volunteers, not employees and thus the process should be less rather than more onerous). Interviews are used to determine individual rankings when e.g. a panel is to be established. However, for a volunteer roster of several hundred members, individual ranking is not relevant: all those placed on the roster, once security vetted, are invited to submit expressions of interest on an equal basis.

Competency-based assessment is a recognised widely-used system of assessment for recruitment. Recruitment to civil and public service jobs in Ireland has been based on the competency-based system for over two decades from junior to the most senior roles. This international recognised system has been tested and honed and is a credible standard in the public and private sectors internationally for recruitment. While volunteers are not public employees using a tested best practice methodology to evaluate their applications is appropriate for transparency, fairness and to ensure high standards for the volunteer roster.

Consideration was given to interviewing prospective volunteers. However, having regard to the overall cost of administering the roster, it was decided that the cost of interviews would be disproportionate, that the process would be delayed inordinately, and that the assessment of competency-based applications would deliver both a fair outcome and value for money. Of influence in coming to this value for money determination on the process was that, over the five years of the 2013-18 roster, the number of days any given roster member spent on mission was relatively low; on average two assignments as an STO thus roughly 16 days over a 5 year period.

A number of applicants expressed disappointment that the Department did not hold interviews. A small number stated that they did not provide examples, or did not provide sufficiently detailed examples, as they believed that this information would be provided in an interview. There were also a small number of comments regarding to what extent a written application facilitates the assessment of, for instance, integrity, judgement or drive and commitment. It is important to note that what was assessed, as is the case for any recruitment process, was how well an applicant demonstrated these competencies in the examples given in their applications. The number of high quality applications and the limited number of roster places necessarily meant that many candidates would be disappointed as would be the case for any other recruitment process whether in the public or private sector.

On 10 August 2018 an email was sent to the list of members of the previous roster which stated that a new roster was being established and that anyone wishing to be considered for that roster would need to complete and submit an application as set out in the application form. The application form and booklet were attached to that email. There was no reference to interviews in any of those documents.

The mustering of the volunteer election roster is not analogous with the process for the 2018 Rapid Response Corps mustering, which involved interviews. The Corps is a humanitarian standby roster which deploys highly skilled individuals to work as surge capacity with Ireland's UN standby partners in humanitarian relief efforts. Members of the Corps can be expected to work with particularly vulnerable people in extremely fragile and high-risk situations where security and safeguarding are paramount concerns and require specialist skills. The majority of the observers that Ireland nominates participate in EOMs as short term observers and are generally deployed in teams of two for less than 8 days. They would not, by contrast, be deployed in extremely fragile situations, or have direct contact with children or adults in vulnerable situations, such as in the immediate aftermath of a humanitarian emergency.

#### **9. Re: application form**

The application deadline was 17:30 on 20 August 2018, and no applications were accepted after this deadline. While there was a minor error on the booklet cover concerning an incorrect time zone, the 17:30 deadline was stated twice further in the application form without a time zone. No candidates were disadvantaged due to the time zone error and no queries were raised regarding the time zone before the outcomes of appraisals were released.

A number of applicants asked why the application form requested information on an applicant's professional and educational background if these sections were not marked. This information was requested to support the credibility of individual applications, including, where necessary, to support the authenticity of the competency examples provided.

#### **10. Re: requirement to give examples of competencies**

A number of applicants stated that they had thought that their membership of the previous roster would be enough to ensure they were members of the new roster. A small number of the applicants who raised this had not provided competency examples as requested.

As stated in point 7, members of the last roster were notified that anyone wishing to be considered for that roster would need to complete the application as set out in the application form. Section C of the application form instructed applicants to: "be specific about the task or project e.g. why it was important, how they went about it, what their specific role or contribution was and the impact or outcome." Several of the chairpersons of the panels which appraised applications recommended that future mustering eligibility checks should be much more rigorous, so that any applicant who does not provide the examples required is not given further consideration, bringing this process in line with the standards used in civil and public service recruitments. This would be a more proportionate use of resources to ensure that candidates for a volunteer roster are given consideration

proportionate to this occasional volunteer role rather than exceeding that given to candidates for permanent employment.

#### **11. Re: addition of 3 applicants with national-level political experience**

Election observers who have been elected to national office bring unique perspectives into observation missions, which can enhance their quality and credibility. As the initial shortlist (prior to appeals) of 201 persons included less than 5% of candidates who had themselves been elected to national level office, the next three highest-scoring candidates with this experience were added to the shortlist of high scorers. This information was communicated to all applicants on 20 December 2018. The three persons could be considered to represent different political perspectives. The persons concerned did not contact the Department to ask that they be added to the shortlist and would have been unaware of this decision until they received the notification of the outcome of their application with their individual scores. While the Minister of State for the Diaspora and International Development approved the establishment of the new roster, the Tánaiste and the Ministers of State had no involvement in the shortlisting or appeals processes.

One applicant suggested that if quotas are intended it would be preferable that this information is clearly set out in the booklet. Given the great number of Parliamentary Questions which have been tabled in recent years on the election roster, the Department considered it likely that a number of members of the Oireachtas would apply. Ideally the Department would like to see a roster which contains 10% of members representing different political perspectives which are supportive of democratisation and human rights, who have been elected to the Oireachtas, the Northern Ireland Legislative Assembly or the European Parliament. The Department will consider whether quotas should be incorporated into the next mustering.

#### **12. Re: provision of anonymised versions of a sample of the average successful scoring competency responses to assist future applications**

Making available anonymised versions of any candidate's competency responses would breach confidentiality, compromise the data protection and privacy rights of the persons concerned and potentially compromise the integrity and the effectiveness of a future mustering process. Information on completing competency applications is widely available online.

#### **13. Re: the appeals process**

Information on the appeals process was provided in the emails of 13 and 14 December 2018 notifying applicants of the outcome of their application. This information is also contained in an [information note](#) prepared for the Oireachtas Joint Committee on Foreign Affairs and Trade and Defence (JCFATD) and available on the Irish Aid website. The deadline for submitting an appeals request was extended from 5 working days after the receipt of the notification to 31 December 2018. Scoresheets were provided to unsuccessful applicants on 21 December 2018. Two applicants were added to the roster shortlist by the appeals panel and were included in the final training session.

#### **14. Re: the desk closing between 21 December 2018 and 2 January 2019**

The elections desk was closed for the 5 working days between Monday 24 December 2018 and Tuesday 1 January 2019 inclusive as this was the Christmas/New Year holiday period. Before closing, information on how to request an appeal had been provided to

unsuccessful candidates, and unsuccessful candidates were also provided with their individual scoresheet. The elections desk will be closed between Monday 23 December 2019 and Friday 3 January 2020 inclusive.

A small number of unsuccessful applicants also asked about elections desk personnel being on leave on the day of the applications deadline, 20 August 2018. The summer months, when the Dáil is in recess and schools are closed, is traditionally a time when many civil servants take holidays. It was not possible for the desk to take leave before the process was launched on 2 July or after the deadline expired on 20 August, so leave was taken between these dates. Annual leave is a statutory entitlement and the Department has a duty of care to its staff.

**15. Re: email non-delivery reports**

It is the responsibility of applicants to ensure they apply to the correct address.

**16. Re: marks achieved**

Highest possible mark: 465

Cut-off mark separating the highest scoring 200: 329

Passing mark: 233

Highest mark achieved: 460

Lowest mark achieved: 81

**17. Whether certain experiences were valued higher than others**

A number of applicants asked whether certain professional experiences were valued higher than others. It was necessary to demonstrate particular competencies but not to have any particular professional or academic background.

**18. Whether the process favoured members of the previous roster and whether the process favoured persons who were not members of the last roster**

Some applicants expressed concern that asking about a candidate's knowledge and expertise in the area of election observation meant that the process unfairly favoured members of the previous roster. While the process did not favour existing roster members over new persons, as the Department nominates both short- and long-term election observers, it was important that potential roster members be asked to provide information on their knowledge and expertise of election observation. In contrast to the concern expressed by the above, concern was also expressed by other applicants that the process favoured new members. A number asked whether age was a factor in the process. Age was not a consideration and the process did not favour new or previous roster members. Of the twenty highest-scoring applicants, 11 were members of the last roster, 9 were not.

**19. Re security vetting and verification**

An applicant contacted the Department to ask about delays in security vetting. Security vetting has now concluded. Vetting is largely outside of the Department's control as it is dependent on the cooperation of those shortlisted to the roster on the return of correctly completed documentation, and the time taken to complete verifications in the National Vetting Bureau (NVB). As the NVB has advised, some cases can take longer than others as they may require contact with Garda stations to verify identities, update records or establish the outcome of investigations. In the cases of individuals with periods of residence overseas, vetting can take substantially longer. The time required varies from

case to case depending on the procedures applying in different jurisdictions and, in some cases, the need to make enquiries in several countries or to international organisations holding vetting clearance documents for its employees. The verification process also includes ensuring that the Department complies, at each stage of the vetting and verification process, with the new GDPR provisions as enacted in Irish law in the Data Protection Act and, where relevant, in consultation with the Office of the Data Protection Commissioner.

Roster members who participate in election observation missions are expected to behave professionally and impartially and to demonstrate sound judgement. Members of the roster are volunteers; the restrictions placed on civil servants in relation to political activity do not apply to volunteer roster members. It is to be expected, and indeed welcomed, that a roster formed in a plural society would contain a broad range of opinion, consistent with Ireland's international obligations on freedom of expression and support for democratisation and human rights.

#### **20. Re: preparing for the next muster**

It is likely that the next roster of volunteers will not be mustered before 2022. Further information on that process will not be available before early 2022. Details will be made available on the Department's websites and social media profiles in due course.

#### **21. Re: the time required to issue this composite response**

As has been outlined in the [information note](#) prepared for the JCFATD, an application for an accommodation was made at the appeals stage. The appeals process was put on hold pending the need to take, and consider, advice on this matter. In the same period the Department received a large volume of representations and Parliamentary Questions concerning that case.

While it was not possible to respond to queries raised by applicants during this time, the Department had intended that work on the composite response would begin once the appeals process concluded. Once the appeals process concluded elections desk personnel were advancing work on security vetting and verification, language assessments and training, and managing the day-to-day operation of the roster. The staff concerned also had wider responsibilities, which are their main responsibilities, including the prudential management of over €12 million in Irish Aid funding to development programmes.

In the intervening 8 months since the appeals process concluded an unusually large volume of correspondence and requests was received, in the main, from or on behalf of a small number of individuals. As the transparency and accountability mechanisms of the State require a prompt statutory or protocol response, that work has thus consistently had to be prioritised over other important work, including work on this document.

Finally, the final numbers on the roster could not be released until the relevant security vetting and verification procedures were completed. Security vetting is outside of the scope of the Department and was completed in mid-December, the verification process of the vetting then commenced (following completion of vetting) and has now concluded.

The Department appreciates the time taken to apply to the roster. There were twice as many applicants as roster places, which necessarily meant that half of the applicants – some 191 persons – were disappointed. For those not on the roster who would nonetheless like to participate in election observation, we would encourage potential future volunteers to make the most of the domestic opportunities available, and we thank all applicants again for their interest in applying for the volunteer overseas election observation roster.

Department of Foreign Affairs and Trade  
23 December 2019