



USAID | **SOUTH SUDAN**
FROM THE AMERICAN PEOPLE

FINAL REPORT FY2009 - FY2013

SUDAN ELECTION ADMINISTRATION SUPPORT PROGRAM

5 FEBRUARY 2009 THROUGH 30 SEPTEMBER 2013

DECEMBER 30, 2013

This publication was produced for review by the United States Agency for International Development. It was prepared by the International Foundation for Electoral Systems.

Final Report
SUDAN ELECTION ADMINISTRATION SUPPORT PROGRAM
FEBRUARY 5, 2009 through SEPTEMBER 30, 2013

Contracted under DFD-I-00-05-00225-00, Task Order 07

Prepared for:
Alexious Butler
Democracy and Governance Office
USAID / South Sudan
December 30, 2013



DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

Table of Contents

ACRONYMS AND ABBREVIATIONS 7

1. OVERVIEW AND KEY ACCOMPLISHMENTS 9

 1.1 Overview 9

 1.2 Key Accomplishments 11

2. TECHNICAL SUPPORT TO INSTITUTIONAL CAPACITY BUILDING 2009 – 2013 23

 2.1 Sudan National Elections Commission (2009 – 2011) 23

 2.1.1 Electoral Organization 24

 2.1.2 Constituency Delimitation 26

 2.1.3 Voter Registration 27

 2.1.4 Voter Information 28

 2.1.5 Candidate Nominations 29

 2.1.6 Electoral Campaign 29

 2.1.7 Vote and Counting 30

 2.1.8 Electoral Dispute Resolution 30

 2.1.9 Legal and Regulatory Framework Development 31

 2.1.10 Operational Planning for Polling 31

 2.1.11 Increased Capacity for Implementation of Electoral Operations 31

 2.1.12 Results Tabulation and Announcements 32

 2.1.13 Southern Kordofan State Elections 33

 2.1.14 NEC Capacity Building Post-2010 National and 2011 State Elections 34

 2.2 Southern Sudan High Committee and State High Elections Committees 34

 2.2.1 SSHC and SHEC Electoral Organization 35

 2.2.2 SSHC and SHEC Support in Asset Management and Disposition 37

 2.3 Southern Sudan Referendum Commission and Referendum Bureau 38

 2.3.1 Development of Referenda Legal and Regulatory Framework 39

 2.3.2 Voter Registration 40

 2.3.3 Complaints and Appeals Procedure 40

 2.3.4 Institutional Capacity Building of Operations and Organizational Structure 40

 2.3.5 Referendum Voter Registration 43

2.3.6	Referendum Polling, Counting and Results Tabulation.....	45
2.3.7	Referendum Materials Retention/Destruction Policies	48
2.4	Republic of South Sudan National Elections Commission (2011 – 2013)	48
2.4.1	South Sudan Legal and Electoral Framework Development.....	49
2.4.2	Transitional Constitution Development Observations	49
2.4.3	South Sudan Electoral Management Recommendations.....	50
2.4.4	South Sudan Ministry of Justice Technical Assistance	50
2.4.5	South Sudan Legal and Electoral Framework Development.....	51
2.4.6	EMB Development	52
2.4.7	NEC Capacity Development Engagement Plan.....	53
2.4.8	Census Developments	54
2.5	Republic of South Sudan National Constitutional Review Commission	55
2.5.1	South Sudan Constitutional Timeline.....	56
2.5.2	NCRC Action Plan 2012-2013 Launch	57
2.5.3	NCRC Internal Organizational, Staffing Plan, and Terms of Reference	57
2.5.4	Support to Institutional Capacity Building	57
3.	IFES TRAININGS AND RESEARCH SUMMARY 2009 - 2013	59
3.1	FY2009	60
3.2	FY2010	61
3.2.1	IFES Warehouse Management Trainings.....	61
3.2.2	Voter Registration Cascade Training.....	62
3.2.3	Polling Station Worker Cascade Training	64
3.3	FY2011	65
3.3.1	Voter Registration Cascade Training.....	66
3.4	FY2012	68
3.5	FY2013	68
3.5.1	NEC Orientation Seminars	68
3.5.2	BRIDGE Trainings.....	69
3.5.3	Other Trainings	70
4.	IFES PROCUREMENT AND OPERATIONAL SUPPORT (2009 – 2013)	70
4.1	FY2009	70
4.1.1	NEC Office Establishment.....	70
4.1.2	Voter Registration Manuals	70

4.2	FY2010	71
4.2.1	Procurement for Additional NEC Office Space	71
4.2.2	Printing of Electoral Materials	71
4.2.3	Training Kits	72
4.2.4	Polling Kits	72
4.2.5	Polling Booths	72
4.2.6	Referenda Procurement – SSRC and SSRB	72
4.3	FY2011	73
4.3.1	Referendum Voter Registration	73
4.3.2	Polling and Counting Procedures Manuals and Materials	74
4.3.3	Polling and Counting Referendum Center Kits	74
4.3.4	Post-Referendum SSRC/SSRB Asset Disposition	75
4.3.5	Retrieval of SSRB Referendum Materials	75
4.3.6	Disposal of SSRC/SSRB Assets	75
4.3.7	Southern Kordofan State Elections – Electoral Commodity Procurements	76
4.3.8	Voter Registration	76
4.3.9	Polling and Counting Procedures Manuals	77
4.3.10	Mock Training Ballots	77
4.3.11	Southern Kordofan State Elections Ballot Papers	77
4.3.12	Indelible Ink	77
4.4	FY2012	78
4.4.1	IFES Asset Disposition of Referendum Materials FY2012	78
4.4.2	IFES Disposition of Former-SSRB Juba Data Center	79
4.4.3	IFES Material Support to the National Elections Act 2012	79
4.4.4	Disposition and Destruction of Surplus SSRB Referendum Materials	80
4.4.5	NEC Preliminary Procurement Plan	81
4.4.6	NCRC Procurement Plan	82
4.4.7	IFES Task Order Compliance Review	82
4.5	FY2013	82
4.5.1	South Sudan NEC Office Compound and Material Support	82
4.5.2	NCRC Office Compound and Material Support	83

4.5.3	SEASP Close Out and Asset Disposition	83
5.	LESSONS LEARNED AND FUTURE RECOMMENDATIONS	84
5.1	FY2010	84
5.1.1	Constituency Boundary Delimitation Complaints Process - Sudan	84
5.1.2	Trainings for 2010 Voter Registration and Polling Station Procedures.....	84
5.1.3	April 2010 IFES Post-Elections Lessons Learned Workshop.....	85
5.2	FY2011	87
5.2.1	IFES Referendum Procurement	87
5.2.2	Post-Referendum SSRC/SSRB Close Out	87
5.2.3	Southern Kordofan Elections.....	87
5.3	FY2012	88
5.3.1	South Sudan Legal Framework Development	88
5.4	FY2013	88
5.4.1	Support to the South Sudan National Elections Commission.....	88
5.4.2	Support to the South Sudan National Constitutional Review Commission	89
6.	ANNEXES.....	90

ACRONYMS AND ABBREVIATIONS

AARC	Abyei Area Referendum Commission
BRIDGE	Building Resources in Democracy, Governance, and Elections
CCN	Cooperating Country National
CEO	Constituency Elections Officer
CoS	Council of States
CPA	Comprehensive Peace Agreement
CRVS	Civil Registration and Vital Statistics System
CSO	Civil Society Organization
EC	European Commission
ECOWAS	Economic Community of West African States
EDR	Electoral Dispute Resolution
EMB	Election Management Body
EU	European Union
GoNU	Government of National Unity
GoSS	Government of Southern Sudan
HAC	Humanitarian Affairs Commission
ICSS	Interim Constitution of Southern Sudan
IDLO	International Development Law Organization
IFES	International Foundation for Electoral Systems
INCS	Interim National Constitution of the Republic of Sudan
INGO	International Non-Governmental Organization
IOM	International Organization for Migration
IP	Implementation Protocol
IRI	International Republican Institute
JoSS	Judiciary of South Sudan
LA	Legislative Assembly
MFA	Ministry of Finance (GoNU)
MIC	Ministry of International Cooperation (GoNU)
MMC	Media Mechanism Committee
MoFA	Ministry of Foreign Affairs (GoNU)
MoJ	Ministry of Justice
MPA	Ministry of Parliamentary Affairs
NBS	National Bureau of Statistics
NCC	National Constitutional Conference
NCP	National Congress Party
NCRC	National Constitutional Review Commission
NDI	National Democratic Institute for International Affairs
NEA	National Elections Act
NEB	National Elections Bill
NEC	National Elections Commission
NGO	Non-Governmental Organization
NLA	National Legislative Assembly
PMP	Performance Monitoring Plan

PPAC	Political Party Affairs Commission
PPLF	Political Parties Leadership Forum
RC	Referendum/a Commission
RMB	Referendum/a Management Body(ies)
RO	Returning Officer
RSS	Republic of South Sudan
SEASP	Sudan Election Administration Support Program
SHEC	State High Elections Committee
SMEC	Sudan Media and Elections Consortium
SPLM	Sudan People's Liberation Movement
SSHC	Southern Sudan High Committee
SSHEC	Southern Sudan High Elections Committee
SSRB	Southern Sudan Referendum Bureau
SSRC	Southern Sudan Referendum Commission
SSuNDE	South Sudan Network for Democratic Elections
TCC	The Carter Center
TCRSS	Transitional Constitution of the Republic of South Sudan 2011
SuGDE	Sudanese Group for Democratic Elections
SuNDE	Sudanese Network for Democratic Elections
SSuDEMOP	South Sudan Democratic Elections Monitoring and Observer Program
UNDP	United Nations Development Program
UNIRED	United Nations Integrated Referendum and Elections Division
UNMIS	United Nations Mission in Sudan
UNMIS EAD	United Nations Mission in Sudan Electoral Assistance Division
UNMISS	United Nations Mission in South Sudan
UNOPS	United Nations Office of Project Services
UNPOL	United Nations Police
USAID	United States Agency for International Development
VR	Voter Registration

1. OVERVIEW AND KEY ACCOMPLISHMENTS

1.1 Overview

The United States Agency for International Development (USAID) tasked the International Foundation for Electoral Systems (IFES) on 5 February 2009 to support Sudan's national electoral processes during the interim period called for by the 2005 Comprehensive Peace Agreement (CPA) which marked the end of Sudan's most recent civil war. The initial end date of the USAID Task Order was 11 September 2011.

The IFES Sudan Election Administration Support Program (SEASP) under USAID Task Order DFD-I-07-05-00225-00 originally contained five program objectives focusing on technical and material support to electoral benchmarks contained in the 2005 CPA. In August 2012, USAID modified the Task Order by adding a sixth objective allowing IFES to provide assistance in support of a credible process for constitutional development specifically in South Sudan. A chronological list of all Task Order contract modifications is included in this report (see Annex 1).

The program objectives that form the basis of the IFES SEASP strategic framework were:

- **Objective 1:** The legal and regulatory framework for national elections is completed in a timely and credible manner.
- **Objective 2:** Election Management Bodies (EMBs) at the national, regional, and state levels develop the capacity to operate efficiently and independently.
- **Objective 3:** EMBs develop the technical capacity to administer and oversee key functions of elections administration.
- **Objective 4:** Election officials in voter registration, voting, and collation centers nationwide receive training on how to administer credible elections.
- **Objective 5:** Necessary commodities are provided to maximize operational efficiency and public confidence in election procedures.
- **Objective 6:** The constitutional process in South Sudan is an efficient, inclusive, and transparent process that increases the public credibility and legitimacy of the permanent constitution.

By FY2013, IFES was utilizing a total of seven performance-based indicators to monitor progress and evaluate activity outcomes in line with these six objectives. All IFES Task Order indicators support the USAID Governing Justly and Democratically (GJD) objectives under the areas of "Political Competition and Consensus Building" (GJD 3.2: Elections and Political Processes) and "Rule of Law and Human Rights" (GJD 1.1: Constitutions, Laws, and Human Rights). Target indicators and corresponding achievements were reported in each of the five annual reports and are therefore not included in this final report.

Beginning in FY2009, IFES supported the national, regional, and state EMBs through the provision of extensive technical assistance and commodity support prior to the conduct of national elections

in April 2010¹; the January 2011 Southern Sudan referendum on self-determination (“South Sudan referendum” hereafter); and the May 2011 Southern Kordofan state elections².

IFES technical guidance and commodity services were essential to achieving these three major electoral events from the 2009 commencement of the SEASP until the declaration of independence by the Republic of South Sudan (RSS) on 9 July 2011.

Following the January 2011 South Sudan referendum, the SEASP provided advisory services to the development of new legal and electoral frameworks in South Sudan. The Transitional Constitution of the Republic of South Sudan (TCRSS) 2011 provided for the enactment of a new elections law within three months after independence on 9 July 2011 and establishment of an independent elections commission within one month after enacting the elections law (Article 197).

In June 2011, USAID granted IFES a non-funded one-year extension to 11 September 2012 in order to support the development of democratic governance systems and institutions in South Sudan.

Per guidance provided by USAID, IFES closed its Khartoum office at the end of July 2011, disposed of all assets, and stopped providing assistance to Sudan’s NEC in order to focus exclusively on South Sudan.

By mid-December 2011, legal drafting assistance provided by IFES to the Ministry of Justice (MoJ) resulted in a finalized draft National Elections Bill (NEB) which was then passed by the Council of Ministers in mid-January 2012 and submitted to the National Legislative Assembly (NLA) in early February 2012. IFES provided policy recommendations and material support to the NLA’s Legislation and Justice Committee resulting in the bill’s passage by the NLA in April 2012, after which it was sent to the Office of the President (OoP) of the Republic of South Sudan. IFES provided the OoP with technical analysis and recommendations in support of the development process, and the National Elections Act (NEA) 2012 was enacted by the President of the Republic of South Sudan on 6 July 2012.

On 3 August 2012 USAID approved a second non-funded extension of the SEASP to 30 September 2013 along with a program modification adding an additional objective that enabled IFES to support the South Sudan constitutional review process.

In SEASP’s final year, IFES provided technical, material, operational and logistical support to the South Sudan NEC in its first full year of existence. IFES provided similar services to the National Constitutional Review Commission (NCRC) to support the important first steps of South Sudan’s permanent constitution drafting process including the review of the TCRSS 2011 and the first phase of civic education outreach conducted in all ten states of South Sudan.

The SEASP ended on 30 September 2013 with all program assets in Juba disposed of in accordance with applicable USAID and U.S. government regulations for program closeout.

¹ Presidential, Gubernatorial, and Parliamentary elections

² These elections were postponed from April 2010 due to incomplete voter registration

1.2 Key Accomplishments

The following review of the key accomplishments of the SEASP from FY2009 to FY2013 highlights IFES activities completed during each fiscal year of the Task Order organized by the six program objectives.

Sections One, Two and Three of this final report will provide more analysis of IFES institutional capacity building, training, and procurements respectively. The results achieved and challenges encountered during the course of the IFES SEASP will also be explored in these sections. Section Four will summarize the lessons learned and provide practical recommendations to assist any future electoral and constitutional assistance programming in South Sudan. USAID Task Order DFD-I-07-05-00225-00 required the submission of quarterly and annual reports by IFES, with the final FY2013 annual report submitted on 30 October 2013. These submitted reports give a complete historical record of IFES support to Sudan and South Sudan's electoral and constitutional processes from 2009 – 2013.

Objective 1: The legal and regulatory framework for national elections is completed in a timely and credible manner.

IFES technical and operational guidance, activities, and deliverables contributed significantly to the establishment and completion of legal and regulatory frameworks necessary for Sudan's national, regional and state EMBs to conduct three major electoral events: the April 2010 national elections; the January 2011 Southern Sudan referendum on self-determination; and the May 2011 Southern Kordofan state elections.

Among IFES' contributions and accomplishments under this objective were:

FY2009:

- Conducted a Gap Analysis of the National Elections Act 2008 that was approved by USAID in April and delivered to both the NEC and Southern Sudan High Committee (SSHC) which revealed 47 specific shortcomings in the NEA that required immediate rectification in critical areas such as election administration, voter registration, boundary delimitation, nominations, campaigns, polling and counting procedures, and electoral dispute resolution (EDR). The analysis provided a formal guideline for IFES technical and operational assistance to the NEC, the SSHC, and the State Election High Committees (SHECs).

FY2010:

- Production of an annex to the 2009 Gap Analysis focusing on out-of-country voting and participation of internally displaced persons.
- At the NEC's request, provision of a constituency delimitation report which revealed a number of flaws in the process and served as the basis for subsequent IFES technical recommendations to the NEC.

- Designed and delivered to the NEC a polling station matrix comparing seven options for determining the number of required stations utilizing early voter registration data, leading to agreement between IFES and the NEC to plan on 21,000 polling stations nationwide.
- Development and production of English and Arabic “Polling Handbook for Staff” and “Polling and Counting Guide for Election Officials” that were the basis for poll worker cascade trainings and voter education efforts undertaken by the NEC and international organizations.
- Assisted the NEC in the development of rules and regulations for international and domestic observation accreditation, ultimately printing 200,000 “Counting Procedures” leaflets for both domestic observers and political party agents.
- Developed candidate nomination forms for the NEC, a crucial tool for managing the complex nomination process with myriad legal requirements. IFES drafted and the NEC approved “Form Number 7: Application for Raising Questions or Objections in Writing by Candidate Agent or Party Agent to the Voting, Sorting, and Counting Committees.” This simple one-page EDR document was included in all IFES-developed guides available at polling stations and was widely distributed to political parties.
- Following the April 2010 elections, contributed to the strengthening of the legal and regulatory framework governing the planned January 2011 referendum on self-determination for Southern Sudan through the development of draft rules and regulation covering operations of the Southern Sudan Referendum Committee (SSRC), voter registration, training plans, observer and agent accreditation, and voter education.
- Conducted a legal analysis of the Southern Sudan Referendum Act and the Abyei Area Referendum Act referencing the CPA and the interim national and Southern Sudan constitutions.

FY2011

- Advised the SSRC and Southern Sudan Referendum Bureau (SSRB) during the development of the legal and regulatory framework necessary to establish the administrative and operational capacity to conduct referendum activities. IFES advisors analyzed the 2009 Southern Sudan Referendum Act (SSRA) to identify gaps, drafted “best practices” position papers on regulatory, organizational structure and procedural issues, and submitted these recommendations to the commission leadership and stakeholders.
- Drafted a “Political Parties and Observation” research paper that identified relevant referendum/electoral legislative examples in which the right of political parties to be accredited to monitor or observe the complete election process is guaranteed and exercised.
- Contributed substantive input and recommendations to regulations, plans, and policies, including referendum polling and counting rules and regulations and a procedures manual; referendum results data management operational plan; referendum complaints and appeals processing plan; and referendum materials retention/destruction policies.
- Revised and updated the voter registration and polling and counting procedures manuals used during the April 2010 general elections for the May 2011 Southern Kordofan state elections.

- Researched and prepared a comparative analysis of electoral legislation from both regional and post-conflict nations in preparation for post-independence South Sudan's adoption of new electoral legislation to replace the 2008 Sudan National Elections Act.
- Legal and electoral framework research done in 2011 enabled IFES to prepare electoral management recommendations to the Government of South Sudan (GOSS) Ministry of Legal Affairs and Constitutional Development (MoLACD) prior to independence and support the new RSS Ministry of Justice (MoJ) in September 2011 with technical assistance in drafting a new national elections law.

FY2012

- Provided substantial technical and material support to the drafting, passage, and enactment of the National Elections Act (NEA) 2012.

FY2013

- Provided technical assistance to the NEC resulting in the development, certification by the MoJ, and formal adoption of a Code of Conduct.
- Assisted in drafting the NEC's Internal Rules and Regulations, with the NEC forwarding the document to the MoJ for legal review and concurrence.

Objective 2: Election Management Bodies (EMBs) at the national, regional, and state levels develop the capacity to operate efficiently and independently.

Within the context of Sudan's compressed electoral timetable including the delay of the national elections to 2010 from the original target date of 2009 envisioned in the CPA, and the conduct of the 2011 referendum in quick succession in January 2011, IFES support expedited the establishment of organizational structures, operating procedures, and basic management and administrative functions of multiple newly-established EMBs.

Following South Sudan's independence and adoption of the NEA 2012, IFES strategically engaged with the new NEC tasked with the organization and management of national elections which are expected to be held in the spring of 2015.

Among IFES' contributions and accomplishments the under this objective were:

FY2009

- Worked closely with other international assistance providers in developing the NEC's election budget and defined each stage of the electoral process – from constituency demarcation through to post-polling complaint adjudication.
- Consistently promoted the need for strong communications channels between the Khartoum-based NEC and the Juba-based SSHC to ensure management decisions and operational planning accounted for the Southern Sudan's unique challenges.
- Developed a "Roles and Responsibilities" document for the SSHC to clarify work assignments among the leadership and secretariat members.

FY2010

- At the NEC's request worked as part of a joint effort from the international community, to design an elections logistics training manual with necessary forms in both Arabic and English for use by the NEC and SSHC officials.
- Developed the NEC's capacity in the area of logistics by providing training consultants and partnered with the UNMIS EAD to conduct intensive warehouse management trainings in Juba and Khartoum.
- Organized and financed a March 2010 Election Operation Conference in Khartoum with representatives from the NEC, UNDP, and UNMIS EAD serving as the conference agenda technical committee.³ The conference's mock polling exercise allowed all levels of NEC officials to better understand the timing of all steps involved in the polling procedures.
- Conducted a series of elections logistics trainings for the SHECs one month prior to the April 2010 elections.⁴
- Contributed to the drafting and design of a voter registration training manual reflecting the legal framework mandated for the 2011 referendum on self-determination of the South.

FY2011

- IFES technical and operational advisors worked closely with the SSRC/SSRB and international partners to enable voter registration completion by the end of December 2010 and referendum polling by 9 January 2011. IFES provided the SSRC/SSRB with support to the following operational areas: 1) organizational structure, 2) procurement and logistics, 3) database management and development, and 4) field operations and communications.
- Provided direct support to SSRB Operations and Field Coordination officers in Juba and conducted multiple field visits to all 10 State High Committees (SHCs) to assess operational needs and conditions following voter registration and in advance of referendum activities. In Khartoum, IFES maintained close dialogue with the SSRC Operations Department to ensure timely delivery and distribution of referendum materials in the northern states.
- Worked with the SSRC IT Manager to design and implement the Referendum Information Management System (RIMS). The operational plans called for two data centers — one in Khartoum and the other in Juba — to receive and process results forms from approximately 3,000 Referendum Centers in the north, south, and OCV countries⁵.

³ The conference brought together representatives from the NEC, SSHC, and the State Elections High Committees for only the second time prior to the elections.

⁴ Officials from the 15 states of the north gathered in Khartoum and officials from nine of 10 southern states met in Juba in advance of their vital task of distributing and retrieving election materials to and from more than 17,000 nationwide polling stations.

⁵ The OCV countries were: Australia, Canada, Egypt, Ethiopia, Kenya, Uganda, the United Kingdom, and the United States of America

- Deployed eight teams of referendum center monitors during the 9-15 January 2011 polling event to assess the quality of operations, implementation of procedures, and effectiveness of procured materials, and general conduct of the event.
- IFES advisors also played a key role in developing two software systems—a primary system and contingency system—that were designed to simplify the referendum results tabulation process which took place from 17 – 27 January 2011.
- At the request of the SSRB and with approval from USAID and following USG financial regulations, IFES advisors worked closely with the SSRB Auditor and finance officers to design forms, implement policies, and verify a large-scale payroll tracking project to reimburse approximately \$5.7 million in per diem payments to approximately 14,500 poll workers in the ten states of Southern Sudan.
- Identification of 555 polling center locations and materials distribution systems for the May 2011 state elections in Southern Kordofan were planned and implemented by NEC/Khartoum with substantial operational inputs from IFES to allow for more advanced logistical planning and improved voter education.
- IFES played key roles in practical operational preparations for the Southern Kordofan state elections, such as providing indelible ink from surplus sources, contributing to polling procedures manual development, supporting and funding cascade training plans, and procuring essential electoral commodities.

FY2012

- To immediately assist capacity development of the new South Sudan NEC upon its appointment in 2012, IFES prepared fact sheets, concept notes, comparative analysis and research papers on EMB structures, EMB commissioner appointment mechanisms, and by-elections; a draft NEC capacity development engagement plan; orientation plans for EMB commissioners and secretariat staff; preliminary procurement plans; monitoring of South Sudan census developments; and preliminary outreach to the NEC Chairperson and Deputy Chairperson following their appointment in August 2012.

FY2013

- In partnership with the NEC, IFES finalized and implemented the NEC Engagement Plan for Institutional Development consisting of activities across three component areas (technical, operational, financial), progress on which was necessary for the NEC to start operations and develop a multi-year strategic plan in advance of the 2015 elections.

Objective 3: EMBs develop the technical capacity to administer and oversee key functions of elections administration.

The IFES SEASP engaged EMB personnel in technical capacity building, particularly in the area of accepted, practical best practices, in all aspects of election administration across the entire electoral cycle. IFES provided close support to election administration officials at the national, regional, and

state levels (as applicable) to all major electoral events including voter registration, constituency delimitation, establishment of polling procedures, voter education, vote tabulation and results announcement.

FY2009

- IFES jointly sponsored the first full NEC orientation in Khartoum, attended by the members of the SSHC, all 25 SEHCs and the 26 Returning Officers, with the goal of familiarizing staff to their duties in one venue with the NEC for the first time.

FY2010

- IFES worked with the NEC and other international organizations to produce an official voter registration manual, delivering the final version to the printer and funded the printing of 30,000 copies (20,000 in Arabic, 10,000 in English) to be used in the voter registration team cascade trainings. The manual was also used by Sudanese CSOs that were undertaking voter education campaigns on the registration process.
- During the November 2009 voter registration, IFES deployed field assessment teams to monitor the VR exercise in four states of northern Sudan: Kassala, Gedarif, Gazira, and North Darfur. Teams visited multiple registrations centers in both urban and rural locations and met with each SEHC to gain insights into the successes and the shortcomings of the voter registration process.

FY2011

- IFES enhanced the technical capacity of SSRC/SSRB officers to administer and implement voter registration by assisting in the development of voter registration and data management systems and registration materials, staff training tools, and results tabulation mechanisms. As a result, the SSRC/SSRB successfully conduct voter registration in November and December 2010.
- IFES leased and managed the operations of a dedicated aircraft enabling SSRB management, operations, logistics, field coordination, finance, and public outreach officials to assess field conditions, transfer essential documents and referendum materials, and maintain face-to-face communications between the central and field referendum offices.
- IFES supported the design and development of the January 2011 referendum ballot paper and participated in discussions with SSRC counterparts on graphical layout and wording, with UNDP providing printing services.
- As the lead advisor to SSRB data center management and working in coordination with UNIRED, IFES advisors played a key role in implementing the tabulation system at the SSRB Data Center in Juba. Once the final results data were audited and verified, IFES worked with SSRC/SSRB data center management to formalize results certification reports.

FY2012

- IFES assisted the SSHEC during FY2012 with disposition of surplus materials, policy guidance on SSHEC legal status under the TCRSS 2011, conducting inventories, and the management and transfer of SSHEC assets including vehicles, warehouses and office equipment upon the establishment of the future South Sudan NEC.

FY2013

- IFES guided the NEC Electoral Calendar Working Committee in the drafting of its initial calendar displaying the sequencing and chronology of electoral events targeting elections in 2015.
- IFES submitted research to the NEC on conducting constituency delimitation using alternatives to population census data and provided an advisory review of NEC Circular A-1-A on the filling of vacant legislative seats.

Objective 4: Election officials in voter registration, voting, and collation centers nationwide receive training on how to administer credible elections.

IFES met or exceeded its stated targets for numbers of elections officials trained during each fiscal year where training activities were identified as essential. The IFES training program was necessarily robust in advance of the 2010 elections, 2011 referendum and Southern Kordofan state elections. In 2013, upon establishment of the new South Sudan NEC, trainings of the Commissioners – many of whom had little direct electoral experience – was a critical component of IFES' engagement strategy.

FY2010

- IFES trained 405 Sudanese elections officials during the course of the year, exceeding its set targets. IFES conducted trainings in Juba and Khartoum in logistics and warehouse management of elections materials prior to voter registration and polling day. IFES organized only the second full orientation session of officials from all organizational levels – NEC, SSHC, and SHECs – prior to the April elections, and implemented the first two phases of cascade training for both voter registration teams and polling workers.

FY2011

- IFES worked extensively with the SSRC, SSRB, and international partners on the design and implementation of a cascade training program for referendum voter registration officials. IFES contributed to the development and implementation of the training plans, training materials, and training methodology for voter registration and polling activities.
- IFES provided facilitation to the SSRC/SSRB “lessons learned” symposium, funded by the EU, on the efficacy of the voter registration training program before the start of the training on polling and counting.

- In advance of the May 2011 Southern Kordofan state elections, SHEC implemented the cascade training program for voter registration in mid-January 2011. IFES contributed technical inputs and financial support into the initial procedures manual and printed Arabic copies.
- IFES supported a NEC-facilitated training of 32 Constituency Officers at the Southern Kordofan SHEC in Kadugli from 15-17 April 2011 through financing and provision of venue and accommodation. IFES additionally procured stationery, polling manuals, and mock training ballots for use in the trainings, and IFES staff traveled to Kadugli to provide guidance to the NEC trainers.
- IFES introduced electoral systems design to an assembly of 50 Southern Sudanese political party members during a joint-workshop on constitutional development held by NDI and IRI in April 2011.
- IFES hosted a seminar on electoral systems design for 15 officers from the SSRB, members of the Southern Sudan Women's Empowerment Network (SSWEN), and officials from USAID on 9 June 2011.
- In advance of the July 2011 independence, IFES conducted two Building Resources in Democracy, Governance, and Elections (BRIDGE) trainings on introductory electoral administration for a diverse group of South Sudanese stakeholders including government, political party, and CSO representatives. 19 and 21 officials attended each five-day training, the purpose of which was to support long-term capacity building through broad understanding of electoral systems and management.

FY2013

- IFES hosted the NEC Commissioners for two BRIDGE trainings on key foundational learning modules: Introduction to Electoral Administration and Strategic and Financial Planning in February and April, respectively.
- IFES provided comprehensive training to the NEC Commissioners in the use of the full Microsoft Office Suite of programs including Word, Excel, Outlook, and Internet Explorer. IFES contracted a Juba-based IT providers to provide small-group intensive trainings customized to the existing skills levels of the eight Commissioners, many of whom had little previous experience in personal computing.
- The IFES IT contractor conducted a content management system (CMS) training of NEC support personnel to ensure long term sustainability of the NEC website that went live in August 2013.
- IFES also conducted a Content Management System (CMS) training of five NCRC Secretariat members to effectively manage and update the NCRC website upon its launch, anticipated to occur following the closeout of the SEASP.

Objective 5: Necessary commodities are provided to maximize operational efficiency and public confidence in election procedures.

IFES undertook all phases of the procurement process to provide critical commodities to IFES national partners including the Sudan NEC (in advance of the 2010 national elections and 2011 state

elections in Southern Kordofan), the SSRC (in advance of the 2011 referendum), and the NEC in South Sudan following independence. IFES SEASP procurement of USAID-funded and approved commodities contributed significantly to the increased operational efficiency of Sudan and South Sudan's EMBs, enabling these commissions to carry out national elections and the referendum on Southern self-determination within compressed time frames with public acceptance of the electoral outcomes.

FY2009

- IFES completed the procurement and delivery of furniture for the establishment of the NEC office in Khartoum in August 2009.

FY2010

- IFES procured and delivered more than \$9 million in electoral commodities for the 2010 national elections.
- IFES procured furniture and office equipment for the additional NEC office space in Khartoum that accommodated the NEC's technical staff and international advisors. Office equipment included an electricity generator, air conditioners, color and black and white printers, fax machines, and kitchen tools.
- IFES' team worked with the NEC to produce and print 20,000 copies of the registration manual in Arabic and 10,000 in English, used primarily for training the registration teams and later as a reference guide in the centers during the exercise itself.
- IFES helped the NEC to produce and print 5,000 copies (3,800 Arabic and 1,200 English) of the exhibition and objections manual, also utilized for training of NEC officials and as reference guides during the exhibition and objection period.
- At the NEC's request, IFES carried out the procurements for printing of key electoral manuals developed by the NEC, IFES, UNDP and UNMIS. All requested printed materials were procured and delivered to the NEC on time for distribution to state capitals before the April 2010 national elections. Printed items included 1.4 million mock ballots, 200,000 polling handbooks, 200,000 leaflets on counting procedures, 27,000 polling and counting guides, 30,000 copies of the National Elections Act of 2008, and printing materials for voter rolls.
- IFES procured a total of 1,650 training kits, which were used during the cascade training for polling station workers – 1,020 distributed in Khartoum and 630 in Juba.
- IFES procured 21,202 polling kits containing materials which the NEC, IFES, and other international election assistance providers agreed would be required by each polling station during the course of the polling days. IFES received 15,329 polling kits for elections in Khartoum and 5,873 kits total in Juba.
- At the NEC's request and within a compressed timeframe close to polling, IFES undertook procurement in an open tender for four-way polling booths. IFES received 35,664 polling booths in Khartoum and 19,776 polling booths in Juba.
- IFES facilitated and supported the setup of both the SSRC office in Khartoum and the SSRB office in Juba. IFES paid the initial rent of the two offices, and provided furniture and office

equipment in order to accommodate each referendum EMB's technical staff and international electoral experts.

- During the fourth quarter of FY2010, IFES commenced the procurement process and subsequent printing of voter registration books for Southern Sudan, Northern Sudan and Out of Country Voters (OCV).

FY2011

- IFES procured and delivered more than \$4.5 million in electoral commodities for the South Sudan referendum and Southern Kordofan state elections.
- IFES and UNIRED advisors consulted with SSRC counterparts in the initial drafting of voter registration and exhibition manual and supporting materials for training of officials. Following delays in manual approval by the SSRC, IFES took the lead in coordinating draft finalization and printing, completing the project on time for the training program.
- IFES printed voter registration materials for use during both the voter registration officials' training and the actual registration operations. IFES provided registration cards, manuals, journals, material transfer forms, and objections and correction forms.
- IFES played a pivotal role in designing, procuring, and delivering voter registration cards to Khartoum, Juba, and the eight OCV countries, with ample reserve stocks, in time for the referendum voter registration. Approximately 9.2 million cards were bound in an estimated 46,000 books, with each book containing 200 registration cards.
- IFES printed referendum polling manuals, journals, material transfer forms, results forms, explanatory leaflets, training posters, and rules and regulations.
- IFES procured and delivered referendum polling and training kits which allowed for in-country distribution to all polling centers and training venues. A total of 4,188 polling kits and 580 training kits were delivered to Khartoum, Juba, and eight OCV countries. The contents of the kits included forms, stamps, seals, lamps, indelible ink, and stationaries.
- Post-referendum, IFES actively engaged with the SSRC/SSRB to design a comprehensive asset disposition plan, proposing 35 local institutions and organizations for receipt of referendum equipment and materials. The IFES disposition plan was approved by USAID in early-June 2011, with all SSRC and NEC asset distributions in Khartoum completed by the end of July 2011⁶.
- IFES facilitated the retrieval of approximately 250 surplus referendum center polling kits from the ten states of South Sudan. Some polling kit materials were designated for further use by the SSRB, and others were donated to local schools and orphanages. Surplus items such as indelible ink and stationery were sent to the NEC in Khartoum in support of the Southern Kordofan state elections.
- The NEC in Khartoum and Southern Kordofan SHEC in Kadugli received electoral commodity procurements from IFES in support of the January-February 2011 voter registration and May 2011 state elections. Material support included office furniture and equipment, voter registration

⁶ See Annex 3 for a comprehensive asset disposition list

procedures manuals, stationery, polling and counting procedures manuals, mock training ballots, indelible ink, printed training materials, and the design, printing, and distribution of 3.1 million ballot papers. An asset disposition plan was also approved by USAID for commodities procured for the NEC in support of national electoral events.

FY2012

- Though there were no South Sudan elections or an Abyei referendum in FY2012, IFES saw progress under SEASP Objective Five by providing material and logistical support to the RSS Ministry of Justice (MoJ) and National Legislative Assembly (NLA) during the development of the National Elections Act 2012. IFES organized, funded and conducted two multi-day forums for electoral stakeholders: a MoJ consultative meeting in October 2011 and a two-day NLA Public Hearing on the National Elections Bill (NEB) in March 2012.
- During the developmental period of MoJ drafting and NLA review, IFES printed and distributed the following documents to MoJ officials, the Council of Ministers, NLA elected representatives, and stakeholders: the NEB, the report of the NLA Legislation and Justice Committee, and copies of the enacted National Elections Act of 2012.
- IFES advisory services were ongoing during FY2012 to the SSHEC and the SSRB, respectively, on data and asset management, inventory updates, and ultimately planning and disposition of surplus or unused USAID-funded assets. In the case of the SSHEC, IFES supported consultations that led to clarification of the SSHEC's legal status in South Sudan, paving the way for an assessment and updated inventories of assets – including offices, warehouses, vehicles, office equipment and furniture – at a future date to the new South Sudan NEC. IFES completed the disposition and transfer of the former SSRB Data Center building in Juba to the University of Juba for the housing of the university computer center.

FY2013

- IFES conducted an assessment and undertook procurement of essential office equipment and infrastructure for the NEC following their August 2012 appointment. At the start of FY2013 IFES identified key commodities needed at the former SSHEC office that was temporarily housing the new NEC. IFES undertook a short term lease (through the end of the SEASP in September 2013) of a new office compound for the NEC and procured office furniture, computing equipment and internet services, and critical compound equipment including generators and air conditioning units. The NEC inaugurated their new offices in January 2013 with IFES support and USAID-funded assets.
- Due to lack of any operating budget from the government, IFES supported the NEC throughout FY2013 with the ongoing provision of necessary office supplies and equipment, monthly generator fuel allotments, internet subscription costs, and short-term vehicle hire.
- IFES procured, designed, and launched the official NEC website in August 2013. Website content was drafted and approved by the NEC with technical inputs provided by IFES.

Objective 6: The constitutional process in South Sudan is an efficient, inclusive, and transparent process that increases the public credibility and legitimacy of the permanent constitution.

A modification to the Task Order in August 2012 enabled IFES to formally engage with the National Constitutional Review Commission (NCRC). The NCRC was appointed in January 2012 and given an initial 12-month mandate to review the TCRSS 2011, conduct civic education and public consultations, and produce a draft constitutional text and report. In February 2013 the NCRC was given a two-year extension to its original one-year mandate.

IFES engagement during FY2012 on the drafting and enactment of the NEA 2012 involved close monitoring of South Sudan's constitutional development process and its implications for electoral systems and processes. As a result IFES was well-placed to implement a comprehensive USAID-funded program of material, operational, logistical and advisory services to the NCRC beginning in the fourth quarter of FY2012 and continuing to the end of the SEASP.

FY2012

- Prior to the Task Order modification, in April 2012 IFES conducted a preliminary assessment for USAID which identified technical assistance, logistical arrangements, and commodity provision as key areas of NCRC support. IFES followed up with a May 2012 comprehensive needs assessment for USAID including summary analysis of the legal framework as it related to the NCRC mandate and timelines, analysis of membership composition, a survey of international assistance availability, and detailed technical and material needs.
- IFES finalized an initial NCRC Engagement Plan inclusive of a formal Memorandum of Understanding between USAID, IFES, the RSS and the NCRC to clarify IFES technical assistance including national and international advisors, types of assets to be offered to the NCRC from IFES, and a program activity timeline based on the existing NCRC operational planning. This IFES plan formed the basis for the August Task Order modification agreement.
- IFES organized and sponsored a public launch in Juba of the NCRC Action Plan 2012-2013 with national and international participants in early September 2012.
- IFES provided NCRC leadership with technical proposals for internal organizational structures, a Secretariat staffing plan with terms of reference, review committee structure, internal rules of procedure, and a draft constitutional text framework in September.
- IFES initiated procurement tenders for NCRC material support in September including office renovation, compound equipment, office furniture, computing equipment, internet service, supplemental office space, and a conference facility.

FY2013

- IFES supported NCRC administrative capacity with technical proposals for expanding the plenary rules of procedure, suggested structuring of the review committees, and establishing rules of procedure for the review committees.
- IFES provided logistical support to three NCRC plenary membership sessions (held in November and December 2012, and April 2013) and to the NCRC Civic Education Subcommittee (CES) constitutional issues seminar in March 2013.

- IFES procured and delivered essential office equipment and compound infrastructure to the NCRC including office building renovation, office furniture, computing equipment, internet service, and compound equipment resulting in fully operationalized NCRC offices that were officially inaugurated at a USAID handover ceremony in April 2013.
- IFES technical support to the NCRC Secretariat in the updating the NCRC Strategic Plan 2013-2014 (formerly known as the NCRC Action Plan 2012) resulted in its adoption during the Fourth Plenary Session in April. The strategic plan was revised to provide a structured approach towards constitutional review, civic education, and public consultation.
- IFES technical and operational support to the NCRC CES resulted in a refined NCRC Civic Education Action Plan 2013-2014 that was formally launched at a public event in May with IFES assistance. IFES engagement with the CES members throughout May and June provided preliminary operational guidelines to conducting civic education field activities and assistance in developing a state field team deployment schedule.
- IFES printed 1,000 copies of the TCRSS 2011 for use and distribution by the NCRC membership to stakeholders and at CES civic education activities.
- In the fourth quarter of FY2013 IFES provided significant technical, operational, and logistical support to the CES during the implementation of the crucial first phase of civic education field visits to all 10 states of South Sudan.

2. TECHNICAL SUPPORT TO INSTITUTIONAL CAPACITY BUILDING 2009 – 2013

The purpose of the Task Order was to support technically sound administration of Sudan's electoral processes as called for in the CPA. The SEASP rapidly mobilized the necessary long and short term advisors to conduct national elections in Sudan in 2010 and Southern Kordofan state elections in 2011, the nationwide referendum on self-determination for Southern Sudan in 2011, and the establishment of two new commissions, the NEC and NCRC, tasked with managing electoral and constitutional processes respectively in South Sudan following independence.

Institutional capacity building broadly encompasses the methodologies, aims, strategies, and techniques of organizational development. The underlying purpose of capacity building is to assist host country partners in taking control and ownership of transparent processes, developing an increased ability to implement projects and activities efficiently and effectively, and to sustain these activities, positive outcomes, and institutions.

Training and procurement of essential commodities (covered under Objectives Four and Five of the Task Order) will be reviewed separately in Sections Three and Four.

The following review of IFES technical support to institutional capacity building will be organized by each recipient Sudan and South Sudan institution that partnered with IFES during the course of the Task Order from 2009 – 2013.

2.1 Sudan National Elections Commission (2009 – 2011)

The IFES SEASP began in February 2009 with a six-member start-up team arriving in both Khartoum and Juba to establish IFES' on-the-ground presence in Sudan. Through the assistance of USAID,

IFES signed an Implementation Protocol (IP) with the Government of National Unity (GoNU) in April 2009. This enabled IFES to begin establishing main operations with the National Election Commission (NEC) based in Khartoum.

Following the signing of the IP, IFES began developing its working relationship with the NEC. The NEC initially showed a great deal of resistance to international advisors, not only from IFES, but the United Nations Mission in Sudan (UNMIS) and United Nations Development Program (UNDP) as well. In spite of the limited and poor history of elections in Sudan, the NEC strongly felt that their shared past experiences with elections would be enough to carry out national elections with minimal infrastructure, and several pockets of on-going conflict.

2.1.1 Electoral Organization

The major IFES SEASP deliverable in FY2009 was the Gap Analysis of Sudan's National Elections Act (NEA). The 2009 NEA provided a vague framework for the Sudanese elections. The NEA delegated the responsibility for creating a proper electoral system to the NEC.

The Gap Analysis revealed 47 shortcomings in the NEA that would require NEC to develop policies and regulations, fully establishing the regulatory framework that would guide the management of the 2010 elections. The Gap Analysis provided the roadmap for IFES technical support and contributed to the NEC's overall capacity in electoral organization, mainly through understanding, managing, and implementing policies and regulations in a legal, timely, and transparent manner.

The IFES analysis classified each gap as falling into the following areas:

- Election administration and organization (7 gaps identified)
- Observer and party agent accreditation (2 gaps identified)
- Boundary delimitation for constituencies (2 gaps identified)
- Electoral formulas and determination of elected candidates (2 gaps identified)
- Electoral security (1 gap identified)
- Procedural rules for the conduct of NEC meetings (1 gap identified)
- Voter registration (5 gaps identified)
- Voter education (1 gap identified)
- Out of country voting (OCV) (1 gap identified)
- Political party and candidate nominations (2 gaps identified)
- Electoral campaign regulations (1 gap identified)
- Media access and conduct (2 gaps identified)
- Political finance (9 gaps identified)
- Electoral access for disabled citizens (1 gap identified)
- Ballot design, printing, and distribution (1 gap identified)
- Transparent voting and counting (6 gaps identified)
- Electoral dispute resolution (EDR) (3 gaps identified)

Establishing functional committees, setting procedural rules and regulations for NEC administration and the conduct of its meetings (including rules for the format, content, and publication of decisions and regulations), defining roles and responsibilities of key elections officials, and adopting a Code of Conduct were critical NEC administrative benchmarks in FY2009.

Following up on advice given by IFES and other international election advisors, the NEC established a Policy Committee and a Technical Committee. The Policy Committee was composed of representatives from the NEC, the GoNU, the Government of Southern Sudan (GOSS), USAID,

UNMIS, UNDP, and the European Commission (EC). IFES attended the Policy Committee *ex officio* along with UNMIS, UNDP, and EC advisors. The Policy Committee served principally as a senior-level forum to update Sudanese government officials and international donors directly on electoral preparations.

The Technical Committee was composed of representatives from the NEC, IFES, UNMIS, UNDP and the European Union (EU). The purpose of the Technical Committee was to coordinate the implementation of and activity plans for the technical assistance being provided by the international community. The assistance provided by IFES and international electoral assistance providers during FY2009 on budget development, general election planning, training structure, voter registration, and voter education were driven by this committee.

While the establishment of these new NEC committees marked an achievement in countering NEC resistance to international technical assistance, in practice the two committees were not able to meet regularly. The result was that most meetings between IFES and other international assistance providers were conducted on a purely ad-hoc basis. In its Gap Analysis, IFES recommended that the NEC address this lack of coordination capacity immediately by establishing procedural rules and regulations for NEC meetings.

Although the NEC was hampered by weak internal and external communications and lack of coordination across its complex administrative structures, and because the NEC still had not yet created formal rules and regulations governing their own operations, meetings, or decision-making practices, between August and September 2009, IFES advised the NEC on a variety of issues, including:

- Rules and regulations for the conduct of NEC meetings (per the *Venice Commission's Code of Good Practice on Electoral Matters*)
- Roles and responsibilities of Returning Officers (ROs)
- Roles and responsibilities of Polling Chiefs
- Roles and responsibilities of election officers and other staff

The Gap Analysis recommended that clarification of roles and responsibilities and appointment regulations for objection committees are completed 30 days prior to the start of voter registration, then planned for 2 October 2009. IFES' recommendations included careful consideration of remuneration, appointments, and removal of judges in order to preserve judicial independence and impartiality.

A positive regulatory achievement occurred in September 2009 with the NEC's formal endorsement of "The Code of Conduct for 2009 Elections." Among other things, the Code detailed the process for accrediting party agents and the roles and responsibilities of those agents. In the Gap Analysis, IFES stressed the credibility which party and candidate agents lend to any electoral process and the importance of preparing clear procedures for their immediate accreditation. In another critical area of technical capacity building and electoral organization, IFES experts also contributed greatly to the development of an appropriate NEC budget, participating in the NEC's budget-drafting process with other international advisors.

The initial budget put forward by the NEC was far from reasonable in terms of price. Furthermore, the numbers in the initial budget were not linked in any way to election activities, further highlighting a lack of forward-thinking regarding the electoral process and the operational capacity to implement it. IFES spent several weeks working on a daily basis with the NEC to develop a budget which they themselves and the international community found acceptable.

This process afforded IFES the opportunity to walk the NEC through each stage of the electoral process – from constituency demarcation through to post-polling complaint adjudication. In doing so, IFES was able to increase the NEC’s understanding of a proper electoral process and reinforce the necessity of clear and focused planning necessary for nationwide elections to be carried out with any modicum of success.

During FY2010, IFES worked with the NEC and other international election assistance providers to develop the “Polling Handbook for Staff” and the “Polling and Counting Guide for Election Officials.” The Handbook provided key details to ensure that each of the polling station staff understood their specific roles. It was also used as the basis for the cascade training for poll workers. The Guides were provided to the CEOs and heads of polling stations and explained in picture and writing the polling and counting process and the transfer of materials from the polling station to the SHECs. Both the Handbooks and the Guides were printed by IFES in English and Arabic.

The NEC approved these materials and posted them on their website, further highlighting their acceptance of the agreed-upon procedures. These procedural manuals and leaflets provided text and illustration with consistent explanations of the opening of polling stations; steps for the polling; daily closing and re-opening of the polling station; the entire sorting, counting and declaration at polling station process; and transfer of materials to the SHEC level and included details on who should be present during each step.

Training materials developed and printed by IFES on behalf of the NEC specifically state that the Queue Controller “checks for elderly, disabled, sick or pregnant voters and directs them to the front of the queue” as part of the responsibilities of that polling station worker. Demonstrating the success of these training reports, observation reports show that in the large majority (approx. 84%) of observed polling stations disabled were actually assisted according to the procedures set forth in the IFES-supported printing material.

In late March 2010, the NEC requested IFES to print a “Counting Procedures Leaflet” to be used by political party agents and domestic observers. Even though the NEC made this request late, IFES was able to distribute 200,000 copies throughout Sudan in time for the April 2010 polling, utilizing the networks established by other USAID-funded election assistance providers.

Also in March 2010, representatives of the entire NEC structure – the NEC, SSHC, and all SHECs – met in Khartoum at the “Election Operation Conference for State High Committee Members and Returning Officers” which provided the opportunity for the entire EMB structure to share information and engage in final planning for establishing polling stations, distributing and safeguarding materials, and conducting polling, counting and aggregation of results. IFES worked in cooperation with other international election assistance providers to deliver this conference.

2.1.2 Constituency Delimitation

IFES SEASP activities for FY2009 had anticipated the provision of significant technical support to the NEC in all areas of responsibility as listed in the NEA regarding boundary delimitation for constituencies. The NEA required from the NEC the establishment of a plan and procedures for a public and transparent process for the creation of constituencies and delimitation of boundaries that allowed for maximum public input from stakeholders.

Procedures included the preparation and publication of a NEC report on constituency boundaries, followed by a period for the NEC’s receipt and consideration of complaints, objections and alternative

proposals to the initial report, and concluding with the publication of a final determination of geographical constituency boundaries.

The IFES expert was deployed to Khartoum in September 2009, where she experienced substantial delays in securing access to vital documentation and meetings with key NEC staff, both of which comprised the essential data required for her final report. After a request for intervention by the IFES Country Director to the NEC Secretary General, the NEC staff offered only slightly greater degree of cooperation. Ultimately less than 20 of the approximately 300 complaints regarding boundary delimitation that had been received by the NEC were made available to the expert for review.

2.1.3 Voter Registration

A critical area of IFES technical support in FY2009 was the provision of extensive research and alternative draft plans to strengthen the NEC's institutional capacity to undertake a nationwide voter registration, scheduled for November 2009.

In an attempt to ensure that adequate manpower was devoted to the voter registration IFES submitted an alternative voter registration plan to the NEC. NEC's initial plan to register the entire country with only 1,498 voter-registration teams (consisting of three to four individual officials, for a total estimated 4,500 – 6,000 officials nationwide) fell well short of acceptable standards and best practices.

IFES' plan suggested a minimum of 3,607 voter registration teams be deployed nationwide, while urging the NEC to agree to a total of at least 10,000 officials which IFES' experience demonstrated as the appropriate number. By the end of FY2009, IFES felt confident that the NEC would agree to the minimum required 3,607 voter-registration teams.

IFES provided the NEC with a detailed plan for establishing voter registration centers in September. The main focus of this plan was ensuring that standard rules were applied when creating registration centers, in order to ensure that every Sudanese citizen would be able to find a registration center within a reasonable distance of their home. IFES identified five key parameters for ensuring equal access for all Sudanese during the voter-registration process:

- ❖ Voting population of the constituency;
- ❖ Size of the constituency;
- ❖ Number of teams assigned to the constituency;
- ❖ Identified settlements; and
- ❖ Registration Centers within a range of 5 to 10 kilometers of place of residence.

Lastly, this plan stressed the crucial need for sensitizing the voters regarding the voter-registration exercise. IFES advisors urged the NEC to schedule the mapping out of voter registration centers well in advance, including the number of needed voter registration teams, the exact locations of the registration teams, and on which dates they would be conducting registration. By undertaking this essential planning in advance, electoral stakeholders as well as the 25 SHECs could then provide the voters with correct information during the voter education campaign.

Following the voter registration, the NEA required the NEC to establish procedures for the exhibition/display of the Electoral Register to allow for additions, deletions, corrections, and amendments before elections. The NEC was required to issue regulations on the exhibition/display period including timeframe, locations, and rules for requesting changes to correct voter details. IFES provided the NEC with specific guidelines for the exhibition of the voter roll.

During FY2009, IFES advisors initiated the drafting of the official NEC training manual on voter-registration procedures. Two key areas that IFES and other international advisors consistently urged the NEC to address and clarify for inclusion of appropriate procedures in the manuals were citizen documentation and the system for publication of the Electoral Register.

IFES and international advisors urged the NEC to only require documentation from people whose citizenship is questioned at the time of attempting to register. As many Sudanese – particularly in rural areas – are without documentation, IFES felt that requesting documentation could lead to the disenfranchisement of a huge portion of the population.

IFES advisors also consistently encouraged the NEC to begin establishing a system for publishing the voter register following the registration process. Some members of the NEC felt the need to computerize the register prior to publication. IFES and other international advisors recommended against this, as the time required to train data-entry staff and enter the required information was not factored into the NEC's electoral calendar.

IFES advisors engaged the NEC during voter registration in late-January and subsequent elections in early-May 2011. Consultations on operational planning were provided to support voter registration, voter registry exhibition, and polling center identification. Despite best efforts by IFES to develop sound operational capacity, NEC officers either declined advice and guidance or did not implement recommendations due to inefficient decision making protocols or shortfalls in financial resources or both. As a result, operational and technical deficiencies during voter registration created subsequent deficiencies in the electoral process that raised questions on the validity of election results.

The NEC conducted voter registration from 24 January until 12 February 2011. During the first reporting period, IFES advisors provided substantial technical input to the procedures manual, final budget, and operational planning. The original operational plan called for the exercise to be only an update to the existing voter register, contrary to recommendations from IFES and UNIREC advisors; however, this plan was later changed, which caused operational complications.

In addition, the Southern Kordofan State High Elections Committee (SHEC) intended to deploy only mobile registration teams instead of also having stationary teams that would enable a longer period to collect voter information. Despite NEC and Southern Kordofan SHEC conducting registration operations with minimal international guidance, IFES continued providing assistance to operational planning and capacity building.

2.1.4 Voter Information

By late September 2009 the voter education campaign by the NEC had yet to start. However, IFES technical guidance was instrumental in preparing an early foundation prior to the commencement of nationwide voter education efforts. Based on IFES' advice, the NEC agreed to make the voter registration training manual "dual use," meaning it would serve as both a training tool for NEC voter registration officials and an educational tool for use in NEC and stakeholder voter education operations. Upon finalization, IFES made plans to print 30,000 copies of the manual (20,000 in Arabic and 10,000 in English). Copies not required for the NEC training program will be made available to USAID partners and other organizations involved in voter-education efforts in Sudan.

USAID-funded D&G partners at the International Republican Institute (IRI) and NDI were provided with early IFES draft inputs to the NEC voter registration manual in advance to create training materials for their respective Sudanese counterparts. NDI used the IFES inputs to assist with development of a voter education activity plan for the Sudanese Network for Democratic Elections (SuNDE) beginning in October 2009, and IRI trained political parties on the voter-registration process during the same period.

The NEA had no express provisions regarding voter education, but the IFES Gap Analysis encouraged the NEC to promulgate a regulation to ensure that a comprehensive plan would be in place to provide public information and civic/voter education. IFES advisors communicated that any plan developed by the NEC should include a comprehensive strategy for voter education that includes messages and coordination outreach, particularly with regard to women and marginalized groups.

While a formal regulation standardizing voter education was never promulgated during FY2010, IFES' support to the NEC had a strong impact on voter-education efforts nationwide. IFES worked with the NEC to also develop training materials for the polling and counting process that could also be used as voter education materials. All materials printed by IFES for the polling process – including mock ballots, the “Handbook”, the “Guide”, the “Leaflets,” and the NEA – were used to both train poll workers and to educate voters.

IFES distributed these materials to IRI, NDI, The Carter Center, the EU, UNDP, and UNMIS-EAD specifically in response to the acknowledged deficiencies in voter education.

Additionally, IFES reviewed materials prepared by IRI and NDI for use in the training of party agents and domestic observers and for voter education purposes. IFES' review of these materials enabled other USAID-funded organizations to deliver accurate information to party agents, domestic observers, and the Sudanese population at large.

2.1.5 Candidate Nominations

The candidate nomination process concluded on 27 January 2010 and the NEC published and made available detailed nomination forms for each of the offices being contested. IFES provided technical assistance to the NEC on the development of the following nomination forms:

- Office of the President of the Republic
- Office of the President of the Government of Southern Sudan (GoSS)
- Legislative assemblies: National, Southern Sudan, and State

2.1.6 Electoral Campaign

On 22 February 2010 the NEC published the “Circular on Campaign Activities – National Elections, 2010”. While this circular opened with positive language regarding the importance of freedom to campaign for all political parties, IFES – along with other international assistance providers – immediately expressed concern over the rules set forth in the circular.

Political parties and candidates were required “*to seek permission of the concerned authorities to organize (campaign) activities, and wait for that permit, while those authorities finalize the necessary*”

procedures.” This permission had to be sought in writing 72 hours in advance, even for campaign activities held within the premises of political party offices.

IFES advised the NEC that this might discriminate against opposition parties. The NEC did not heed IFES’ advice. Consequently, there was a considerable number of complaints from opposition parties – in both Northern and Southern Sudan – regarding uneven application of the rule by various security forces.

This circular, however, did provide relatively clear and concise rules for the electoral campaign. Simply having rules strengthened the electoral campaign process, by clearly establishing what would and would not be tolerated.

Nevertheless, international observer organizations reported that there were significant obstacles to running a competitive campaign. This was seen as a result of the opposition parties in Northern Sudan having experienced many years of difficulties, which had hampered their ability to compete with the ruling NCP. EU EOM reported that the competitive nature of the campaign was reduced by unequal resourcing and treatment by the authorities, as well as boycotts and late withdrawals by opposition parties in the north.

2.1.7 Vote and Counting

IFES worked closely with the NEC and other international election assistance providers to craft the rules and regulations for the voting and counting process. Following agreement on these rules and regulations, IFES printed the core manuals, which were used to train election workers and inform political parties, domestic and international observers, and the public at large on the planned process for voting and counting. This assistance from IFES clearly strengthened this segment of the electoral process.

IFES fielded two consultants to help develop a computerized database for aggregating results (an Election Results Management System) at the SHC level and then transmitting them to the NEC in Khartoum. As a solution was already under development upon the arrival of the IFES consultants, however, the leverage on modifications and/or improvements regarding the application were limited. The general architecture of the application could not be modified to resolve flaws. However, an operational plan was drawn, with the aim at covering gaps of the application through a parallel data entry system in an Excel spreadsheet.

Despite the efforts, the overall reconciliation and management of results encountered challenges due to a number of reasons. The Election Result Management System (ERMS) was only used as an “alternative option.” The instructions from the Operational Manual stated that dual results reconciliation had to be performed (Software data entry + Excel or manual reconciliation). In many states, however, manual tabulation of results was processed without any kind of parallel computerized tabulation. The results aggregated through manual tabulation were published in the absence of any safeguard and/or quarantine process. Furthermore, the delay in the translation and distribution of the Operational Manual, in addition to the lack of training, was responsible for procedural errors and absence of safeguards in the Data Centers.

2.1.8 Electoral Dispute Resolution

IFES provided technical assistance to the NEC in developing “*Form No. 7: Application for Raising Questions or Objections in Writing by Candidate Agent or Party Agent to the Voting, Sorting and*

Counting Committees.” Form No. 7 was a simple, one-page document providing party and candidate agents with a mechanism for raising objections during the polling, sorting, and counting process. This form was included in the “Guides” available at each polling station and was distributed to political parties through networks established by other international election assistance providers.

2.1.9 Legal and Regulatory Framework Development

For the Southern Kordofan elections in 2011, IFES provided support to revising and updating the voter registration and polling and counting procedures manuals used during the 2010 general elections. Consultations and inputs were provided to NEC officials to develop the new training manuals, as procedures had changed significantly from only updating the existing Electoral Register. When NEC switched course from an update to a new registry, the manual reverted to the previous procedures with only a few modifications. IFES contracted a cartoonist and graphic designer, finalized the layout of both manuals, and printed and distributed copies to NEC officials in Southern Kordofan. The manuals were produced under intense time pressure due to last-minute procedural changes. Regardless, IFES developed, designed, and printed the materials in time for the start of voter registration and polling and counting training.

2.1.10 Operational Planning for Polling

IFES advisors supported and advised NEC officers to increase operational awareness, promote advanced planning, and identify potential challenges during polling preparations for 2011 state elections. NEC initiated operational planning and procurement activities well in advance of the elections scheduled from 2-4 May 2011. Identifying polling center locations, arranging logistical distribution systems, preparing poll worker training plans, and procuring electoral commodities took place in February and March 2011. Daily meetings with relevant NEC departments maintained a continual flow of information between IFES and NEC as well as often being the primary information channel for other international partners.

Polling center identification and materials distribution systems were planned and implemented by NEC in March 2011 with substantial operational inputs from IFES. Particular focus was placed on fixing the number and location of centers well in advance of the polling period to facilitate logistical planning and voter education. Guidelines were formulated and sent to SHEC with sufficient time for implementation, which increased operational planning effectiveness. Identifying 666 polling committees in 555 polling center locations allowed for more advanced logistical planning and improved voter education.

2.1.11 Increased Capacity for Implementation of Electoral Operations

The operational and logistical activities implemented by NEC enabled the conduct of state elections as scheduled. Polling center locations were identified, logistical distribution systems were arranged, polling worker training was conducted, and electoral commodities were procured and delivered on time. IFES advisors supported and advised NEC officers throughout these activities to increase

technical awareness, promote advance planning, and identify potential challenges during operational preparations. Daily meetings with relevant NEC departments maintained a continual flow of information between IFES and the NEC as well as between UNIRED and international partners.

The various technical flaws noted earlier in voter registration may have impacted the elections outcome by producing a questionable or incomplete voter registry. When the results were tabulated and the margins between candidates were close, the numerous operational and technical inefficiencies and lack of geographical coverage during registration were called into question and became the source of heated contention among electoral stakeholders in Southern Kordofan.

Despite structural shortcomings during voter registration, the NEC successfully conducted the operational and logistical activities in support of state elections. Even though management in the central and state-based offices demonstrated a tendency for taking a *laissez faire* approach towards operational planning and voter education, progress was made in building technical capacity. NEC increased its awareness and appreciation for how repeated and last-minute changes to activities and respective timelines resulted in significant operational and cost implications. Operational planners who previously showed unwillingness to foresee and plan for potential obstacles in electoral processes were more willing to listen to ideas for contingency planning. IFES efforts to improve technical capacity showed progress between the end of voter registration and preparations for polling. Greater advanced planning for polling center locations assisted logistical arrangements and earlier voter education ensured a more informed voting public.

2.1.12 Results Tabulation and Announcements

Results aggregation and tabulation were subject to intense scrutiny by national stakeholders, especially the two leading political parties—the National Congress Party (NCP) and Sudanese People's Liberation Movement (SPLM). The process appeared imperfect with several complaints raised regarding the modalities of filling out results forms, transmitting results to the Southern Kordofan SHEC and NEC data centers, and publicizing initial results. The SPLM complained about perceived irregularities regarding specific polling stations. When the complaints adjudication results were deemed unacceptable by the SPLM, its leaders withdrew from the elections and refused to acknowledge preliminary results announced by NEC on 15 May 2011. According to results announced by NEC, the incumbent NCP governor won by less than 7,000 votes. Similarly, NCP won more than 60% of state assembly seats (33 of 54) while SPLM won the remaining 21 seats.

The Southern Kordofan state elections were far from operational and technical perfection, however, they were generally deemed technically sound and credible by national and international observers. IFES-procured commodities, such as ballots with security features and indelible ink, were commended by international observers as being of high quality and thus facilitating electoral event implementation.

2.1.13 Southern Kordofan State Elections

During FY2010, IFES monitored electoral developments in Southern Kordofan state. Southern Kordofan, along with Abyei and Blue Nile, comprised the “Three Areas” which bordered the 10 states of Southern Sudan. During the civil war from 1983 – 2005 these disputed territories, rich in oil resources and with ethnically diverse populations, leaned toward Southern political interests, with large segments of the population openly supporting the SPLM/A.

Some of the most intense fighting occurred in Southern Kordofan’s Nuba mountain region, who’s Nuba peoples were engaged in a protracted and bloody conflict with the Sudan Armed Forces and its proxy armed groups. The CPA afforded the Three Areas special status during the 2005 – 2011 interim period, with the appointed governor and deputy governor of Southern Kordofan rotating between the ruling NCP and the SPLM. Southern Kordofan was also to conduct a “popular consultation” in 2011 in lieu of participation in the referendum for self-determination (akin to the CPA’s recognition of a special referendum on the status of neighboring Abyei).

The conduct and results of the 2008 census in Southern Kordofan were, for all intents and purposes, rejected by the GoSS, citing irregularities, intimidation, and undercounting of pro-SPLM strongholds.

The October 2009 IFES report on constituency delimitation objections, and the findings therein of issues with the delimitation exercise itself along with IFES recommendations to the NEC for corrective actions took on a particular urgency during the 2010 planning for national elections in the case of Southern Kordofan.

On 23 January 2010 the SPLM announced it would boycott the April 2010 elections in Southern Kordofan if census results were not reconsidered and geographical constituencies redrawn. During this announcement, Deputy Governor Abdel-Aziz Adam Al-Hillu (SPLM) accused the NEC of not having properly considered his party’s earlier challenge in 2009 to constituency demarcation in the state.

However, the NEC rejected any challenge to constituency demarcation which was based exclusively on disputed census results, as their mandate had been solely to demarcate constituencies based on the census. A political agreement between the SPLM and the National Congress Party (NCP) later confirmed that a new census would be conducted.

As per the agreement between the SPLM and the NCP, a second census in Southern Kordofan was conducted during the third quarter of FY2010. At the end of FY2010, however the census results were still to be published and no timeline for elections in the state had been endorsed.

IFES remained engaged with the NEC in Khartoum providing technical support to institutional capacity building to assist preparations for the Southern Kordofan state elections scheduled for the spring of 2011. This event was postponed during the April 2010 general elections and was the final set of state elections from the national process. The voter registration commenced in late January 2011, polling and counting was conducted from 2-4 May, and results were announced on 15 May 2011.

IFES SEASP provided technical assistance with operational planning, training events, and commodity procurement. Specific activities included advice on advance identification of polling centers, training support for state election officials in Kadugli, and providing essential electoral commodities, such as four types of ballots and surplus indelible ink from the 2011 referendum on self-determination for the South.

Initial IFES guidance to the NEC prior to voter registration was not accepted, resulting in operational deficiencies; however, NEC officials were more receptive to assistance in advance of polling, which resulted in more efficient operations and improved voter education. Both voter registration and polling took place as scheduled; however, flaws during voter registration and controversy surrounding election results cast the final results in doubt after the elections.

2.1.14 NEC Capacity Building Post-2010 National and 2011 State Elections

Following the conclusion of the January 2011 referendum on Southern self-determination, and after completing electoral operations in Southern Kordofan state, NEC requested additional technical assistance from IFES in mid-May 2011. NEC wanted to build core staff and state chairperson capacity in the North with training events in electoral administration, operations, logistics, voter registration, and strategic planning. Ongoing technical assistance was also requested for a proposed Darfur referendum.

The departure of UNIRED electoral advisors in late-June 2011 positioned IFES as the primary provider of further operational and training support to the NEC in Khartoum. However, IFES declined additional contributions to NEC development or operations due to U.S. government legislative restrictions imposed on USAID assistance to the Government of Sudan (GoS) after Southern Sudan attained its independence on 9 July 2011. As a result, IFES closed its Khartoum office and ended Sudan operations by 31 July 2011. IFES reduced its operational scope to South Sudan only with an office and four international personnel located in Juba.

2.2 Southern Sudan High Committee and State High Elections Committees

IFES quickly registered as a tax-exempt organization in Southern Sudan at the start of the SEASP program in February 2009 and established an office in Juba.

The IFES office in Juba provided technical support to the “subsidiary” EMBs of the NEC: the Southern Sudan High Commission (SSHC) based in Juba and the State High Elections Committees (SHECs) for the 10 states of Southern Sudan. The IFES office in Khartoum worked with the 15 SHECs in the North.

The Implementation Modalities of the Machakos and Power Sharing Protocols of the CPA listed only the NEC as the “executing body” for the entire 2010 Sudanese election process. As a result, in general the SSHC did not take significant responsibility for the conduct of the 2010 elections, and was institutionally by-passed often by the NEC, which worked more directly with the SHECs. The NEC gave the SSHC the vague primary responsibility for “coordination.”

SSHC officials demonstrated enthusiasm in pursuing their mandate, however vague, and participated in all Juba-based IFES activities and those IFES activities in Khartoum to which its officials were invited. The SSHC also fulfilled a ceremonial role in opening election-related activities in Juba.

The majority responsibility for delivering elections fell on the 25 SHECs in both the North and Southern Sudan. With inadequate lead time, insufficient funds and minimal guidance, SHECs were required to identify polling stations, recruit and train Constituency Elections Officers (CEOs) and polling station staff, print voter registries, distribute materials from state capitals to each constituency, provide support to CEOs throughout the entire process, and aggregate election results. Significant assistance was required from state-based international election assistance providers in trainings and material distribution.

2.2.1 SSHC and SHEC Electoral Organization

From the start of the SEASP, a lack of clarity on the role and responsibility of the SSHC has been the biggest challenge for IFES' operations in Southern Sudan. The IFES Gap Analysis noted that under the NEA it was the responsibility of the NEC to "define the functions, duties, and powers of the SSHC" but this was not given serious consideration.

At the suggestion of IFES, the SSHC instituted weekly coordination meetings with IFES and other international assistance providers. These meetings focused heavily on the lack of communication and coordination between the NEC, SSHC, and SHECs in the 10 states of Southern Sudan. The SSHC started the coordination meetings with IFES, UNMIS, and UNDP in June 2009. The early meetings focused heavily on both the roles of the international advisors and that of the SSHC.

During FY2009, IFES worked with the SSHC to create a clear set of roles and responsibilities for each of the SSHC members and has worked closely with UNMIS and UNDP to facilitate more regular communication between the different EMB layers.

While the "coordination" role assigned by the NEC to the SSHC remained vague, the SSHC began dividing responsibilities amongst themselves. The weekly meetings led to the SSHC creating a "distribution of duties" memo in July 2009, stipulating the duties assigned to each of the four SSHC Members, the Returning Officer and the Chairman. The SSHC also attempted to coordinate with the Southern SHEC's. In particular, the SSHC took a keen interest in the constituency delineation process in the Southern states. It was agreed that international advisors would not take part in the meeting between the SSHC and the NEC to enable the Sudanese officials to speak openly.

Appointments to the 25 SHEC's were announced at the same time as the appointment of the SSHC, as well as Returning Officers (ROs). The appointment process was not particularly open, although appeared to IFES and international advisors that both GoNU and GoSS officials were involved in vetting the list and of appointees and agreement upon names. IFES advisors were informed of numerous complaints at the state level regarding the tribal and political affiliations of the SSHC, SHECs, and ROs. IFES continued to stress to the NEC that clearer appointment regulations at this early stage of the electoral cycle would "help establish a tradition of transparency throughout all levels of election administration."

The SHECs were given the role of full implementation of the entire 2010 election process with minimal to no input on the rules and regulations effecting this implementation. Based on IFES' interaction with SHEC Chairs and Members during June IFES orientations and field visits throughout FY2009, SHEC officials were experiencing frustration. SHEC officials expressed concern that they bore the brunt of the complaints regarding the constituency delineation process and felt that NEC policies and requests are not communicated with enough time for successful implementation.

The IFES Gap Assessment advised the NEC to immediately determine clear rules for how the SSHC and SHECs would coordinate the creation of temporary branch committees in geographical constituencies and "election centers" with the NEC. IFES advised that the temporary nature of the branch committees did not diminish their importance as community representatives of the NEC. At the close of FY2009, rules for establishing branch committees had not been established by the NEC.

Another example of IFES outreach and provision of technical capacity building support at the state level was participation in a U.N. security assessment in the North in 2009. The IFES Security Advisor joined UNPOL and UNMIS-EAD on assessments in both Darfur and El Shemaliya (Northern) State which included coordination meetings with SHEC officials and local security forces.

Overall, IFES assisted in the development of a basic electoral organizational function of the NEC, the SSHC, and the SHECs, improving communications between the different EMB levels in Sudan. IFES advisors to the NEC in Khartoum consistently stressed the fact that Southern Sudan worked very differently from the Northern part of the country and urged NEC counterparts mainstream the context of Southern Sudan when making plans and regulations. From Juba, IFES provided guidance to the SSHC for meetings with the NEC, in order to urge the SSHC to state their own case and voice their many concerns openly.

Juba-based coordination meetings between the SSHC, IFES, and other international election assistance providers that commenced in FY2009 were sporadic during FY2010 and the SSHC's ultimately minimal role in the election process led to a reduced meeting schedule.

As polling got closer, however, IFES witnessed a marked improvement in communication between the NEC and the SHECs. Early in the second quarter of FY2010 the NEC officially requested IFES' assistance in organizing and financing an Election Operation Conference for the SHEC members and Returning Officers (ROs) to provide an opportunity to exchange information across the various levels of the EMB structure.

In coordination with other international election assistance providers, IFES therefore organized a two-day conference in Khartoum in early March 2010, attended by 144 NEC, SSHC, and SHEC members and ROs.

Upon IFES initiative, representatives from the NEC, IFES, UNMIS-EAD, and UNDP formed an *ad hoc* technical committee to deal with the various aspects of the conference. The committee met for the first time in early February 2010 with subsequent meetings held until the NEC had approved the agenda. IFES prepared a folder for the conference that included the Polling Handbook for Staff,

Polling and Counting Guide for Election Officials, Electoral Observers Code of Conduct, a print-out of power point presentations and a print-out of a Civic Education Booklet prepared by UNDP.

The conference subjects (operational plans, allocation of polling centers, elections training, voter education, security, observation, complaints, communication, and media) provided the Sudanese EMB structure with a full explanation of the entire electoral process. The mock polling exercise clearly demonstrated to all NEC staff, commissioners, and SHEC members that the practical steps in polling stations, from queuing to voting, would be very time-consuming.

This was only the second time since the start of the SEASP that NEC, SSHC, and SHEC officials were all gathered in one location to share information and plans for the conduct of elections. SHEC officials raised objections to the NEC-established criteria for polling stations, expressing their belief that more polling stations were required in most states. As the final decision-making power was with the NEC, SHEC members therefore largely left this meeting disappointed by the limitations placed on them.

2.2.2 SSHC and SHEC Support in Asset Management and Disposition

After Southern independence in July 2011, SSHEC and its resources and assets were placed under the authority of the Office of the President (OoP) of the Republic of South Sudan (RSS). However, the caretaker officials were still having difficulty resolving its status as a transitional electoral body pending establishment of a South Sudan NEC.

In addition to its uncertain legal status, SSHEC officials had no access to funding for office rents, staff salaries, and other operating expenses. As of October 2012 the SSHEC was managing substantial assets that included offices, warehouses, vehicles, office furniture, computing equipment, and miscellaneous materials. The SSHEC was prepared to transfer these resources to the future NEC, when established.

IFES consulted with SSHEC officials on several occasions from mid-October through mid-November and provided policy guidance and advice, with SSHEC officials ultimately receiving instructions from the OoP to forward the case to Chief Justice of the Judiciary to determine SSHC's legal status in South Sudan. The President also approved a grant from his office to resolve four of the 10 months of outstanding SSHEC salaries, rents, and expenses. The remaining funds were ordered from the Ministry of Finance.

In early December, the Chief Justice determined that maintaining the SSHEC central and state offices and assets is legally appropriate under the provisions of the TCRSS 2011, with the SSHEC named as the South Sudan EMB charged with managing the remaining assets until transfer to the future NEC.

In early February, IFES requested information on the type, status, and location of assets available for transfer to the future NEC. In mid-February, SSHEC provided general inventory records from 18 November 2010 that indicated substantial assets: 10 offices and warehouses; 13 vehicles; and an

assortment of office furniture, computing equipment, and other supplies and materials. In mid-March, the Acting Chairperson reported that additional funds for outstanding SSHEC salaries, rents, and expenses were received from the Ministry of Finance and Economic Planning. In addition, SSHEC officers would be placed on the government payroll until the establishment of the new NEC and the formal transfer of resources and assets.

IFES monitored SSHEC activities and advised on data and asset management issues, including the collection of 2010 election results data from the Sudan NEC and the disposition of surplus electoral and referendum materials from the central warehouse in Juba.

The SSHEC reported success in acquiring the 2010 voter registration and general elections data for South Sudan from the Sudan NEC in Khartoum in mid-May, providing IFES with an electronic copy to be archived for transfer to the future NEC.

The SSHEC noted the lack of progress in producing current SHEC asset inventories due to unresponsive representatives from some states. IFES advised that the Office of the President and USAID were keen to have this information as the previous assets will form the basis of new support to the future NEC. The SSHEC noted concerns regarding the disposition of surplus electoral and referendum materials from the former-SSHEC/SSRB warehouse in Juba.

2.3 Southern Sudan Referendum Commission and Referendum Bureau

Sudan's elections held in April 2010 and re-polling in certain areas conducted in June brought a conclusion to one of the important electoral processes envisioned in the CPA. Immediately following the 2010 elections, IFES SEASP's technical assistance transformed primarily into referenda-focused activities.

Late in FY2010 IFES signed a new Implementation Protocol (IP) with USAID, the Ministry of International Cooperation and the Southern Sudan Referendum Commission (SSRC). IFES program activities were therefore related to supporting the organizational setup of the SSRC, drafting legal rules and regulations for the referendum and preparing the procurement of voter registration materials.

IFES technical assistance to the SSRC resulted in the strengthening of the regulatory framework of the two referenda in Southern Sudan and Abyei. IFES SEASP also assisted in setting up the organizational structure of the national Referendum Management Bodies (RMBs) and worked diligently to ensure that the necessary supplies and materials were provided to maximize operational efficiency of the SSRC and its subsidiaries.

One of the most significant challenges to IFES SEASP referenda support was a lack of timely political decisions on the formation of the RMBs: the SSRC and the subsequent Southern Sudan Referendum Bureau (SSRB). However, both RMBs were sworn in late in FY2010.

2.3.1 Development of Referenda Legal and Regulatory Framework

Through the fourth quarter of FY2010 IFES worked to strengthen the legal and regulatory framework of the Southern Sudan Referendum. This was done in cooperation with other international assistance providers through developing draft rules and regulations for different aspects of the referendum exercise.

As preparation for the assistance to the SSRC, IFES developed legal analyses and synopses of the Southern Sudan Referendum Act, the Abyei Area Referendum Act as well as referendum-focused synopses of the CPA, the Interim National Constitution of the Sudan and the Interim Constitution of Southern Sudan. IFES also developed a draft budget to be used for planning purposes in order to meet the SSRC with substantial advice from the inception.

Among the documents developed with IFES support were:

- SSRC Internal Rules and Regulations
- Concept of Operations
- Draft Voter Registration Rules and Regulations
- Draft Observation Accreditation Rules and Regulations
- Draft Party Agents Accreditation Rules and Regulations
- Draft Media Campaign Rules and Regulations
- Draft Training Manual
- Draft Training Plan
- Concept Paper on Voter Education

In addition to the above-mentioned documents, IFES continuously liaised with UNIRED, EU and the International Organization for Migration (IOM) to ensure coordinated technical support for the referendum.

IFES provided advisory services to the SSRC/SSRB in developing the legal and regulatory framework necessary to establish the administrative and operational capacity to conduct referendum activities. IFES advisors analyzed the 2009 Southern Sudan Referendum Act (SSRA), drafted position papers on regulatory and procedural issues, and submitted recommendations based on international best practices. These services were provided in coordination and collaboration with SSRC/SSRB legal teams as well as with UNIRED and EU technical advisors. IFES provided substantive input and recommendations on the following regulatory documents:

- ◆ Internal rules and regulations
- ◆ Observer accreditation rules and regulations
- ◆ Media campaign rules and regulations
- ◆ Voter registration rules and regulations
- ◆ Polling and counting rules and regulations
- ◆ Results tabulation rules and regulations

Following an analysis of the SSRA, IFES advisors collaborated with UNIRED and EU partners to draft a comprehensive gap analysis highlighting the legal and procedural issues that were not extensively detailed or inconsistently defined.

The analysis illustrated different interpretations of the processes that held the potential for creating confusion during the implementation of events. Recommendations were also proposed on how to clarify and streamline the regulatory framework based on best practices and international standards. The legal and procedural issues were subsequently discussed with SSRC/SSRB legal departments and commissioners.

As a result, SSRC produced answers to a list of critical questions that clarified outstanding issues and filled in gaps between the regulations and procedures to enable a more consistent application of the referendum act.

2.3.2 Voter Registration

After the SSRC and SSRB were sworn in during the fourth quarter of FY2010, IFES worked closely with other international assistance providers to draft and design a voter registration training manual. This manual contained instructions in all procedures of the voter registration exercise and was used in the training of referendum officials. IFES Advisors worked intensely to incorporate all aspects of the Southern Sudan Referendum Act into the manual to reflect the legal framework of the referendum exercise. Furthermore, IFES hired a cartoonist to illustrate key aspects of the registration procedures to facilitate easy digestion at all levels of training. IFES also provided a graphic designer to finalize the layout of the manual.

The manual was printed by IFES in both Arabic and English in order to be used for training in Northern Sudan, Southern Sudan and the eight countries where OCV took place.

The administrative capacity of the SSRC/SSRB to conduct voter registration and referendum activities relied heavily on technical assistance from IFES. Activity areas included legal and regulatory framework development, operational capacity building, and materials and commodity procurement.

2.3.3 Complaints and Appeals Procedure

Analysis of the SSRA by IFES and international advisors also identified incomplete and ambiguous provisions related to the complaints and appeals process. The provisions created confusion about the different bodies (administrative and legal) responsible for handling potential complaints and the time prescribed for disposal. IFES and other international partners addressed these issues by working in close collaboration with SSRC legal counterparts to streamline the complaints and appeals procedure.

IFES identified that undue exclusion of potential voters was not contemplated in the SSRA. In line with international best practices, IFES suggested and devised an administrative/legal procedure that allowed denied voter registration applicants to apply to competent bodies for having their rights considered and possibly re-instated. The SSRC accepted and implemented the recommendations.

2.3.4 Institutional Capacity Building of Operations and Organizational Structure

IFES worked extensively with SSRC/SSRB counterparts to establish the organizational structure and operational capacity of the RMBs. The timeline was short for recruiting and training management and staff; establishing national, regional, state, and county facilities; procuring office equipment and

event materials; and preparing the operational systems needed to conduct voter registration and polling. Regardless, IFES technical and operational advisors worked closely with the SSRC/SSRB and international partners to achieve a solid level of readiness that enabled voter registration completion by the end of December and polling to start on 9 January 2011.

IFES provided SSRC/SSRB with support to the following operational areas: 1) organizational structure, 2) procurement and logistics, 3) database management and development, and 4) field operations and communications. IFES advisors worked closely with counterparts in Khartoum and Juba to advise on administrative systems; procure buildings, equipment, and materials; develop results management systems and data centers; and mentor personnel in tracking and reporting on field operations. Assistance and support was also provided to the SSRC and its partner the International Organization for Migration (IOM) in preparing for out-of-country (OCV) operations. IFES support to SSRC/SSRB management and operations officers enabled them to recruit staff, plan operations, address challenges, overcome obstacles, learn processes, implement strategies, and adapt to fast-paced operational environments.

In October 2010, after the SSRC/SSRB was established as administrative entities, IFES provided close support and assistance to SSRC/SSRB members in establishing the core functional areas of a referendum management body: 1) executive management, 2) finance and administration, 3) operations and logistics, 4) legal and regulatory framework, and 5) public outreach. Associated activities included advice on preparing terms of reference; recruiting managers and staff; drafting budgets and administrative plans; identifying locations for state and county referendum offices; and developing a communications plan.

Establishment of the Technical Assistance Group (TAG) provided a collaborative forum for coordinating international assistance from IFES, UNIRED, and EU and in addressing common positions vis-à-vis the SSRC/SSRB management team. Two key decisions promoted closer relations between advisors and counterparts: 1) formation of thematic working groups and 2) embedding advisors with SSRC/SSRB counterparts in Khartoum and Juba.

The combination of collaborative working groups and enhanced access to both counterparts and advisors enabled IFES to channel its assistance and support through well-structured mechanisms for mutual facilitation. IFES participation in this cooperative approach towards technical assistance resulted in more efficient decision-making by the SSRC/SSRB on key issues related to organizational structure:

- ◆ SSRC/SSRB department formation, staff recruiting, and salary structures
- ◆ SSRC/NEC resource sharing of warehouses and offices at the state level
- ◆ SSRB office space location, materials procurement, and infrastructure upgrades
- ◆ SSRB facility identification for State High Committees and County Sub-Committees
- ◆ SSRC/SSRB operational plan for voter registration and referendum polling

By early-November 2010, SSRC/SSRB organizational and administrative systems were in place and staff members were actively engaged with international advisors in policy planning, timeline development, and preparation for initial referendum activities.

IFES Field Operations Advisors provided direct support to SSRB Operations and Field Coordination officers in Juba. In December 2010 and January 2011, they conducted multiple field visits to all 10 State High Committees (SHCs) to assess operational needs and conditions. They also worked closely to build skills among SSRB officers, such as tracking and following-up on operational field issues and creating an internal organizational chart and contact directory. They mentored referendum officers with techniques and tools for identifying issues, responding to requests, and implementing solutions. Assistance was also provided to track the receipt and distribution of referendum materials as they arrived in Juba, such as training materials and polling kits.

Field visits assessed operational conditions in the wake of voter registration and in advance of referendum activities. IFES met with SHC Chairpersons to discuss operations, identify issues, and note attributes unique to those offices. IFES also surveyed operational status of key equipment such as photocopiers, printer/scanners, generators, and VSAT internet systems. The field trip findings were reported to the SSRB with recommendations for addressing issues and resolving problems. SSRB officials accompanied IFES on all trips to facilitate visits and learn how to assess field conditions.

In Khartoum, IFES maintained close dialogue with the SSRC Operations Department to ensure timely delivery and distribution of referendum materials in the northern states. Daily meetings with SSRC Director of Operations were conducted to monitor distribution and retrieval planning for the northern states and OCV. Planning was performed in collaboration with UNIRED logistics, which facilitated a smooth transfer of commodities from delivery to distribution to registration and polling centers.

IFES played a significant role in establishing the operational capacity of the SSRC/SSRB to process and tabulate voter registration and referendum results. Services included consultation on a results management system, procurement of two data centers and computing equipment, contracting tabulation software developers, and providing technical advisors to support the processes.

In October 2010, IFES IT/Software Advisors worked with the SSRC IT Manager to design and implement the Referendum Information Management System (RIMS). The operational plans called for two data centers—one in Khartoum and the other in Juba—to receive and process results forms from approximately 3,000 Referendum Centers in the north, south, and OCV countries. The development of the RIMS software technical specifications was followed by conducting a data processing needs assessment and drafting data management procedures. In November 2010, IFES coordinated the establishment of the SSRB Data Center in Juba. All associated materials were procured, including the self-contained office building, furniture, and computing equipment. Similar support was provided to the SSRC in Khartoum but on a smaller scale. In early-December 2010, the tight deadlines were achieved and the SSRC/SSRB Data Centers were fully operational and ready to receive and process voter registration forms.

IFES technical support and software development services to the SSRC/SSRB Data Centers resulted in two facilities capable of processing voter registration and polling results forms in a timely fashion while also maintaining the integrity of the process.

2.3.5 Referendum Voter Registration

Because the SSRC was not established until September 2010, the entire voter registration process was delayed. As a result, the SSRC Voter Registration Rules and Regulations was delayed in approval and publication. The document was officially circulated only one day before voter registration was scheduled to start on 15 November 2010. This complicated the process as some procedures had already been defined in the voter registration training manual developed for referendum center staff in October 2010. This issue was mitigated by subsequent instructions and clarifications distributed by the SSRC/SSRB to the field offices.

IFES enhanced the technical capacity of SSRC/SSRB officers to administer and implement voter registration activities. Voter registration and data management systems were implemented and registration materials, staff training tools, and results tabulation mechanisms were utilized to successfully conduct voter registration in November and December 2010.

In discussions on the modalities for referendum voter registration, the SSRC initially envisioned a fully-computerized and biometric voter registry to facilitate easy tabulation and overview. However, after acknowledging IFES arguments on the infeasibility of implementing a biometric voter registry in the Southern Sudanese setting, the SSRC decided to use a manual non-computerized voter registration system. IFES recommended this solution to maximize transparency and legitimacy, while at the same time, keeping to the tight timeframe necessitated by the late formation of the SSRC and its subsidiaries. The risk of double-registration and voting was avoided by enhancing the development and implementation of procedural safeguards for voter registration and polling and counting, such as:

- ◆ Thumbprint on both voter registration card and original voter registry
- ◆ Electoral stain on one finger with indelible ink upon registration
- ◆ “Vote where you register” principle in polling and counting procedures
- ◆ Mandatory presentation of voter registration card when voting

IFES proactively engaged in the development and design of voter registration books and cards by deploying a short-term graphic designer to lead the process. The graphic designer deployed to Khartoum and worked closely with international assistance providers in defining and refining the final layout of the voter registration books and cards. Simultaneously, IFES identified a suitable supplier for printing the materials. The joint-efforts maximized resources, enhanced transparency, ensured quality, and maintained adherence to the tight production timeline.

IFES succeeded in developing, designing, procuring, and delivering the voter registration books and cards needed to start registration in Southern Sudan, northern Sudan, and all eight OCV countries within SSRC timelines. The voter registration cards were of good quality, contained several security features, and created a solid foundation for a legitimate and effective voter registration process.

IFES establishment of data centers in Khartoum and Juba enabled referendum officers to implement the Referendum Information Management System (RIMS) in a timely and efficient fashion. The data centers were designed to electronically process and tabulate voter registration and referendum

results forms from the referendum centers. Each facility was managed by SSRC/SSRB counterparts but IFES IT/Database Advisors provided substantial guidance, assistance, and support in facilitating operations.

Prior to the start of voter registration results data processing in Juba in mid-December 2010, IFES coordinated with SSRB to develop the operational plan and procedures for recruiting and training data center staff. Facility layout and mechanisms for processing results forms followed international data center practices with modifications for unique circumstances. IFES recommended staffing tables, recruiting criteria, qualifications, terms of reference, and data entry testing systems that were approved and implemented by SSRC/SSRB Data Center management. IFES also designed training modules and materials and conducted multiple training sessions in coordination and collaboration with counterparts. Data center supervisors and clerks received general briefings, detailed training, and onsite technical support and advisory services from IFES throughout voter registration operations.

Voter registration data tabulation operations started on 12 December 2010 and results were finalized on 31 December. During this period, the IFES-designed results tabulation software performed according to operational procedures. The quality of the results forms, however, created unforeseen challenges. The referendum center staff did not apply procedures consistently and often created unique systems for tabulating registrations during the three-week registration period. As a result, hundreds of center results underwent substantial review and reconstruction. This auditing process required extensive cooperation with SSRB Operations and Field Coordination units to communicate with the state and county offices to resolve issues. IFES worked closely with SSRB officials and UNIRED advisors to address the discrepancies and ensure voter registration results were finalized in a timely fashion.

The majority of registered voters were located in Southern Sudan. Out of the approximately 3,932,588 registered voters, only 116,857 were registered in Northern Sudan and 60,219 in the eight OCV countries.

During the establishment of SSRB and subsidiary state and county offices in October 2010, the central office in Juba experienced transportation and logistical challenges due to difficult geography and inadequate travel infrastructure in Southern Sudan. IFES addressed these difficulties in early-November 2010 by leasing and managing a dedicated aircraft that enabled SSRB management, operations, logistics, field coordination, finance, and public outreach officials to assess field conditions, transfer documents and materials, and maintain face-to-face communications between the central and field referendum offices.

The aircraft service greatly enhanced the SSRB's capacity to conduct field operations. IFES contracted AirServ International to provide a nine-passenger Cessna Grand Caravan. Since the inaugural flight on 9 November 2010, 70 flights were conducted to 10 state capitals and eight county seats totaling approximately 280 hours of flying time. Essential activities included transporting high-ranking SSRC/SSRB officials to State High Committee offices, delivering/retrieving voter registration and election materials, distributing SSRB salaries and poll worker per diem, delivering financial records to Juba, and allowing operational officials to assess field conditions and address operational issues.

2.3.6 Referendum Polling, Counting and Results Tabulation

IFES legal and regulatory framework assistance was provided in coordination and collaboration with the SSRC/SSRB legal teams as well as with UNIRED and EU technical advisors. IFES contributed substantive input and recommendations to the following regulations, plans, and policies:

- ◆ Referendum polling and counting procedures manual
- ◆ Referendum polling and counting rules and regulations
- ◆ Referendum results data management operational plan
- ◆ Referendum complaints and appeals processing plan
- ◆ Referendum materials retention/destruction policies

The polling and counting manual was drafted in December 2010 by IFES and UNIRED advisors in consultation with the SSRC. IFES advisors in Khartoum addressed numerous legal issues and concerns from the SSRC Legal Department, such as the role of observers and voters in the sorting and counting phase at the referendum centers. After considerable debate over the shape of complaint procedures, the SSRC decided to implement a "consideration committee" process to adjudicate issues at the referendum centers. The final product was a collaborative effort with strong input from the SSRC, demonstrating its growing capacity to address technical considerations with independent approaches.

IFES worked closely with the SSRC and international partners to assist in finalizing the essential rules and regulations necessary to ensure referendum polling and counting were conducted in a transparent and credible manner. Analysis and development of the procedures manual were provided through close interaction with SSRC members and legal officers.

In advance of polling, IFES advisors conducted regular meetings with the SSRC legal team and international advisors to finalize the rules and regulations. The final document considered points lobbied for in December 2010 by IFES, UNIRED, and EU advisors, such as the fingerprint versus thumbprint discrepancy and the establishment of official Referendum Consideration Committees. Even though the SSRC declined international advice on these particular issues, when the referendum was conducted, there were no major complaints stemming from these concerns.

IFES supported the design and development of the referendum ballot paper. UNDP procured the ballots, but IFES developed draft versions and participated in discussions with SSRC counterparts on graphical layout and wording. IFES provided substantial input on the layout, choice of wording, and on accompanying graphics for the referendum choices: "unity" and "secession", proposing different unbiased and best practice solutions for symbol selection. Ultimately, the SSRC unilaterally decided on "two hands clasping" for Unity and "one hand halting" for Secession.

Prior to the end of the week-long polling, the SSRC/SSRB finalized the results management operational plan and tabulation procedures for processing results forms in the Khartoum and Juba data centers. IFES advisors provided close support to the input and revision of these documents based on lessons learned from voter registration results tabulation operations in December 2010. Improvements included clear instructions on completing the results forms, increased efficiency in the

flow of forms, an enhanced system for verifying entries in the quality control process, and clearer techniques for reviewing and resolving audit cases.

The SSRC anticipated receiving a large volume of complaints and appeals during and after the referendum polling period. IFES advisors worked in conjunction with UNIRED and EU advisors to recommend a plan for systematically collecting information on complaints and appeals. Through direct engagement with legal officers, the SSRC was sensitized to the importance of timely, accurate, and well-documented records and files. IFES recommended the creation of a complaints database to identify any gaps in the claims or the referendum process in general. As a result, the SSRC implemented a database system to track complaints and appeals as well as record the number and date received, complainant details, reasons for filing the complaint, and the outcome of the inquiries and hearings.

A total of 60 complaints were received, far fewer than expected. The database was used to track 26 of these cases that were deemed valid complaints. Examples of key complaint issues included: 1) inadequate number of referendum centers, 2) no Consideration Committee present, and 3) referendum officials under the age of 40. All complaints were resolved in a timely fashion and did not result in the cancellation of any results. The SSRC complaints and appeals database and enhanced record-keeping was instrumental in identifying issues and efficiently resolving the cases.

IFES efforts to establish SSRC/SSRB organizational structure and operational capacity paid dividends with the successful implementation of the referendum. The SSRC/SSRB conducted the week-long polling activities from 9-15 January, operated the results tabulation data centers from 17-27 January, certified final results on 7 February, and issued final poll worker per diem payments between 28 February and 5 March 2011. During these activities, IFES advisors monitored referendum polling centers, supported operations in data center operations, and facilitated and assisted SSRB finance officers in issuing poll workers payments. Technical assistance from IFES and international partners enabled the SSRC/SSRB to achieve a solid level of readiness that resulted in a timely and professional referendum.

IFES deployed eight teams of referendum center monitors during the week-long polling event to assess the quality of operations, implementation of procedures, effectiveness of procured materials, and general conduct of the event. Six teams were deployed to four states in the south (Central Equatoria, Eastern Equatoria, Jonglei, and Lakes) and two teams to five states in the north (Khartoum, El Gezira, Sennar, Blue Nile, and Southern Kordofan). Approximately 65 referendum centers were visited with the majority of the centers located in Juba, Bor, Rumbek, Torit, Khartoum, Kadugli, Sinnar, and Ed Damazin.

IFES monitoring results demonstrated that in the referendum centers visited, operational procedures were closely followed as to layout and polling processes. Some technical issues were noted, such as understaffing for queue control and voter identifier, but the centers only complained of this issue during the first two days when the voter crowds were at their peak. The printed materials (i.e., procedures manuals) and commodities (i.e., polling kits) procured by IFES with USAID support were available, plentiful, and properly used. In some cases, there were minor equipment failures, such as hole-punchers, but overall the materials provided contributed to the efficiency of the event.

The IFES referendum center monitoring project goals was to provide a general assessment of the polling process. Reports from domestic and international observation groups all agreed that the referendum centers were by and large operated according to the polling and counting rules and regulations. This conclusion indicates that the SSRC/SSRB operational capacity to train its officers and provide necessary materials improved from voter registration in November and December 2010. The earlier exercise was observed as suffering from inadequate training, insufficient materials, and error-prone results reporting. Additional IFES technical and financial assistance to the polling and counting training plan and materials resulted in stronger coordination and implementation of the polling event. The noted improvements during referendum polling contributed to the overall credibility of the process by demonstrating a solid technical foundation for the results.

Polling results tabulation in the SSRC/SSRB data centers was assisted by technical assistance and mentoring from the IFES advisory team. The Data Center Operational Plan was revised in coordination with counterparts, including an updated staffing plan, redesigned work plan, improved procedures, and reconfigured management structure. The additional capacity built into the SSRB data center management team and data entry clerks resulted in far more efficient operations when the tabulation process initiated on 17 January 2011.

IFES advisors also played a key role in developing two software systems—a primary system and contingency system—that were designed to simplify the results tabulation / results transmission processes. After strenuous evaluations and exhaustive testing that included data entry clerk feedback, the contingency software selected by SSRC/SSRB counterparts proved a stable and reliable platform. There were no major technical issues and the referendum results were fully tabulated and verified within ten days of the start of operations.

The Southern Sudan referendum was conducted with a consistent shortfall in financial resources. The official budget approved by the Government of National Unity (GoNU) and Government of Southern Sudan (GoSS) in August 2010 was never properly funded. GoSS funds received by the SSRB were insufficient and allocated only in small tranches on an as-needed basis. The SSRB consistently lacked funds throughout the referendum process, especially in the area of staff salaries and voter registration and poll worker per diems.

In early-January 2011, the SSRB Chairman approached IFES with a request for financial support to pay the second half of poll worker per diems. The SSRB had sufficient funds for the first half of the per diem from GoSS resources but could not be assured of the final installment and thus expressed an urgent need for support. The SSRB requested approximately \$5.7 million to ensure per diem payments to approximately 14,500 poll workers in the ten states of Southern Sudan. IFES facilitated a series of discussions between USAID and SSRB management that resulted in a decision to reimburse the first half of per diem payments, which enabled the SSRB to pay the second half. The request was granted by USAID on condition that per diem payments were properly accounted for with signed receipts from poll workers.

IFES advisors worked closely with the SSRB Auditor and finance officers to design forms, implement policies, and verify a large-scale payroll tracking project. From mid-January to mid-February 2011,

the receipts forms were distributed to the field and returned for central office processing. As the signed forms arrived in Juba from the ten state and 79 county offices, they were reviewed for accuracy against payroll spreadsheets, organized into binders by state and county, and prepared for inspection by USAID officers. Special attention was paid to quality control of the signed forms. After an exhaustive effort by the SSRB, SHC, CSC, and Referendum Center officers to acquire, review, and organize the signed poll worker receipts, a final accounting was presented to USAID on 10 February, and all payments were distributed by 5 March 2011.

2.3.7 Referendum Materials Retention/Destruction Policies

Prior to the referendum in January 2011, IFES advisors initiated discussions on the policies the SSRC/SSRB would require in the post-referendum period. Document retention/destruction policies for sensitive/non-sensitive referendum materials as well as internal administrative, operational, and financial documents were proposed to the SSRC/SSRB leadership and international partners at UNIRED, EU, and IOM in February 2011. IFES researched international best practices and drafted a memorandum with policy recommendations on how to handle eight categories of materials and documents:

1. Voter Registration Books and Cards
2. Referendum Ballot Papers
3. Voter Registration and Polling Results Forms
4. Referendum Center Polling Kits
5. Referendum Ballot Boxes
6. Referendum Polling Screens
7. Miscellaneous Voter Registration and Referendum Materials
8. SSRB Administrative, Financial, and Operational Records

The memorandum outlined international practices from other electoral commissions, highlighted unique circumstances for the Southern Sudan referendum event, and presented 20 policy recommendations. IFES alerting the SSRC/SSRB to these issues paved the way for practical discussions on how to design and coordinate a joint-policy on the retention/destruction of sensitive/non-sensitive referendum materials. The SSRC managed to address its more limited materials disposal by April 2011; however, the SSRB had a more difficult time setting and implementing the policies. SSRB materials at the county level were consolidated to the state-level warehouses in March 2011, but SSRB management delayed issuing the appropriate policy directives until mid-July 2011, despite repeated prompting during joint-SSRB/IFES/UNDP asset management committee meetings from March until June 2011.

2.4 Republic of South Sudan National Elections Commission (2011 – 2013)

Following independence, the RSS required new legal and electoral frameworks to secure democratic governing structures. While a new National Elections Commission (NEC) for South Sudan was not established until FY2012, throughout FY2011 immediately following the referendum, IFES advisors

researched legal and regulatory frameworks related to the electoral institutions and processes expected to be established in South Sudan.

The Transitional Constitution of the Republic of South Sudan (TCRSS) enacted on 9 July 2011 provides the legal impetus for establishing new electoral legislation and a NEC.

2.4.1 South Sudan Legal and Electoral Framework Development

IFES research and analysis on legal and electoral issues associated with South Sudan electoral management and institutional development included the following:

- ◆ Comparative analysis of international and regional constitutions and electoral legislation to provide relevant examples from countries containing similar post-conflict state-building situations. Fact sheets summarizing six constitutions were produced: Kosovo, East Timor, Montenegro, South Africa, Kenya, and Sudan.
- ◆ Analysis of the draft Transitional Constitution identified issues related to the proposed electoral provisions. IFES advisors also participated in numerous consultative meetings with stakeholders about constitutional issues and observed sessions of the National Legislative Assembly (NLA) during public consultations.
- ◆ Research, presentations, and pamphlets on the design, development, and operation of electoral systems and electoral management bodies for stakeholder education.
- ◆ Memoranda on linkages between developing a Civil Registration and Vital Statistics System (CRVS), conducting a new population census, and creating a permanent voter registration system.
- ◆ Workshops on electoral administration, electoral systems, electoral frameworks, and electoral management bodies for appropriate stakeholders—electoral officials, government entities, political parties, civil society, and the international community.
- ◆ Draft National Elections Act to the new South Sudan Ministry of Justice (MoJ) that contained revisions and recommended improvements based on the 2008 Sudan National Elections Act.

As the IFES program transitioned from support to the referendum and Southern Kordofan elections in the first half of FY2011 to planning for South Sudan's long-term institutional capacity building in the final half of FY2011, IFES offered technical guidance to the institutional development of the future NEC. Analysis of national and international legal and electoral frameworks and associated processes provided a bank of knowledge that enabled IFES to immediately respond to the MoJ request late in FY2011 for technical assistance in the development of the new elections law mandated by the Transitional Constitution.

2.4.2 Transitional Constitution Development Observations

The Technical Committee drafting the Transitional Constitution released its first draft in mid-April 2011, but after substantial opposition from various political and civil society interests, a second revised draft was circulated in early-May 2011. However, the second version did little to quell political

concerns and approximately six weeks of intense public debate ensued. The Southern Sudan Legislative Assembly (SSLA) held public consultations based on subject areas from the draft Transitional Constitution.

IFES advisors observed many of the SSLA sessions throughout May and June 2011. The issues of public concern ran the gambit of governance provisions, from too much emphasis on presidential powers to the composition, appointment, and removal of existing and new national and state-based legislative assemblies, commissions, and committees. The debate between centralized authority and decentralized structures was intense among state-based interests. Electoral concerns included the process and timeline for establishing electoral legislation and an elections commission, adequate provisions for judicial review of electoral appeals, and how by-elections from 2010 general elections would be conducted. The public consultation process resulted in further modifications to the draft document. Three days before independence on 9 July 2011, the SSLA approved the "Transitional Constitution of the Republic of South Sudan" with an overwhelming majority (140 in favor, 5 against, 4 abstentions). The Transitional Constitution provides for enactment of an elections law within three months of its promulgation and an independent elections commission within one month of passing the elections law (Chap. III, Art. 197).

Ongoing legal and electoral framework research from February until August enabled IFES to prepare electoral management recommendations in June and support the new Ministry of Justice in September 2011 with technical assistance in drafting the elections law that will guide future electoral processes.

2.4.3 South Sudan Electoral Management Recommendations

IFES provided recommendations based on legal and electoral framework analysis to the Ministry of Legal Affairs and Constitutional Development (MoLACD) in June 2011: that new elections law provides details on the electoral system and defines the appointment, structure, tasks, and authorities of the future elections commission; that a future elections commission be given oversight and supervisory powers over the entire electoral process; and developing a long-term CRVS strategy for supporting the state-building process that also incorporates mechanisms for generating the data needed for an efficient and permanent voter register.

2.4.4 South Sudan Ministry of Justice Technical Assistance

The Ministry of Justice (MoJ) requested IFES technical assistance and support to the drafting of a new elections law near the end of FY2011. IFES was approached by MoJ in early-August 2011 seeking information on developing a new elections law in line with the Transitional Constitution requirements. The initial meeting with the Minister of Justice (9 August) was facilitated by the Deloitte MoJ advisor. The subsequent discussion on electoral issues and looming constitutional deadline resulted in a series of consultations with first the Undersecretary (17 August) and then the Deputy Minister (10, 17, and 24 September). In mid-September, the MoJ officially requested that IFES support the drafting of the new South Sudan National Elections Act, based on appropriate revisions

to the 2008 Sudan National Elections Act, on an expedited basis to meet the early-October 2011 deadline.

During the process of developing the new elections law, several electoral policy challenges had to be considered by MoJ to provide an adequate legal framework for future electoral processes that met international standards within the South Sudan context. These challenges were primarily driven by timelines for conducting by-elections and the need for all vacant seats in the National Assembly to be filled with by-elections—even if these seats were originally filled through appointments. Additional challenges included administrative, technical, operational, and procedural clarifications and adjustments needed to streamline the establishment of the elections commission, operation of the electoral system, and development of electoral dispute resolution mechanisms.

IFES advisors were prepared for this substantial task due to previous research and analysis and produced four draft versions for review and comment by the MoJ between 17 and 30 September 2011. The version delivered at the end of the reporting period was accompanied by an IFES explanatory note that explained the general basis for revisions and outlined key areas of the electoral process that needed to be assessed and addressed. The draft elections act was updated to 1) reflect the situation in South Sudan, 2) incorporate international standards, 3) accommodate appropriate recommendations from reports by national and international observer groups during the 2010 general elections and 2011 referendum, and 4) include appropriate recommendations from international technical experts.

IFES consultations with MoJ officials were productive and recommendations duly considered in the light of the above points. The following steps in developing the elections act were that the MoJ submit the final draft to the Council of Ministers for review and comments. After due consideration and possible revisions, MoJ is to submit the next version to the National Legislative Assembly (NLA) for review and passage into law. The NLA is likely to conduct another round of public consultation leading to additional proposed revisions.

2.4.5 South Sudan Legal and Electoral Framework Development

IFES provided substantial technical and material support to the development, passage, and enactment of the National Elections Act (NEA) 2012. The initial elections bill was drafted through ministerial and public consultation; shepherded through the executive and legislative review processes; passed, consolidated, and finalized for presidential review; and finally enacted by Presidential decree in July 2012.

IFES drafted the National Elections Bill (NEB) in close consultation with the Ministry of Justice (MoJ). Revisions were based on analysis of deficiencies in the Sudan National Elections Act 2008 and international electoral standards and practices. On behalf of the MoJ, IFES organized, conducted, and sponsored a two-day consultative forum in early October 2011 to brief electoral stakeholders on the contents of the draft elections bill and receive comments and feedback for consideration in the final drafting process.

IFES supported the MoJ elections bill review committee until the final draft was submitted to the Council of Ministers (CoM). IFES and MoJ officials consulted closely with the Deloitte MoJ advisor to clarify legal definitions and simplify the bill's legal terminology. IFES also coordinated closely at this time with the UNMISS Senior Electoral Officer.

IFES continued supporting the MoJ after the NEB was reviewed and approved by the Council of Ministers (CoM) with minor revisions in mid-January 2012. After the NEB was tabled with the National Legislative Assembly (NLA) in early February, IFES engaged the Legislation and Justice Committee (LJC) with technical consultation and logistical support to the four-step legislative review process.

IFES sponsored and financed an NLA Public Hearing in early March 2012 for the LJC to collect stakeholder feedback and written observations. Participants included representatives from the NLA, Council of States (CoS), Ministry of Parliamentary Affairs (MPA), MOJ, Southern Sudan High Elections Committee (SSHEC), Public Grievances Chamber, and University of Juba (UoJ). Other stakeholders included political parties, civil society organizations, and international democracy and governance observers, such as UNMISS, NDI, IRI, and The Carter Center:

IFES presented a final set of technical analysis and recommendations on the NEA 2012 to the Presidential Legal Advisor, and the NEA 2012 was released publicly on 31 July 2012 and Presidential Decree No. 54/2012 appointing the NEC followed on 1 August.

2.4.6 EMB Development

IFES began preparations for the establishment of a new EMB in South Sudan at the end of 2011 referendum operations. The preliminary research on electoral systems, electoral legislation, and EMB functions set the stage for developing more detailed plans upon enactment of the Transitional Constitution (TCRSS) 2011 in early July. The TCRSS contained a one month deadline for the President of the Republic to appoint an independent National Elections Commission (NEC) in accordance with the constitution and the elections law (Article 197).

IFES researched electoral issues and prepared strategies for appointing and establishing the future NEC with a comprehensive technical and material engagement plan during FY2012. IFES advisors and program officers conducted targeted research on EMB organizational structures and electoral commissioner appointment mechanisms. IFES proposed policy options to the OoP for establishing transparent, genuine, and inclusive NEC commissioner selection and appointment procedures that were in line with the TCRSS and draft elections law.

IFES conducted additional research on EMB structures and the South Sudan electoral timeline to expand its preliminary engagement plan for building administrative and operational capacity of the future NEC Board of Commissioners (BoC) and Secretariat. Finally, IFES engaged with the NEC Chairperson and Deputy Chairperson after their presidential appointment in early August and September to offer advisory services, conduct initial assessments, and discuss strategies for training the NEC to conduct future electoral events.

The new NEC is responsible for preparing the regulatory framework and operational plans for conducting future electoral events, including boundary delimitation, voter registration, legislative by-

elections, and general elections. The BoC and Secretariat required extensive technical training to build the professional capacity to undertake the administrative, financial, and operational activities necessary to fulfill its mandate.

2.4.7 NEC Capacity Development Engagement Plan

At the beginning of FY2013 IFES laid the foundation for a strong partnership with the NEC following their establishment by Presidential Decree on 1 August 2012. IFES quickly responded to immediate requests from the NEC for assistance in the development of NEC internal structures for the BoC, Secretariat, and State High Elections Committees (SHECs) and prepare a draft annual budget. These core documents were submitted to the Office of the President of the RSS in December 2012 as required statutorily by the NEA 2012.

IFES implemented two NEC orientation seminars held in January and February, respectively, which were designed to introduce the NEC Commissioners to electoral management concepts.

A key outcome of these events was the NEC's rapid establishment of specialized committees comprised of the individual Commissioners to draft an initial set of administrative and operational regulatory frameworks with IFES technical guidance.

The collective expertise of IFES advisor's inputs resulted in expansion of the initial NEC-drafted Internal Rules and Regulations to include detailed guidelines in functional areas such as administration, operations, meetings, reporting financial regulations, and human resources policies. IFES reviewed both documents during each phase of drafting, and researched and provided the NEC with multiple comparative documents from regional and international electoral management bodies (EMBs). As a result, the full NEC BoC adopted a provisional Code of Conduct at the end of June.

IFES worked closely with the NEC Commissioners and support personnel to develop the NEC website, delivering training on content management to ensure sustainability of this important tool for public information.

FY2013 saw accelerated efforts by the internal NEC committee tasked with developing an electoral calendar in response to the mandate of South Sudan's existing legal framework that elections be held by end of the transitional period in July 2015. IFES advisory inputs to the committee gave a strategic focus resulting in the draft calendar's establishment of immediate priority events, such as voter registration and boundary delimitation, that must occur in close sequence to hold elections on time. IFES supported NEC to develop the final draft of the calendar in August.

The NEC reached out to the National Bureau of Statistics (NBS) to analyze and discuss the timing of electoral events and the completion of a South Sudan national census. This outreach culminated in a June meeting with the President of the RSS and the respective Chairpersons of the NEC and NBS to inform the President that the agencies' activity timetables do not match.

In response, IFES contracted an international boundary delimitation expert during June and July 2013 to draft a white paper to provide the NEC with information on optional means of conducting boundary delimitation in the absence of current census data, with comparative examples from other post-conflict nations. Dr. Lisa Handley's *Electoral District Delimitation: Exploring Alternative*

Population Data Sources for South Sudan” was presented to the NEC in August 2013 following USAID’s review.

IFES and Conflict Dynamics International (CDI) partnered on a “Women and Electoral Systems” workshop in July 2013 exploring South Sudan’s electoral systems and developing strategies for needed reforms to encourage political accommodation for women.

In August, the NEC’s Code of Conduct was reviewed by the Ministry of Justice (MoJ) receiving legal clearance with no revisions to the submitted draft developed by the NEC with IFES content inputs. At this time IFES also finalized its support to the drafting of the NEC Internal Rules and Regulations (IRR).

The NEC website www.necsouthsudan.org was launched in August 2013 following intensive technical inputs from IFES and the IFES-contracted web designers.

2.4.8 Census Developments

The new NEC would necessarily have to coordinate closely with the South Sudan National Bureau of Statistics (NBS) to conduct boundary delimitation for new electoral constituencies. TCRSS Article 194 provides for conducting a new population census to determine the number of geographical constituencies for the next general elections anticipated in the spring of 2015. IFES monitored census developments throughout FY2012 as they related to future electoral activities, such as constituency delimitation and voter registration.

In June 2012, the NBS Chairperson informed IFES that census preparations were suspended due to a lack of directives from the OoP and an insufficient operational budget. When asked about the validity of the previous census, the NBS asserted that the 2008 Southern Sudan census results were credible by international norms and could be used for the 2015 general elections as well as national resources and services allocation.

Technical challenges to a new census identified by the NBS included insufficient time and infrastructure, inadequate migration/internal displacement data, border area/internal insecurity, internal administrative border disputes, and a lack of international support. The NBS remained ready to conduct operations given official orders and sufficient national resources and, most importantly, international financial and technical assistance.

In July 2013 the NBS and consultants sponsored by the UN Population Fund (UNFPA) briefed government and international stakeholders on proposed preparations for conducting a census by 2014 if sufficient funding - approximately \$101 million - could be provide to operationalize the event. There were no further census developments available as of the end of FY2012.

IFES advisory services impacted the establishment of the NEC in two significant ways. First, the development, passage, and enactment of the NEA 2012 provided the NEC with a solid legal and regulatory framework. Second, the proactive development of a comprehensive engagement plan for establishing, orienting, training, and provisioning the NEC prior to its appointment and confirmation

provided the foundation for rapidly building the administrative and operational capacity to conduct future electoral events.

2.5 Republic of South Sudan National Constitutional Review Commission

In January 2012, South Sudan initiated the process of developing a permanent constitution by establishing the National Constitutional Review Commission (NCRC) and appointing the initial set of members through Presidential Decrees Nos. 2 and 3/2012 on 9 January.

The NCRC was provided a 12-month mandate to review the Transitional Constitution 2011, conduct public consultation, and produce a draft constitutional text and report by 9 January 2013. Even though constitutional development was not an IFES program objective at that time, IFES monitored and reported on the process as a constitution is an essential legal framework that includes electoral components. During the first three months of their existence, the NCRC suffered from administrative, operational, and financial constraints that prevented any significant review activities from taking place.

USAID, UNMISS, and other international democracy and governance donors and partners recognized that the integrity of the South Sudan constitutional review process was at risk from the bureaucratic and financial challenges preventing activity.

USAID requested IFES to consider the feasibility of providing technical and material support to the process of developing a permanent constitution in late April. A preliminary IFES assessment identified technical assistance, logistical arrangements, and commodity provision as key areas for supporting the NCRC. USAID consented to IFES pledging these support areas to the UNMISS-coordinated international technical assistance group in April.

After an introductory consultation with NCRC leadership in May, USAID requested IFES to conduct a comprehensive NCRC needs assessment.

The IFES needs assessment provided an overview the NCRC's constitutional mandate and timeline, analyzed membership composition, provided a survey of international assistance availability, and confirmed the types of technical assistance and material support IFES could provide upon approval from USAID. IFES continued monitoring NCRC developments in June by participating in UNMISS technical cluster meetings and facilitating meetings between USAID and the NCRC leadership to further explore USG support to the constitutional review process.

The result was a formal modification to the SEASP Task Order in early August that enabled engagement with constitutional development. During the same period, IFES developed an NCRC engagement plan to provide technical guidance to internal procedural systems and procure essential office and compound equipment.

Throughout August 2012, IFES engaged with the NCRC Chairperson and Secretary General to consult on timeline issues and operationalize NCRC review activities. In mid-August, IFES advised

the NCRC on the potential impact of a constitutional mandate extension with analysis of the electoral timeline. The NCRC procurement plan was implemented from mid-August until mid-September when IFES issued seven service and asset tenders.

IFES brought a Constitutional Field Coordinator to Juba in September 2012 to initiate technical assistance. IFES closely coordinated its NCRC support activities with USAID and other international partners, such as UNMISS, NDI, Max Planck Institute, and IDLO.

IFES participated in the UNMISS-led international assistance coordination meetings to the constitutional process. The UNMISS coordinator established four support clusters: 1) technical assistance, 2) logistical assistance, 3) civic education/public consultation, and 4) media strategy development. IFES participated in UNMISS-led activities and cluster meetings until the final set of support cluster matrices were prepared by late September.

2.5.1 South Sudan Constitutional Timeline

The TCRSS 2011 provided for the development of a permanent constitution by 9 November 2014 (Articles 201-203), the end of presidential and legislative terms of office by 9 July 2015 (Articles 66 and 100), and the preparation of a population census to establish electoral constituencies prior to the next general elections (Article 194).

The constitutional, electoral, and census activities are interrelated and the subsequent timing of each process affects the timing of the others. A permanent constitution is necessary to identify the electoral system and number of national and state legislative seats, which in turn, relies on population census data to determine the size of geographical constituencies. Preparations for general elections in the spring of 2015 require the legislative seat number and constituency demarcation to conduct voter registration, candidate nomination, and elections. Consequently, a delay in constitutional development or census conduct or both could result in a delay in the next general elections.

The development of a permanent constitution in South Sudan is a four-step process: 1) review of the TCRSS 2011 and preparation of a draft constitutional text by the National Constitutional Review Commission (NCRC), 2) deliberation and approval of that draft text by the National Constitutional Conference (NCC), 3) review and passage by the National Legislature (NL), and 4) assent by the President of the Republic.

The NCRC that was established on 9 January 2012 experienced a series of administrative, operational, and financial delays that prevented any significant review activities until early-August. The NCRC must complete its work before the six-month NCC mandate can begin. It was clear by the middle of FY2012 that the NCRC may require an extension of its current 12-month mandate set to expire on 9 January 2013.

2.5.2 NCRC Action Plan 2012-2013 Launch

IFES sponsored the launch of the NCRC Action Plan 2012-2013 on 10 September 2012. In addition to providing the venue and issuing invitations, IFES printed 200 copies of the NCRC Action Plan for NCRC members and external distribution. Event participants (54) included attracted NCRC full-time commissioners and representatives from the MoJ, political parties, civil society, international organizations, and diplomatic missions.

The NCRC Secretary General presented the Action Plan that covered the following goals:

- NCRC capacity building
- Completion of the TCRSS 2011 review
- Civic education
- Public consultation
- Constitutional framework development.

2.5.3 NCRC Internal Organizational, Staffing Plan, and Terms of Reference

The NCRC Secretary General requested IFES technical guidance in September 2012 to provide a proposal on internal organizational structures that would provide effective support to its review activities. A comprehensive organizational structure would enable the NCRC to determine internal reporting relationships and provide for integrated planning across the Commission. The eventual number of staff positions, the levels of seniority, and management relationships would be in accordance with existing budget restrictions.

IFES presented three options for internal organization for the NCRC's consideration in September, assisting in the drafting of a Secretariat staffing plan and terms of reference based on that organizational structure. The IFES draft organizational structure and staffing terms of reference presented the NCRC Secretary General (SG).

The Secretariat staffing plan terms of reference provided a comprehensive description of position responsibilities, qualifications, and application submission requirements for 23 types of positions. The draft vacancy announcement was intended for use in the NCRC recruiting process but as of the end of FY2013, the NCRC had not yet initiated its recruitment drive.

Additional IFES technical inputs were offered to review and supplement the NCRC internal rules of procedure, propose review committee themes and structure, and to conceive a draft constitutional text framework.

2.5.4 Support to Institutional Capacity Building

With the NCRC's original mandate set to expire on 9 January 2013, IFES advisors closely monitored the executive and legislative extension process in order to track the impact on South Sudan's constitutional development. With a maximum total timeline of four years until the establishment of a

permanent constitution in South Sudan, the Transitional Constitution Amendment (TCA) 2013 signed into law by the President in March provided the NCRC with a two-year extension to its mandate, which will now end in December 2014.

The NCRC established a 15-person Secretariat in February 2013 and engaged IFES to confirm the available technical and logistical assistance including advisory services, operational planning and support to civic education field activities. Crucially, IFES advised the new Secretariat, headed by the SG, in updating the previous NCRC Action Plan from September 2012 (later re-named the NCRC Strategic Plan) to identify specific activities with key milestones and anticipated duration to provide structure to the work of the Commission during their extended mandate.

In March, IFES provided logistical support to a Civic Education Subcommittee (CES) seminar on constitutional issues at the new compound. Also in March IFES procured website design and development services, following preparatory web content planning and coordination at the start of Q2 between the NCRC, IFES and international partners NDI and IDLO.

In April 2013, following logistical assistance to the NCRC's fourth plenary session, IFES supported the NCRC's coordination of a ceremony marking the handover from USAID of the new compound. The NCRC also hosted its first milestone outreach activity with a public launch targeting international community representatives of its Strategic Plan and CES Action Plans, prepared with IFES guidance.

IFES advisory support to the NCRC was formalized in response to the NCRC's request to both IFES and IDLO to provide facilitators (both national and international) to assist the work of the five thematic subcommittees. In June 2013, the international IFES Senior Constitutional Advisor (SCA) and Constitutional Review Facilitator (CRF) arrived in Juba.

IFES provided developmental support to the CES from May to June to NCRC operational plans, guidelines, and scheduling for the planned June commencement of state and county-level civic education field activities. The scope of this essential operational pre-planning was significant, with IFES operations advisors closely assisting the NCRC to shape effective plans for deployment of multiple teams of NCRC members and IFES staff (aided by flights to state capitals provided by UNMISS) to all 10 states of South Sudan by 30 August. IFES provided substantial logistical support by organizing local ground transport, accommodation, and hiring of venues for CES field outreach activities in all states.

The first NCRC CES pre-deployment team, accompanied by IFES operations staff, departed from Juba in early July 2013. The overall concept for each state, as developed by the NCRC and IFES, was for a pre-deployment team (PDT) to travel by road or air to a state to conduct key logistical support for the arrival, within two to three days, of the main deployment team (DT) who would conduct actual activities in the form of stakeholder outreach events for the purpose of educating influential communities on the NCRC's mandate.

The DTs held events in state capitals as well as nearby counties that were accessible by road. IFES staff accompanied the PDTs in carrying out their logistical tasks in the field following consultations

with NCRC and CES leadership in Juba. Prior to travel IFES provided planning checklists, activity reporting templates and attendance sheets for the recording of participants at each CES field event.

Once deployed, IFES assisted in coordinating official meetings with key government officials including state governors, ministers, state assembly leadership and Members, county commissioners, *payam* executive directors, and civil society organizations (CSOs). IFES worked closely with UNMISS Political and Civic Affairs staff in the respective capitals to avail the CES field teams of further resources, including radio broadcasts.

With the return of the CES PDT from the tenth and final state in late August 2013 and the DT in early September 2013, the NCRC completed its milestone Phase One of civic education outreach activities with IFES support.

3. IFES TRAININGS AND RESEARCH SUMMARY 2009 - 2013

Under Objective Four of the task order, IFES delivered training to election officials at the national, regional, state and lower administrative units in order to prepare for the administration of the highly complex 2010 national and 2011 Southern Kordofan elections and the 2011 referenda set forth in the CPA. Following the independence of South Sudan, IFES trainings of the newly formed National Elections Commission (NEC) and skills trainings resulted in a solid foundation in sound electoral management practices.

Several of the SEASP trainings conducted from 2009 – 2013 utilized the BRIDGE training methodology.⁷

Other training methodologies used by the SEASP included cascade training, which is a critical tool in the lead up to events such as voter registration and polling that require large numbers of technically proficient elections officials deployed across wide geographic areas. IFES support of a cadre of “master trainers” in advance of the 2010 elections and the 2011 referenda has contributed to an increase in the numbers of Sudanese and South Sudanese who have both technical proficiency and the ability to teach others in the field of elections administration.

IFES met or exceeded its annual set targets for numbers of officials receiving training for each year of the SEASP where Objective Four and performance-based indicator GJD 3.2 “*Number of Election Officials Trained with USG Assistance*” were applicable.

⁷ BRIDGE (Building Resources in Democracy, Governance and Elections) is an internationally-recognized modular professional development program with a particular focus on electoral processes.

3.1 FY2009

In the first year of the SEASP, IFES delivered two trainings. Both trainings took place in Khartoum and one included participants from all of the Sudanese states. These trainings enabled IFES to exceed its target of training 156 elections officials, with a total of 163 officials trained.

The NEC orientation training, held from 16 – 18 June 2009 in Khartoum, brought the entire Sudanese EMB structure together for the first and only time since the beginning of FY2009. This provided each level of the EMB structure the opportunity to discuss the challenges that lay ahead and to make face-to-face connections with their counterparts from other parts of the country. The aim of the orientation conference was to introduce all the SSHC, all twenty-five SHECs, and twenty-six Returning Officers ROs to their duties and provide valuable networking opportunities with the NEC. A total of 155 elections officials attended the training (13 female, 142 male).

As part of IFES' strategy to coordinate all activities with other electoral assistance providers, the training was jointly organized by IFES, UNMIS, UNDP and the Assessment and Evaluation Committee. Roles and financial responsibilities were agreed upon in advance, amongst the four organizations with successful coordination.

The first two days consisted of presentations from international and domestic experts with simultaneous translation to ensure that participants and trainers who only spoke one language were provided with immediate understanding. The third day consisted of NEC instructions to the SSHC and SHECs. While the NEC initially requested that this third day be a closed session, without participation from the international community, subsequent discussions led to acceptance of IFES and other international presence for the entire training. IFES and other international support providers considered the NEC's willingness to compromise on the issue of the closed session to be positive.

Participants were engaged throughout the three-day process and showed an awareness of the difficulties they face in conducting nationwide elections in Sudan. IFES was able to provide the participants with an excellent opportunity for team building and sharing of concerns and ideas.

The NEC Chairman and Board of Commissioners attended all three days of the training, thus showing the importance of this event not only to the international community but the NEC leadership as well.

In late August 2009, IFES held its second training session, a working group comprised of the NEC leadership, in conjunction with UNMIS and UNDP. The training purpose was to illustrate a proper voter-registration process to NEC officials and experts. At the outset of this training, the NEC was adamant that their plan to conduct voter registration with only 1,498 teams nationwide was feasible. At the conclusion of the training, the NEC requested that IFES draft an alternative voter registration plan, which would fall in line with international standards, provide realistic consideration to the large number of voters to be registered, and account for the lack of infrastructure across much of Sudan.

3.2 FY2010

3.2.1 IFES Warehouse Management Trainings

In the months leading up to the April 2010 elections, IFES conducted two separate comprehensive warehouse trainings nearly simultaneously in both Khartoum and Juba. The first series of trainings on the critical logistics and planning skills for proper management of electoral materials took place in Juba from 29 September – 1 October 2009 and in Khartoum from 4-6 October 2009.

Upon the request from the NEC and as part of a joint effort from the international community, IFES worked with UNMIS to design a logistics training manual with necessary forms. The training manual and forms were produced in both Arabic and English.

Most of the SHECs had already developed transportation plans and tracking and warehousing forms. In addition, many had identified and rented warehouse space. The format of the trainings was therefore different, allowing more time for detailed discussion of each state's unique operational context. In the practical exercises as well, the participants in Khartoum demonstrated greater experience and understanding of the general concepts than their counterparts in Juba.

The facilitators used different evaluation techniques to ensure achievement of objectives and to evaluate the success of the workshops in both Juba and Khartoum. Furthermore, all participants completed written evaluation forms, giving feedback on issues related to the potential learning aspects of the workshop and expected impact on their work.

Participants – particularly in Juba – noted the need for additional training, however, if they were to conduct logistics support operations independently. Many cited forms and procedures as the most challenging part of the training and requested more assistance and if possible, simplification of the procedures.

Upon request from the NEC, IFES designed and implemented a second training program aimed at improving the logistics capabilities of the SHECs in the preparations for the April elections. The SHECs would play a vital role in the distribution and retrieval of election materials to and from more than 17,000 polling stations nationwide.

IFES and UNMIS-EAD formed a working group to develop the training materials and modules. IFES secured approval from USAID to cover the majority of the training costs, including lodging and board for the participants, venue, training materials, two trainers for the Khartoum workshop and some transportation costs. UNMIS-EAD provided transportation for the majority of participants to and from state capitals for both the Juba and Khartoum trainings and provided two trainers, one each in Juba and Khartoum.

The training workshops took place simultaneously in Juba and Khartoum on 6-7 March 2010 – less than a month prior to elections.

Training participants were brought from each of the fifteen Northern SHECs to Khartoum and nine of the ten Southern SHECs to Juba. The training also had participants from the NEC and the SSHC in Khartoum and Juba, respectively. One SHEC member and at least one staff member participated from each state, with the exception of Lakes State which was only represented by the UNMIS-EAD Logistics Officer.

A total of 75 people participated in the March warehouse training workshop in Khartoum and 52 in Juba making it a total of 127 participants. Eighty-four participants were officials of the Sudanese EMBs (64 total in Khartoum – 4 female, 60 male; 20 total in Juba – all were male) focusing on the warehouse and logistics operations for the electoral process. The remaining participants were UNMIS-EAD staff who would fill crucial supporting roles in the logistics and warehousing efforts in state capitals.

The trainings were delivered as an interactive/working course with participants developing plans for every aspect of material receipt, storage, and proper delivery during the course of the two days. Furthermore, the participants went through exercises to provide them with tools to plan for packaging, transportation, and storage of sensitive and non-sensitive materials; construct a timeline for the distribution and recovery of materials; develop contingency plans; understand the chain of activities; and assess staffing needs and develop a staffing plan.

3.2.2 Voter Registration Cascade Training

In discussions with the NEC during FY2010, international advisors from IFES, UNMIS EAD, and UNDP raised the issue of training for voter registration (VR) teams. While the NEC agreed that an adequate and timely training program was essential for the success of the voter registration exercise as a whole, they repeatedly assured the international advisors that they would not require any assistance in training officials.

A few weeks before the start of the trainings, however, the NEC approached international organizations with a request for assistance. Therefore, IFES in close cooperation with UNMIS-EAD mobilized resources and staff and developed a three-layered cascade training plan. This was to be preceded by a Training of Trainers (ToT), with a goal of reaching all of the VR teams in the country, as follows:

Step Zero: Training of Trainers (ToT) in Khartoum: 10 trainers would be recruited by the NEC from private Sudanese training institutes to be trained by international advisors in Khartoum.

Step 1: Training of 2-4 representatives of SHECs in Juba and Khartoum: Trainers who completed the ToT in Khartoum would then train around 40 SHEC representatives in Juba and approximately 60 in Khartoum, ensuring each of Sudan's 25 states would have an average of four "master trainers."

Step 2: Training of Constituency Election Officers (CEOs): Upon completion of the Step 1 trainings in Khartoum and Juba, SHEC representatives would be responsible to train up to 1,121 CEOs in all 25 states.

Step 3: Training of voter registration teams in the field: CEOs to train up to 3,600 VR teams (approximately 12,000 VR team members) in the constituencies.

The NEC identified, contracted, and made payments to the training institutes on their own accord. The original NEC training plan called for four participants per state to take part in Step 1 – two SHEC members and two trainers. Those four would then jointly conduct Step 2 trainings in the states, with the experienced trainers from the institutes taking a lead in assisting SHECs in the massive training exercise.

IFES covered all costs associated with Steps Zero and 1 (training venue, training materials, refreshments, lunches, etc.), as well as transportation and lodging for the trainers and NEC staff to conduct the training in Juba. Additionally, for the Juba training, IFES provided lodging and board for the participants coming from the states, while UNMIS arranged for their transport. In the North, the NEC covered those expenses from its own budget.

Although IFES had no direct involvement in training after Step 1, IFES continued to monitor the progress of the trainings. The NEC decided to amend the plan slightly in order to avoid potential overlap among different level CEOs. Therefore, only CEOs for State Legislative Assemblies (totaling 749 country-wide) were responsible for delivering the training for the VR teams. Those 749 CEOs received the Step 2 training first while the remaining 372 were trained at a later date.

From 10 - 11 October 2009, the Step Zero ToT took place in IFES' offices in Khartoum. Ten trainers from eight training institutes participated. In preparation, the trainers were given the VR manual and instructed to prepare training modules based on it. At the end of day two, however, it was evident that the trainers needed more time to both familiarize themselves with the VR procedures and forms, as well as to improve the modules. IFES therefore hosted two more days of ToT.

Between 12-13 October 2009, four of the most qualified trainers worked with IFES, UNMIS, and UNDP advisors in the IFES offices to develop three training modules based on the VR manual. In order to use the modules in all cascades of the training, the design was greatly simplified and concentrated on the essential procedures of the process. Module One focused on the overview of the voter registration, including issues such as why voters have to register, what are the criteria for registration and how the VR team can prepare for the first day of registration. Module Two covered the essentials of the VR registration procedures, including proper completion of the VR books and other forms. Module Three dealt with the role of observers and party agents, as well as how to deal with any complaints that could arise during the registration period.

Step One training was carried out in Khartoum on October 14-15, 2009 for 60 participants. Two representatives from each of the 15 northern SHECs took part, as well as 30 trainers from the training institutes, who then followed the SHECs back to the states (two trainers per state) in order to carry out Step Two trainings.

3.2.3 Polling Station Worker Cascade Training

The NEC's final criteria for polling stations were influenced by the availability of security, which led to a far smaller number of polling stations nationwide than IFES had advised. Furthermore, the exclusion of the SHECs from this decision-making process resulted in some SHECs not following the NEC-mandated criteria for selecting polling stations. The final criteria for polling stations set by the NEC were for no more than 1,000 voters per polling station in Southern Sudan and no more than 1,200 voters per polling station in Northern Sudan (including Darfur).

IFES and other international assistance providers developed polling and counting procedures, which were approved by the NEC. From the agreed-upon procedures, IFES was able to develop several NEC-approved documents that were instrumental in the training of polling workers, education of ordinary voters, training of political party agents and domestic observers, and education of voters across Sudan. The "Polling Handbook for Staff", "Polling and Counting Guide for Election Officials", "Mock Ballots" and "Polling and Counting Leaflet" were all distributed nationwide for these purposes.

IFES was significantly involved in the development and execution of the cascade training plan for election officials, which took place throughout March 2010. IFES worked with other international election assistance providers to develop all of the training materials and printed them following NEC approval.

IFES utilized a cascade structure in order to ensure that each of the anticipated 109,176 polling station staff would receive adequate training prior to the start of polling. Per the NEC's request, UNDP hired two Sudanese training institutes to execute the training from Step One through Step Four.

As with the voter registration team training, Step Zero of polling staff training was conducted at the IFES office in Khartoum on 1-2 March 2010. Ten master trainers from Khartoum, two from Juba, and eight international advisors participated in Step Zero. The training laid the groundwork for the cascade training by planning the training itself and ensuring that the master trainers were well acquainted with details of the election process and regulations.

The initial portion of Step Zero focused on providing the institutes with a solid understanding of the process. The IFES-printed "Polling Handbook for Staff," "Polling and Counting Guide for Election Officials," and mock ballots were given to each master trainer, and IFES and other international election specialists gave a thorough briefing on the procedures of polling and counting.

Step One training was conducted in both Khartoum and Juba from 6-8 March 2010. For both trainings, IFES paid for venue, accommodation, meals, seminar materials, printing of all training documents, and some transportation.

Each training participant was provided with copies of the "Polling Handbook for Staff", "Polling and Counting Guide for Election Officials", and mock ballots, which were printed by IFES. These materials and the instructions received from the master trainers provided consistent and accurate information to EMB officials from each of the twenty-five Sudanese states.

Among the topics covered in Step One were:

- General background (polling days, legal framework, type of elections, code of conduct for the staff, eligibility, who may be inside the polling station, maintaining order and security);
- Management of elections (roles of ROs, CEOs, Head & staff of the station);
- Election materials and preparations for polling (sensitive, non-sensitive, delivery and receipt, polling centers and stations layout);
- Polling procedures for opening, labeling and sealing boxes, filling in forms, announcing and recording the number of ballots received;
- Preparation for counting (introduction of counting steps, persons allowed to stay, arranging the counting, counting materials, filling out Form No.9)

Step Two training was conducted in the twenty-five state capitals and provided training for each of the Constituency Election Officers (CEOs). Step Two trainings were delivered by a Sudanese training institute trainers with assistance from the SHECs, ROs, and UNMIS-EAD staff who participated in Step One. Step Two was completed in full by mid-March 2010.

Step Three training was conducted in each of the state-legislative constituencies and provided training for the head of each polling station and two other staff members from each polling station. Step Three was delivered by the CEOs who were trained in Step Two.

Step Four training was conducted at the polling station and polling center level and was to provide training to the remaining polling station staff. Step Four was conducted by the heads of the polling stations with assistance from the CEOs.

3.3 FY2011

In FY2011 the IFES SEASP provided a robust and extensive series of specialized trainings in advance of the voter registration and polling for the South Sudan referendum on self-determination. IFES exceeded its annual targets for numbers of elections officials trained with USG assistance (original target was 55) through the conduct of training seminars and workshops for 266 SSRC/SSRB officials prior to the Southern Sudan referendum voter registration and polling exercises. Fifteen mid-level former-SSRB officials received training on electoral systems and administration after the referendum period. The target of 55 election officials was exceeded despite some officials participating in both voter registration and polling training activities.

Following the referendum, IFES provided substantive inputs, financial support, and printed materials to the NEC for the training of 32 Southern Kordofan-based CEOs in Kadugli in advance of the state's May 2011 elections. Including the NEC's own trainers from Khartoum, the total number of participants exceeded the target of 36 election officials.

3.3.1 Voter Registration Cascade Training

IFES worked extensively with the SSRC, SSRB, and international partners on the design and implementation of a cascade training program for voter registration officials. IFES contributed to the development and implementation of the training plans, training materials, and training methodology for voter registration and polling activities.

Voter registration training was conducted with a four-step cascade training model (steps 0, 1, 2, and 3). International advisors from IFES, UNIRED, and EU initiated the process by training a core group of SSRC/SSRB trainers who then trained the officers at the state level, who in turn trained those at the county level, and who finally trained those at each referendum center.

IFES facilitated the initial steps (Step 0 and Step 1) of SSRB voter registration trainings in Juba, but in Khartoum, the SSRC opted to outsource training (as was done for the 2010 elections) to private training institutes. IFES also supported event planning and provided training materials and stationary throughout the four steps.

The referendum voter registration training plan for northern and Southern Sudan was prepared in consultation with the SSRB and international partners. Issues addressed included finalization and approval of the training manual; printing and delivery of training materials; identification and recruitment of training staff at state, county, and referendum center levels; and availability of transport for trainers from one venue to another.

Participant abilities varied in relation to attentiveness, reception of information, and commitment; however, most participants showed great enthusiasm and were keen to learn and participate over the three-day training events. As with the VR trainings for the 2010 elections, most had never worked in the elections field and asked many questions during the interactive sessions. The number and complexity of forms was commented upon regularly and proved to be difficult during voter registration operations.

IFES supported preparations for referendum polling with technical assistance to refining and improving the cascade training plans, training materials, and training methodology. The SSRC/SSRB, with support from IFES and international partners, conducted a post-voter registration lessons learned exercise to identify previous weaknesses and improve future processes. Additional IFES activities included assessing later stages of the polling and counting cascade training program, providing substantive inputs to the results aggregation training plan, contributing to the SSRB data center training plan, advising on SSRC observer briefings and polling and counting trainings, and facilitating an EU lessons learned workshop.

The SSRC/SSRB conducted a lessons learned exercise of the voter registration training program before the start of the training on polling and counting with EU funding and facilitation support from IFES. Important lessons on methodology (increase the interactivity), materials (addition of more instructions and facilitator's notes), and timing of the polling and counting training (extend Step 3 by one day) were taken into consideration and implemented in the polling activities.

Similar to voter registration training, IFES funded and facilitated the higher-level cascade training steps (Step 0 and Step 1) for polling and counting and monitored and supported both of the subsequent levels (Step 2 and Step 3).

Step 0 of the cascade targeted senior SSRB trainers in Southern Sudan, as well as senior SSRC members and trainers from four selected training institutes in northern Sudan. In the South, Step 1 targeted SHC trainers and UNIREC state trainers, while in the north, Step 1 training targeted representatives from State Referendum Committees (SRC), SSRC representatives, and institute trainers.

The SSRB designed and implemented an additional training module for referendum results aggregation at the state and county levels in early-January 2011. Voter registration results tabulation revealed weaknesses in the results aggregation process at the referendum center level.

IFES advisors provided substantive inputs to SSRB aggregation training plans and participated in the initial training sessions sponsored by UNIREC and supported by EU advisors. IFES also monitored trainings in Malakal and Rumbek and organized flights with the SSRB aircraft to facilitate movement of SSRB and EU trainers among the states. The results aggregation trainings were considered successful and contributed to the higher quality of the referendum results forms processed by the SSRB Data Center.

The SSRB Data Center management team benefited from IFES contributions to the training program for data center officers. The training materials, forms, and presentations designed and developed by IFES were utilized by the data center managers to cover data entry, clearance, and quarantine procedures. Close support was provided to the organization and conduct of training events and software testing sessions.

IFES advisors provided reports analyzing problematic areas from filling out voter registration results forms to improve similar areas during the polling and counting results forms training. The referendum results tabulation process resulted in smooth and efficient operations lasting only ten days, a marked improvement from the nearly three weeks needed to complete voter registration tabulation.

Per the request of EU technical advisors, IFES supported post-referendum lessons learned workshops with SSRC/SSRB management and officers on 18-19 February in Juba and 15-16 March 2011 in Khartoum. The workshop goals were to identify key issues from voter registration and polling to recommend solutions for future electoral events.

Participants in both workshops reported similar issues during voter registration and polling. The most common challenges included the following points:

- **Timeline:** Inadequate time to prepare for and conduct referendum activities resulting in rushed and oftentimes inadequate events related to training, operations, and logistics.
- **Communications:** Poor response time from the SSRB in Juba to issues and needs; confusing or contradictory orders or directives from the Central Office, inadequate numbers of satellite phones and credits, and difficulties communicating with remote referendum centers.

- **Logistics:** Difficulties in distributing materials and personnel due to poor transit infrastructure, inaccessible areas, and long distances between referendum centers.
- **Equipment:** Insufficient number of vehicles at the state and county levels; lack of qualified technicians to install generators, repair computers, and address equipment needs; deficiency in providing generator-related supplies (i.e., oil, fuel, parts, and maintenance).
- **Finances:** Inadequate budgets affecting all activities: staff salaries, equipment maintenance, materials transportation, operational activities, logistical arrangements, communications, public outreach, and voter education.

The post-referendum lessons learned workshops enabled SSRC/SSRB management and officers a timely venue for analyzing, presenting, and sharing information. The two workshops also provided participants with the only opportunity to present their experiences and offer insight into the referendum process, as no other lessons learned exercises were conducted by international partners.

3.4 FY2012

During FY2012 the SEASP conducted no trainings of electoral officials in post-independence South Sudan. There were no South Sudan electoral processes scheduled or even a new electoral commission in place, and there was no political progress between Sudan and South Sudan on the establishment of an Abyei referendum commission in FY2012.

3.5 FY2013

During the first quarter of FY2013 IFES consulted with the NEC to plan and then initiated recruitment of international facilitators for two Juba orientation seminars and critically, two specialized trainings in administration and financial management using the Building Resources in Democracy, Governance, and Elections (BRIDGE) methodology.

3.5.1 NEC Orientation Seminars

IFES sponsored and facilitated the first orientation seminar for South Sudan's NEC Commissioners to discuss the basic concepts behind international, regional, and national electoral and legal frameworks on 29 January 2013. Due to the high level of interaction and interest in the issues, a second session was conducted on 7 February.

The main objective of the seminars was to familiarize the commissioners with key principles of electoral management in advance of the first BRIDGE training. The seminars also provided a platform for presenting future training plans and technical support areas. Presentations during the two seminars included reviews of international electoral standards; an analysis of the NEA 2012; an introduction to electoral administration concepts and the electoral cycle approach; and an overview of the BRIDGE EMB professional development training program.

In addition to the eight NEC Commissioners, other seminar participants included the UNMISS Senior Electoral Affairs Officer, UNDP Democratic Participation Specialist, and EU Democratization and Human Rights Manager.

3.5.2 BRIDGE Trainings

IFES delivered a five-day BRIDGE training in Nairobi, Kenya (in advance of the Kenyan national elections on 4 March 2013) from 18 – 22 February 2013 on “*Introduction to Electoral Administration*,” completing the first of two foundational BRIDGE modules.

In addition to five days of intensive and interactive sessions, the NEC benefitted from presentations by IFES Kenya electoral specialists and introductions to the Independent Election and Boundaries Commission of Kenya. The primary goal of introducing electoral administration and related concepts was achieved by accomplishing the key objectives:

- Introduce the new Commission to the basic concepts and principles of good election administration and practices;
- Introduce participants to the methodology and content of the BRIDGE project;
- Develop a basis and foundation for further training in BRIDGE modular courses;
- Increase access to internationally available materials on election administration;
- Develop participant capacity to handle the start-up work for their Commission;
- Develop a ‘To Do’ Activity List for the NEC to prioritize its activities and implement following the training;
- Introduce the South Sudan NEC to its regional counterpart in Kenya to share lessons from electoral preparations.

The second core BRIDGE module “*Strategic and Financial Planning*” was conducted in Juba from 8 to 11 April 2013 and achieved the following key objectives:

- Introduce the new Commission to the basic concepts and principles of strategic and financial planning;
- Increase access to the internationally available materials on strategic and financial planning, including examples from other EMBs; and
- Write a draft “Vision and Mission Statement” for use in the NEC Strategic Plan.

Helping participants achieve the key understanding that detailed planning results in successful elections, with grounding in appropriate methodologies, the participants then initiated the drafting of the NEC “Vision and Mission Statement” as well as NEC strategic goals.

The workshop had a total of 10 participants for the four days. Seven of the eight NEC Commissioners participated in this training, as one was attending electoral training in India. Both the Chairperson and the Deputy Chairperson were participants. Also in attendance were two IFES South Sudan personnel and the UNMISS Senior Electoral Affairs Officer.

The NEC Commissioners expressed their approval of BRIDGE methodologies and norms and requested additional workshops and their preferred BRIDGE modules. The NEC expressed a strong desire to provide BRIDGE trainings as soon as possible to any future NEC staff and State High Elections Commissions (SHEC) members.

3.5.3 Other Trainings

IFES and the USAID-funded Conflict Dynamics International (CDI) partnered on a “Women and Electoral Systems” workshop in July 2013 exploring South Sudan’s electoral systems and developing strategies for needed reforms to encourage political accommodation for women.

In September 2013, IFES and USAID DG partner the International Republican Institute (IRI) held a workshop on “Women’s Representation in South Sudan.”

Both of these IFES-sponsored trainings were attended by members of the NEC BoC, who also gave presentations.

During FY2013, IFES also planned and implemented a comprehensive series of trainings in the use of Microsoft Office for the individual NEC Commissioners, with the IFES-contracted trainer reporting steady development of the Commissioner’s computer skills during the course of the program.

4. IFES PROCUREMENT AND OPERATIONAL SUPPORT (2009 – 2013)

IFES SEASP procurement of USAID-funded elections materials and office equipment ensured that both the Sudanese and South Sudanese EMBS were able to be quickly operationalized, a vital need due to the compressed timeframes of electoral events from 2009 – 2013. IFES procurement and material support, along with vital operational support in the planning, logistics, and delivery of items, was essential to the completion of elections and referenda according to schedule, as well as quickly establishing South Sudan’s NEC and NCRC.

4.1 FY2009

4.1.1 NEC Office Establishment

IFES procurement in the first year of the SEASP was limited to furniture for the establishment of the NEC office in Khartoum.

4.1.2 Voter Registration Manuals

Also during FY09, IFES began the procurement process for 20,000 Arabic and 10,000 English voter-registration manuals, which were designed with IFES’ assistance. IFES planned to deliver the manuals in time for the voter-registration process, despite continued delays from the NEC in finalizing the draft copy.

4.2 FY2010

During FY2010 IFES was actively engaged with the NEC, UNMIS, and UNDP to prepare and execute the large procurements needed to complete a successful election period. These procurements included equipment the NEC needed for its own facilities, as well as electoral materials and supplies for the polling period itself.

Although IFES clearly explained the deadlines for ensuring a smooth procurement process, the NEC consistently delivered specifications after than the deadlines. Additionally, VAT exemption for goods imported into Khartoum proved problematic in each instance and VAT exemption for polling kits coming into Juba required the intervention of USAID with the GoSS Ministry of Finance and Economic Planning.

4.2.1 Procurement for Additional NEC Office Space

Early in FY2010 the NEC requested assistance to establish additional office space to accommodate its technical staff and international electoral experts, including IFES' Elections Advisor. While UNDP agreed to cover the cost of renting the new building, the NEC requested assistance from IFES in the provision of basic office furniture, equipment, communication equipment, air conditioning, and an electricity generator.

At this time, the NEC also requested assistance to establish a media center. In compliance with US Government regulations, however, IFES turned down the NEC's request to provide any communications equipment and to support the establishment of the media center.

After having the waiver approved by USAID, IFES moved quickly to furnish the building. Subsequently, USAID also approved a waiver to procure office equipment, an electricity generator, and air conditioners for the new NEC building. IFES supplied most of the office equipment, including color printers, black and white printers, fax machines, and kitchen tools.

4.2.2 Printing of Electoral Materials

Based on the NEC's request and in coordination with other international technical assistance providers, IFES finalized the procurement started in FY2009 to produce and print 20,000 Arabic and 10,000 English copies of the voter registration manuals. UNMIS and UNDP took the responsibility to distribute the completed manuals to the 25 state capitals of Sudan for receipt by the SHECs. IFES also distributed more about 1,000 copies to other USAID D&G implementing partners and Sudanese CSOs for use in voter education efforts. The registration manual was largely used for training the registration teams and as a reference in the registration process.

In coordination with other international technical assistant providers, IFES helped the NEC to produce and print 5,000 copies (3,800 Arabic and 1,200 English) of the exhibition and objections manual. Similar to the registration manual, the exhibition and objection manual was used for training and as a reference source to the teams that took responsibility on the exhibition and objection process.

At the NEC's request, IFES carried out procurement for printing of these electoral materials. The relevant printing companies were selected through a competitive bidding process and all requested printed materials were procured and delivered to the NEC on time for distribution to state capitals before the scheduled national elections. The printed materials and quantities were as follow:

Item	Quantity
Mock ballots	1.4 million
Polling hand books	200,000 copies
Polling & Counting Guides	27,000 copies
Elections ACT	30,000 copies
Counting leaflets	200,000 copies
Voter Roll printing materials	Assorted

4.2.3 Training Kits

IFES procured a total of 1,650 training kits, which were used during the cascade training for polling station workers. The training kits were a scaled-down version of the actual polling kits.

In total, IFES received 1,020 training kits in Khartoum and 629 training kits in Juba in good condition. These were immediately distributed to state capitals to be used for training by the NEC and UNMIS-EAD.

4.2.4 Polling Kits

IFES procured 21,200 polling kits containing materials which the NEC, IFES, and other international election assistance providers agreed would be required by each polling station during the course of the polling days. IFES received 15,329 polling kits for elections in Khartoum and 5,873 kits total in Juba for a total of 21,202 polling kits. These kits were handed over to the NEC and distributed to state capitals by the NEC, UNMIS, and UNDP.

4.2.5 Polling Booths

The NEC requested IFES to purchase polling booths for the April 2010 elections to ensure that voters were able to mark their ballots in a private and secret environment. Based on experience, IFES advised the NEC to allow this procurement process to be done locally and spread across the country. While this would have resulted in non-uniform polling booths, these items were non-sensitive materials and uniformity would provide no tangible benefit. Unfortunately, the NEC delayed providing final specifications and quantities to the point where building polling booths within Sudan was no longer an option.

IFES received 35,664 polling booths in Khartoum and 19,776 polling booths in Juba, which immediately began shipping out to the state capitals.

4.2.6 Referenda Procurement – SSRC and SSRB

After the April 2010 elections, IFES actively engaged with the SSRC and SSRB as well as UNIRED to prepare and execute procurements needed to complete the referendum in Southern Sudan. These procurements included equipment the SSRC needed for its own facilities, as well as electoral materials and supplies for the voter registration period.

During FY2010 IFES SEASP facilitated and supported the organizational setup of both the SSRC office in Khartoum and the SSRB office in Juba. This support proved crucial in kick-starting the national preparations for the referendum. Besides paying the initial rent of the two offices, IFES

provided furniture and office equipment in order to accommodate its technical staff and international electoral experts. As such IFES supplied most of the office equipment, including color printers, black and white printers, photocopiers, computers, and kitchen tools.

Also at the beginning of the FY2010 referendum preparations IFES, in cooperation with other international assistance providers, focused on designing the books to be used in the voter registration process. At the end of FY2010, IFES had gained the approval from the SSRC and started the procurement and printing of voter registration books for Southern Sudan, Northern Sudan and Out of Country Voters.

4.3 FY2011

After receiving the necessary Contracting Officer approvals, IFES executed all necessary procurements in line with SSRC-stipulated timelines and provided direct support to the SSRB in Juba during the crucial period leading to the referendum in January 2011. In Khartoum, IFES executed local procurements and supported international procurements to provide timely delivery to the SSRC. The combination of in-country and international procurement assistance and support added transparency and credibility to referendum procurement operations.

IFES played a vital role in establishing the physical infrastructure of the SSRC in Khartoum and SSRB in Juba. The operational capacity of SSRC/SSRB was built with essential materials and equipment. Support included locating and leasing buildings for the central offices, providing all office furnishings and equipment (i.e., desks, chairs, cabinets, computers, printers, photocopiers, etc.), and contracting engineering upgrades (i.e., electricity, plumbing, satellite communications, generators, etc.).

In addition, IFES provided support to SSRC/SSRB State High Committees (SHCs) and County Sub-Committees (CSCs) by procuring essential office equipment, such as photocopiers, scanners, and satellite-based internet communications.

IFES also procured all necessary commodities to establish the respective data centers and the SSRC and SSRB central offices. The infrastructure support and assistance provided essential tools for conducting voter registration and referendum operations.

4.3.1 Referendum Voter Registration

IFES and UNIRED advisors consulted with SSRC counterparts to draft and print the voter registration and exhibition manual and supporting materials. Voter registration manual development started in early-June 2010, immediately following the national elections, with IFES and UNIRED drafting the first version; however, finalizing the manual was a protracted process due to the SSRC not yet being established. There were no qualified counterparts to review the draft until a few weeks before registration started.

IFES contributed to the drafting process with advisory input and the hiring of a cartoonist and graphic designer for illustrations and layout. Due to the restricted timeline, IFES assumed the lead on manual drafting and ushered the project to completion in time for the commencement of the training program.

IFES also printed voter registration materials in bulk for use during the training and conduct of registration operations. The printed materials sought to enhance the capacity and effectiveness of the SSRC/SSRB and facilitate the distribution of information. Much of the materials were used for training referendum officials, while others played a significant role in operational implementation of the exercise.

IFES provided registration cards, manuals, journals, material transfer forms, and objections and correction forms. Although most materials were printed in Sudan, some were printed abroad to assure full transparency and political neutrality, such as the registration books that were used during voter registration.

IFES played a pivotal role in designing, procuring, and delivering voter registration cards to Khartoum, Juba, and the eight OCV countries in time for voter registration to start according to the SSRC timeline. The cards were bound in books, with each book containing 200 registration cards. One million of the 1.3 million reserve stock was used during the event. The total amount of books and cards produced, delivered, and in reserve were as follows:

Destination	VR Books	VR Cards
Northern Sudan – (through Khartoum)	2,739	547,800
Southern Sudan – (through Juba)	29,106	5,821,200
Southern Sudan – (second shipment from contingency)	5,000	1,000,000
OCV countries (shipped directly to each country)	2,680	536,000
Reserve – (held in South Africa)	6,510	1,302,000
Total	46,035	9,207,000

4.3.2 Polling and Counting Procedures Manuals and Materials

IFES printed polling manuals, journals, material transfer forms, results forms, explanatory leaflets, training posters, and rules and regulations in support of the referendum.

4.3.3 Polling and Counting Referendum Center Kits

Within an extremely tight timeframe, IFES procured and delivered polling and training kits which allowed for in-country distribution to all polling centers and training venues. A total of 4,188 polling kits and 580 training kits were delivered to Khartoum, Juba, and eight OCV countries. The contents of the kits included forms, stamps, seals, lamps, indelible ink, and a variety of stationery.

4.3.4 Post-Referendum SSRC/SSRB Asset Disposition

Procurement-related activities in the post-referendum period were dominated by the disposition of SSRC/SSRB assets procured by IFES/USAID in support of the Southern Sudan referendum.

Active engagement with SSRC/SSRB asset management committees throughout April and May 2011 resulted in three letter agreements proposing 35 local institutions and organizations for receipt of referendum equipment and materials. These agreements formed the basis for the IFES disposition plan approved by USAID in early-June 2011. IFES implemented the plan in June and July but US Department of Commerce Business, Industry, and Security (BIS) license transfers delayed distribution of computer and internet assets until August with the last state-based distributions completed by mid-September 2011. All SSRC and NEC asset distributions in Khartoum were completed by the end of July 2011.

IFES advisors and national officers in Juba and Khartoum worked closely with electoral counterparts and the IFES Washington, D.C. team to implement the asset disposition processes under the appropriate USAID procedures that resulted in transparent and professional activities.

4.3.5 Retrieval of SSRB Referendum Materials

The SSRB planned and implemented the retrieval of referendum materials from the County Sub-Committees to the SHC warehouses during February and March 2011. While UNDP coordinated and supported the movement of sensitive/non-sensitive printed materials to the SHCs, such as used/unused voter registration books and ballots, IFES assisted the consolidation of all unused referendum center polling kits to the SSRB Central Warehouse in Juba.

IFES advisors worked with SSRB operations officers to retrieve approximately 250 surplus polling kits (out of 4,188 procured) from all ten states. The SSRB aircraft facilitated transportation of a majority of the kits. The polling kit materials were sorted and consolidated by type to facilitate further use by the SSRB and donations to local institutions and organizations (i.e., schools and orphanages). Surplus items such as indelible ink and stationery were sent to the NEC in Khartoum in support of the Southern Kordofan state elections.

IFES advisors recommended polling kit retrieval, arranged for their return, and recycled their contents for additional local users. These activities lessened the financial burden of the NEC and contributed to the material needs of local education and social welfare institutions.

4.3.6 Disposal of SSRC/SSRB Assets

IFES implemented the disposition of SSRC/SSRB assets (originally procured by IFES) from early-June until mid-September 2011. The procured assets included office furniture, computing equipment, and communications systems from the central offices and data centers in Khartoum and Juba and the state and county offices.

SSRC assets were far less in volume and a written agreement on proposed recipients was reached in early-April 2011.

The disposition of SSRB assets, however, required protracted negotiations to agree on the proposed recipients and quantities of assets to be received. More than a dozen meetings of the SSRB Asset Management Committee and numerous written communications and recommendations resulted in two signed agreements. After an initial USAID review and slight modification to the quantities of computer equipment proposed for universities, IFES submitted its comprehensive disposition plan on 8 June, received approval on 21 June, and initiated distributions on 23 June 2011.

The asset disposition process that started in mid-February 2011 required a substantial amount of time to implement and complete; however, IFES ensured that the SSRC/SSRB proposed the recipients so that the conclusion of the referendum remained a Sudanese-driven process benefitting the most appropriate groups. Ultimately the list of 35 USAID-approved recipients included universities, social welfare institutions, and CSOs in Khartoum and Juba, as well as South Sudan governmental offices. The disposal of all SSRC/SSRB assets procured by IFES complied with standard USAID policies and procedures. Asset inventories were confirmed against IFES procurement records. Computing equipment was cleared of data, assembled into work station sets, and packaged for secure distribution. All appropriate BIS license transfers were received or waived for the recipient institutions and organizations.

Each recipient signed a letter pledging to abide by USAID asset transfer policies as noted in the 21 June 2011 USAID approval letter. An asset transfer form listing the equipment being transferred was signed by all recipients and IFES at the time of distribution.

4.3.7 Southern Kordofan State Elections – Electoral Commodity Procurements

The NEC and Southern Kordofan SHEC received electoral commodity procurements from IFES in support of voter registration and Southern Kordofan state elections, scheduled for May 2011 following the January 2011 referendum.

Material support included office furniture and equipment, voter registration procedures manuals, stationery, polling and counting procedures manuals, mock training ballots, indelible ink, printed training materials, and ballot papers. An asset disposition plan was also approved by USAID for commodities procured for the NEC in support of national electoral events. At the end of the electoral process, IFES implemented the formal transfer of all assets procured by USAID.

4.3.8 Voter Registration

IFES procured several items to assist preparations for and conduct of voter registration. Essential equipment and supplies procured in Khartoum and delivered to NEC supported the printing of the Electoral Register for display during the exhibition and complaints period. IFES provided A4 paper, printer cartridges, and photocopier toner to the SHEC in Kadugli, the capital of Southern Kordofan.

4.3.9 Polling and Counting Procedures Manuals

IFES printed NEC polling and counting procedures after providing technical assistance during the drafting and design of the manuals. Approximately 3,700 Arabic and 300 English manuals were procured through a local printer in Khartoum and were delivered to the SHEC in advance of the cascade training program and voter education campaign.

4.3.10 Mock Training Ballots

IFES procured mock ballots for training polling officers, briefing domestic observer organizations, and educating other electoral stakeholders. An IFES-hired international graphic designer finalized the graphic layout and monitored printing operations. Approximately 16,000 mock ballots were printed covering four electoral events. IFES facilitated distribution to SHEC in Kadugli as scheduled in early-April 2011.

4.3.11 Southern Kordofan State Elections Ballot Papers

IFES supported NEC with the design and procurement of approximately 3.1 million ballots for the state elections. The IFES graphic designer worked closely with NEC officers to design and finalize the layout of 35 unique ballots divided into four different races: governor, party list, women's list, and geographical constituency. There were a total of 32 constituencies in Southern Kordofan.

Ballot design contained IFES-recommended anti-copy and micro-text features intended to improve security and prevent fraudulent activities. The ballot papers were printed only in Arabic despite IFES recommendations to prepare bi-lingual ballots that included English as prescribed in the 2005 Interim National Constitution of the Republic of Sudan. The ballot templates were completed and transmitted to the printers on time through the joint-efforts of IFES advisors and NEC officials.

The technical capacity of the NEC was increased by IFES funding and facilitating two officers traveling to Dubai to supervise the printing of the ballots with tutelage from the IFES graphic designer. The group worked closely to monitor the type-setting, printing, labeling, and packaging of the ballots. NEC onsite supervision also contributed to greater national confidence in the IFES/USAID-procured ballots.

IFES supported on-time ballot delivery to Southern Kordofan in late-April 2011 by funding and facilitating a commercial aircraft to transport ballot papers from Dubai to Khartoum and onward to El Obeid (the capital of Northern Kordofan). UNMIS logistical teams transported the ballots by road to the SHEC warehouse in Kadugli and facilitated onward shipping to the polling constituencies. All ballots reached their respective polling centers as scheduled.

4.3.12 Indelible Ink

IFES procured, provided, and delivered the indelible ink used during polling in Southern Kordofan. In addition to 1,000 bottles of new indelible ink, IFES organized the collection and transportation of

approximately 2,000 bottles of surplus ink from the Southern Sudan referendum for use by the NEC in the state elections. Surplus bottles were collected from voter registration and polling kits in northern and Southern Sudan. The additional bottles allowed for an early distribution of electoral commodities to distant polling centers and optimized the use of in-country resources.

4.4 FY2012

During FY2012, IFES did not procure any significant electoral commodities as there were no elections or referenda to support in South Sudan following independence on 9 July 2011.

However, IFES disposed of referendum assets in Khartoum and Juba and supported South Sudan ministerial and legislative bodies during the development and review of the new elections law. Both activities required IFES operational guidance on disposition of surplus materials and printing services.

4.4.1 IFES Asset Disposition of Referendum Materials FY2012

In July 2011 IFES closed its operations in Khartoum upon USAID directive; disposed of the majority of surplus office assets to local non-governmental organizations and universities; and prepared a core set of furniture, equipment, and a vehicle for transfer to Juba.

However, conducting air cargo operations between the (now) two separate countries was vastly more complex than previous internal shipping in the unified Sudan. Disposition of the former-referendum data center was achieved in Juba, but the Khartoum materials were caught in administrative limbo that prevented transfer to Juba for ten months, and in the end, were simply transferred in Khartoum.

IFES had attempted to work with air cargo agents in Khartoum since July 2011 in an effort to secure passage of the former-IFES Sudan office equipment and Nissan Patrol vehicle to Juba. The backlog of air cargo requests from north to south was followed by increased transport restrictions by Sudanese authorities.

In mid-November 2011, IFES presented USAID with a request for guidance in disposing the office assets in Khartoum with another USAID-funded organization. After a series of discussions and an inventory review, USAID suggested that the assets be reserved for a new program run by Counterpart International. However, IFES received permission to continue seeking approval from the Khartoum government authorities to ship the vehicle to Juba. The asset disposition and transfer process remained in limbo at the end of December with additional bureaucratic delays and security clearances preventing the vehicle shipment.

The backlog of air cargo requests from north to south increased as transport restrictions by Sudan authorities grew more prohibitive in December 2011. There was still no progress in March 2012 when IFES requested the Sudan NEC to intervene on behalf of IFES with the appropriate ministerial authorities. As a result, IFES was informed that the furniture assets are not an issue for transfer to Juba; however, the vehicle must be disposed of in Khartoum.

Regardless of progress on furniture assets, delays persisted and IFES proposed that all assets be transferred to organizations in Khartoum, with USAID approval of local recipients following shortly thereafter. As of mid-May 2012, IFES had transferred a portion of the furniture and the vehicle to the Sudanese Comparative Law Society and the remaining furniture to the National Civic Forum. After ten months of failed efforts to secure passage of the office furniture and vehicle to Juba, the assets were disposed of according to USAID rules and regulations.

4.4.2 IFES Disposition of Former-SSRB Juba Data Center

Transferring the former-SSRB Data Center building to the University of Juba (UoJ) was finally completed by late November 2011. This long-pending project suffered from numerous UoJ financial and technical delays during the planning and installation of a cement flooring and perimeter wall. Once the flooring and wall were completed in mid-October, the UoJ continued to delay the formal asset transfer until IFES pushed the issue with correspondence and two personal meetings with the Vice-Chancellor in early November. All appropriate transfer paperwork was issued in late November and the project file was closed. Even though the asset disposition took an inordinate amount of time, the UoJ now has a fully functional and air-conditioned building that will house a new university computer center.

4.4.3 IFES Material Support to the National Elections Act 2012

IFES provided material support to the Ministry of Justice (MoJ) and National Legislative Assembly (NLA) during its development of the National Elections Bill (NEB) by printing several hundred draft bills and acts and organizing and sponsoring two public consultations during the ministerial, legislative, and executive review processes. IFES also conducted a two-day MoJ consultative forum with electoral stakeholders in early October 2011 and provided 40 copies of the NEB to the Council of Ministers (CoM) in mid-December.

IFES provided organizational, logistical, and material support to the MoJ and NLA during the legislative review of the NEB by producing 400 copies of the NEB for submission to the NLA in late January 2012. In late February IFES produced 206 copies of the NEB for the NLA's Legislation and Justice Committee (LJC), as well as organized and supported the LJC public hearing in March.

From April – June, 2012 IFES provided material support to the NLA Legislation and Justice Committee (LJC) during the review, revision, and consolidation of the National Elections Act (NEA) 2012 prior to submission of the act to the Office of the President (OoP). IFES produced an additional 200 copies of the NEB/consolidated draft NEA for use during this period.

In the fourth quarter, IFES produced 60 copies of NEA 2012 for government officials, international democracy and governance organizations, and electoral commissioners to ensure adequate distribution among key stakeholders in August. Additionally, IFES produced 250 copies of the NCRC Action Plan 2012-2013 for a public launch event in early September (also providing organizational support to the event).

Providing the MoJ, NLA, and LJC with large-scale printing and event organization and logistical support enabled the NEA 2012 to undergo and complete the ministerial, legislative, and executive development, consultative, and review processes.

4.4.4 Disposition and Destruction of Surplus SSRB Referendum Materials

When the SSRB ended referendum operations in late July 2011, the destruction of referendum materials, such as used/unused ballots, unused voter registration booklets, and other printed materials, remained a pending issue. Despite best efforts by IFES and UNDP in preparing and recommending appropriate materials destruction policies, instructions, and actions from as early as February and into June, the SSRB failed to marshal the resources needed to address this process by the close-out of the SSRB.

IFES advised UNDP to raise the materials disposition issue with the former-SSRB Chairperson—the current Chief Justice of the Judiciary—in mid-October; however, attempts at arranging a meeting were unsuccessful. The issue remained unresolved for the next eight months with materials occupying warehouses in Juba and the state capitals but with no funds available to pay rents or implement destruction procedures.

In late June, the former-SSRB Chairperson requested IFES to advise the disposition of surplus electoral and referendum materials from the central warehouse in Juba. The former-Central Equatoria State High Committee failed to dispose of its referendum materials and commodities as directed by the SSRB in July 2011. The materials were stored ever since pending disposition. In addition, the same warehouse also contained surplus electoral materials from the Southern Sudan High Elections Committee (SSHEC) as the facility was shared during the referendum. IFES was requested to assess the conditions at the warehouse and recommend an appropriate course of action.

IFES identified three general categories of electoral and referendum materials. Retainable materials included the unused polling screens and plastic ballot boxes that could be utilized for future elections. IFES found the screens were sealed and stacked on pallets and that the sturdy ballot boxes, if properly stored, could be re-used.

IFES recommended that disposable materials, including the used and unused referendum ballot papers and other printed materials should be destroyed by controlled burning at an appropriate location. The used indelible ink bottles contain silver nitrate, which is a toxic substance, and thus should be incinerated at high temperatures to ensure environmentally safe destruction.

Finally, the surplus stationary, office supplies, lamps, stamp pads, and other items noted could be donated to the Juba City Council, Central Equatoria State government, or relevant government ministries for distribution to primary and secondary schools, universities, hospitals, or other social institutions.

Given that the future National Elections Commission (NEC) had not yet been established in June of 2012, IFES recommended that the retainable materials be stored in a government warehouse until they could be transferred to the new NEC. In response the SSHEC and SSRB formed a joint-committee to develop a plan for the disposition of surplus electoral and referendum materials. IFES provided further guidelines to the joint committee by identifying disposition objectives, drafting an implementation plan, and suggesting practical logistical arrangements.

The SSHEC/SSRB representatives coordinated the disposition of surplus electoral and referendum materials from the Juba warehouse until mid-August. Disposition of materials was coordinated with the Juba City Council and Mayor's Office. The municipal authorities provided a budget, labor, transport, and logistics in return for the materials being donated to the City Council for distribution to city agencies. The disposition project took approximately three weeks from 27 July - 15 August 2012.

IFES conducted several planning and advisory meetings with the joint-SSHEC/SSRB disposition committee throughout July. However, once disposition was initiated, IFES recommendations for the disposition of ballot boxes and polling screens were not accepted. The referendum voter registration and polling kits procured by USAID were donated in line with IFES recommendations. The joint-SSHEC/SSRB committee decided to distribute ballot boxes to the Juba City Council but the polling screens were placed outside the warehouse for distribution but were ruined by rain before they could be allocated.

In September, both the SSHEC Acting Chairperson and the former-SSRB Logistics Officer confirmed that all surplus elections and referendum materials were donated to the Juba City Council. The SSRB entrusted the Juba City Council to destroy the used ballot papers, surplus printed materials, and indelible ink.

4.4.5 NEC Preliminary Procurement Plan

During FY2012, as the NEA made its way through the South Sudan legislative and executive approval process, IFES looked forward to the eventual appointment of a new South Sudan NEC by drafting preliminary procurement plans. IFES planned to assist the new NEC and its Secretariat staff with material and commodity support to enable the NEC Commissioners and staff to become operational on an expedited basis. Procurement activities would include the establishment of temporary office space and purchase of essential office equipment.

Additionally, IFES planned to advise and facilitate the legal transfer of SSHEC assets and resources to the new NEC and ensure NEC asset management policies, procedures, and personnel are in place prior to distribution. IFES was prepared to initiate NEC inventory control mechanisms and monitor asset management systems, along with guiding the development of a NEC asset and warehouse management plan.

4.4.6 NCRC Procurement Plan

Upon the August 2012 USAID approval of the Task Order modification expanding the SEASP to a sixth program objective, IFES implemented significant procurement activities to provide needed material support to the NCRC. IFES pre-planning during FY2012 for NCRC procurement highlighted three key areas for advanced planning: internal IFES South Sudan and IFES Headquarters coordination; confirmation of USAID, USG, and IFES regulatory compliance in procurement practices, and strong cooperation with NCRC officials to expedite purchasing by addressing any preference for local or regional procurement as appropriate and available to save time. The requested assets from the NCRC included office furniture, computing equipment, compound equipment (e.g., generators, VSAT internet) and supplemental office space (e.g., purpose-built prefabricated offices).

4.4.7 IFES Task Order Compliance Review

An essential component of the procurement plan was adherence to USAID rules and regulations and IFES procurement policies and procedures. From mid-August 2012 to early September 2012, the IFES Contracts and Grants Department (C&G) officers conducted an extensive internal review process to mitigate any risks to IFES conducting material support. The procurement of office-related equipment and services followed standard commodity procurement guidelines and required no additional clarifications. The procurement of office renovation services and prefabricated office and conference facilities, however, required careful review and analysis of the relevant IFES Task Order provisions and restrictions to ensure proper USAID compliance.

After a series of discussions between USAID and IFES over the prefabricated office and conference facilities, however, USAID recognized by late September 2012 that the proposed procurement of prefabricated facilities may not be appropriate through the IFES Task Order. USAID suggested that IFES not issue the prefabricated facility tenders on 17 September until USAID reached a final decision regarding this procurement. At the end of September 2012, USAID decided to procure the prefabricated structures and other construction-related projects through the United Nations Office of Project Services (UNOPS).

4.5 FY2013

4.5.1 South Sudan NEC Office Compound and Material Support

IFES moved rapidly at the start of FY2013 to provide material support to the NEC, undertaking a needs assessment in October and an office compound assessment in November. Procurement for essential infrastructure, equipment, and internet was initiated in November. IFES responded quickly to the NEC's December request to finance the leasing of a temporary office compound in Juba until the end of August, later extended to 30 September 2013 which was the end date of the SEASP Task Order.

The NEC inaugurated its temporary office space, leased by IFES, in January 2013. Following the inauguration ceremony IFES continued to provide needed material assistance such as generators, computing equipment, satellite internet system, furniture, stationaries, and temporary vehicles resulting in a fully operationalized NEC office compound in Juba by March 2013.

4.5.2 NCRC Office Compound and Material Support

Concurrent with NEC procurements, at the start of FY2013 IFES procured essential services and assets with the goal of quickly operationalizing the NCRC office compound in Juba. The main compound building was renovated in October, first shipments of office furniture arrived in November, and computing equipment by mid-December. Per USAID, supplemental office structures were provided by UNOPS with IFES conducting the procurement. IFES also provided temporary office space to the NCRC Secretariat in October, and arranged for venues in Juba to conduct the second plenary session in November and third plenary in December.

IFES completed procurement of essential assets during the second quarter of FY2013. With UNOP's completion of compound improvements in February, the IFES procurement process that started in January was finalized in March with the installment of a second shipment of office furniture. In April following logistical assistance to the NCRC's fourth plenary session, IFES supported the NCRC's coordination of a ceremony marking the handover from USAID of the new compound.

4.5.3 SEASP Close Out and Asset Disposition

From April to September (quarters three and four of FY2013), IFES commenced closeout activities in advance of the end of the SEASP on 30 September 2013. IFES prepared a closeout plan for USAID approval, inclusive of an asset disposition plan; because a comprehensive asset disposal list was attached to the FY2013 Annual Report, it is not included as an annex to this report.

In accordance with the approved plan, IFES formally notified the NEC and NCRC that its electoral and constitutional support activities under the SEASP would end by 15 September 2013. IFES also informed international partners, including USAID democracy and governance (DG) partners, of the end of the Task Order.

IFES national and international staff received multiple briefings relating to the conclusion of their employment and end-of-service benefits, with national staff receiving formal written notification on 1 September. Termination letters were issued to expatriate staff in early September by the IFES Human Resources department based in Washington, D.C.

On 12 September 2013, IFES received approval from USAID of its request to dispose of all non-expendable property as inventoried by IFES under the terms of the Task Order; SEASP assets were transferred to the designated representatives of the receiving organizations in the final two weeks of September, with IFES undertaking the necessary Task Order documentation to demonstrate compliance with all applicable USAID and U.S. government procedures.

5. LESSONS LEARNED AND FUTURE RECOMMENDATIONS

The following lessons learned and recommendations are specific to Sudan and South Sudan, but – where noted – can be applied universally. References to “Sudan” pertain to the pre-referendum period, while references to “South Sudan” pertain to the newly-formed sovereign state.

5.1 FY2010

5.1.1 Constituency Boundary Delimitation Complaints Process - Sudan

IFES recognized early on that officials at the SHEC level required training in how to address complaints during the period mandated for such prior to conducting Sudan’s constituency delimitation exercise. The NEC had delegated responsibility for conducting the delimitation to the 25 SHECs. Of importance was that the complaints process be used not only to consider objections but to correct the underlying problems with the constituency boundaries.

The complaints process should have been given more time and effort at the central NEC level rather than at the SHEC level because there was insufficient time to train SHEC officials to make the needed corrections, and inconsistencies were still quite possible if the SHECs retained all responsibility for producing constituency boundaries. Prior to the 2010 elections, IFES attempted to address this capacity gap with the deployment of a consultant in an advisory role; however the NEC was resistant to receiving external technical guidance on the delimitation process.

In the future, IFES recommends an emphasis on capacity-building sessions well before delimitation begins in order to better prepare EMB officials. In Sudan, many commissioners seemed to view the delimitation exercise as largely theoretical. In hindsight, NEC officials were able to better understand how their decisions made during the delimitation had great bearing on the outcome of the election. Clear communication of the practical impact of boundary delimitation at the local level should be a core goal of any capacity-building efforts.

Additionally, the electoral calendar utilized by the NEC should have given more time to the corrections period. The election calendar established a five-day period after the objection period ends to finalize the constituency boundaries. IFES recommends that it would take a minimum of one month to make the required corrections and produce constituencies that are clearly defined and fall within the legal limits.

5.1.2 Trainings for 2010 Voter Registration and Polling Station Procedures

In FY2010, IFES, in coordination with other international technical assistance providers, conducted the initial levels of cascade training for both voter registration (trainings commenced in November 2009) and polling station procedures (trainings were undertaken in March 2010).

As a result of the plurality of actors in the training process, more extensive coordination efforts may have prevented misunderstandings or delays in implementation of these trainings. IFES recommends earlier and more efficient coordination between international organizations (in Sudan

that included UNMIS and UNDP) to develop at least the initial steps for any cascade training program well in advance.

In the case of Sudan's 2010 national elections, the NEC initially turned down offers of assistance to strategically plan training programs. IFES had several experiences where the NEC had initially rejected advice to hold a training, only to request the assistance shortly before the electoral event. IFES recommends that various training providers must realistically accept that initial resistance will occur, and in spite of the likelihood of initial rejections from the EMB to assistance offers, continue advance planning for the initial steps involved in cascade trainings that will most likely be requested at the eleventh hour by partner EMBs.

Also during the FY2010 cascade trainings, IFES staff realized there were discrepancies between the English forms utilized in the South and the Arabic forms in the North. In response, IFES modified both forms to ensure uniformity.

Universally, IFES recommends that if forms for important electoral processes such as voter registration and polling are produced in multiple languages with a single designated governing language, it is critical to engage court-authorized translators to ensure absolute uniformity in translation well ahead of the commencement of either process.

5.1.3 April 2010 IFES Post-Elections Lessons Learned Workshop

IFES co-hosted a large lessons learned workshop covering the entirety of the April 2010 elections. Participants included representatives from UNMIS, EU, UNDP and USAID, the principal international technical assistance providers. [**N.B.:** *The goal of the workshop was to assess the 2010 Sudan elections with the aim of identifying shortcomings and lessons learned, particularly in international assistance, but the essence of these lessons are also be applicable to South Sudan's future elections.*]

Discussions focused on key electoral processes that would need to be conducted within the compressed timeframe before the January 2011 referendum on self-determination for Southern Sudan, mandated under the CPA.

Key recommendations organized by functional area were as follows:

Operational planning:

- The SSRC must be closely involved from the start at every step of planning, preparation, and implementation of all electoral processes conducted ending with the announcement of final results.
- Co-location of EMBs and technical support IOs at all levels should be emphasized.
- State committees should be given more planning autonomy, as they are better placed to understand the local context of their areas of responsibility.
- International Organizations (IOs) should build on what Sudan's EMBs propose rather than force them to use their own plans
- IOs should provide long-term ICT advisors to offer technical assistance to the VR, data centers, and referendum results management process.

Date of Voter Registration:

- September/October 2010 is recommended as the optimal time to carry out the nationwide VR, primarily due to weather patterns.

Procurement:

- IOs should insist on having a dedicated procurement planning counterparts to ensure regular and clear channels of communication.
- Number of voter registration centers, polling centers and polling stations should be decided well before the actual exercises in order to help finalize procurement plans.

Logistics:

- IOs should understand their counterpart's resource and capacity limitations and encourage their focus remains on planning, while logistics should be outsourced to international contractors.
- Approved operational plan must be understood by IOs and other implementers before the reception and delivery of any internationally-procured electoral materials. Strong communications between IOs themselves must be maintained during receipt and delivery of electoral materials.

EMB Internal Communications:

- EMBs should establish an operations center and a stronger field coordination unit in order to facilitate communications, with guidance through established logistics timelines / GANTT charts.

Training of Election Officials:

- Mock ballots and simulations were successful and should be utilized during future trainings.
- EMBs should utilize their own training units and not outsource training to private institutes.
- IOs should aim to monitor trainings at all levels.
- Short videos on polling procedures were impactful and well-received during 2010 elections training and should be used for future electoral events.

Voter Education

- Local electoral bodies should be involved at the planning stages of voter education.
- Sudanese local authorities, religious leaders and well established community leaders / groups should be utilized extensively in voter education.
- Keeping in mind the primacy of oral communication methods and Sudan's low literacy levels, word of mouth, explicit visual aids, vans with megaphones etc. should be used for delivery of voter education messages rather than electronic and print media.

Voter Registration and Polling Results Management:

- Pilot tests of any centralized databases should be conducted well in advance of implementation.

5.2 FY2011

5.2.1 IFES Referendum Procurement

IFES achieved timely procurement and delivery of electoral commodities to the field for the various electoral processes before and during the 2011 referendum.

However, **IFES recommends the advanced development of stronger and more accountable structures for assuring quality throughout the entire supply chain from production to packing to delivery. IFES recommends that special attention be paid to freight forwarder services and communication lines between the supplier and client.**

IFES applied this lesson from its procurement experiences during the Southern Sudan referendum to its procurement support of the May 2011 Southern Kordofan state elections, and largely avoided similar problems with the supply chain of procured items.

5.2.2 Post-Referendum SSRC/SSRB Close Out

Both the SSRC and the SSRB were non-permanent EMBs, established for the sole purpose of conducting the 2011 referendum. In light of this, IFES's provision of technical assistance to both the SSRC and SSRB in the disposition of referendum materials, re-allocation of these EMB's assets, and closing down operations was complicated by the sudden dispersal of management and officers following the event. Only a few key counterparts at both institutions remained to complete post-event activities.

IFES recommends more robust advanced planning at all EMB levels for necessary activities that must be completed following an election or referendum. Formal activity timeline agreements, assertive advisory efforts, and clearer communication lines on disposition requirements are advisable to avoid experiencing long delays in elections material disbursement and asset disposal.

5.2.3 Southern Kordofan Elections

The NEC's unwillingness to accept international electoral assistance provider's (including IFES) advisory recommendations during the Southern Kordofan state elections was distinctly challenging. Despite sound advice offered by IFES to operational planning, the NEC engaged in reactive rather than proactive approaches toward the obvious potential obstacles and constraints to conducting elections in South Kordofan.

Meeting the challenge of NEC's initial reticence to international technical and operational assistance required a willingness by IFES to simply allow counterparts to make errors. In some cases, an EMB must make its own mistakes to see the value of the outside technical advice offered. This lesson was illustrated by NEC commissioners who were more open to IFES operational planning recommendations in advance of the Southern Kordofan polling period following the extensive technical difficulties experienced by the NEC during voter registration.

5.3 FY2012

5.3.1 South Sudan Legal Framework Development

IFES observed that when encouraging political leaders and officials within the RSS government to consider the inclusion of the public in national democratic decision-making processes, a common response was that the average citizen is "uneducated", "illiterate", or "ignorant" and thus the political and social elite should make decisions on their behalf.

This bias often clouded judgment when considering IFES recommendations for transparent, genuine, and inclusive processes for developing legal and electoral frameworks. The merit and value of public participation was degraded, and implementing any activities designed to engage the public (and the civil society that most often represents their interests) were sidelined or simply refused.

The political leadership's lack of receptivity towards inclusive and broad-based decision-making was readily apparent in the development of the TCRSS 2011, formation of the new government, and implementation of constitutional deadlines for key electoral legislation. The reluctance and even open opposition to both public input and consultation and international offers for assistance in the areas of democracy and governance revealed the need to sensitize decision makers to the principles and merit of democratic consensus building and learning from the expertise of international organizations.

IFES recommends that this bias and lack of capacity to engage in genuine democratic processes be taken into consideration in all aspects of future electoral and constitutional support program design, particularly in the development of program objectives and qualitative performance monitoring indicators.

Finally, ensuring the development of a sound legal and electoral framework was challenged by the lack of adequate cross-institutional communications between the MoJ and LJC during the NEB review process. IFES relationships with both groups bridged the information gap and provided a sounding board for both electoral policy makers on technical issues. IFES recommends that attention be paid to building strong information-sharing mechanisms, such as inter-agency coordination bodies between relevant governmental stakeholders, into future program design.

5.4 FY2013

5.4.1 Support to the South Sudan National Elections Commission

During FY2013 a lack of South Sudan government funding severely constrained the newly established NEC resulting in their inability to hire Secretariat staff at the national level or establish SHECs. The NEC was unable to commence actual operations in FY2013 to organize or train the staff and state-level institutions necessary to conduct major electoral events such as voter registration, boundary delimitation, civic and voter education leading to elections in spring 2015.

The foundation of an EMB is the institutional capacity of its Commissioners to develop a robust organizational structure, implement a policy and regulatory framework, prepare realistic annual budgets, and undertake comprehensive strategic planning to guide the organization through the entirety of the electoral cycle. In the absence of these foundational institutional pre-planning activities, an EMB is susceptible to external political interference and its reputation as an impartial “referee” able to organize fair and transparent elections is damaged. Therefore, at this early stage of the NEC’s establishment, SEASP technical assistance focused primarily on providing support to these core foundations, despite the NEC’s funding constraints.

With limited actual electoral experience, IFES technical support through its orientation seminars and BRIDGE foundational module trainings was critical to introducing the concept of the total electoral cycle to the Commissioners, facilitating their understanding of the interdependence of different electoral activities, helping electoral officials to plan and allocate resources for specific activities in a more timely fashion. Overall the NEC demonstrated dedication to their mission, seriousness in their work and a level of unity amongst themselves.

However, prior to the September 2013 end of the SEASP, IFES observed that the NEC was experiencing some internal divisions which may lead to internal management and communications issues in the future. Some Commissioner’s lack of flexibility and electoral knowledge could obstruct institutional development and maturation.

The overall electoral inexperience of the Commissioners is most seriously impacting their collective agreement on a unified institutional strategy for the NEC to face its most daunting challenge: the sequencing of electoral events to ensure the timely conduct of the projected 2015 elections. Their lack of technical knowledge impairs their understanding of the sequential order and timing of electoral activities based on the deadlines in the NEA 2012. Facing the highly politicized issue of conducting a new South Sudan census (with the resultant data to be used by the NEC for boundary delimitation), as opposed to the use of alternate population data in lieu of a census in order to conduct elections by 2015 will require both national political will and amendment to the TCRSS 2011.

IFES recommends strongly that seamless, consistent engagement in the form of technical and material support from international electoral assistance providers will be critical to countering any developing issues amongst the NEC Board of Commissioners. Consistent technical support to improved management capacity and internal communications will ensure operational efficiencies during the eventual establishment of a NEC Secretariat and SHECs, and must be combined in a robust program of commodity procurement. Material support will remain a critical element in the future for both the NEC Secretariat and SHECs as demonstrated by the rapid IFES operationalization of the new NEC offices and ongoing provision of equipment and commodities in its first year of operation.

5.4.2 Support to the South Sudan National Constitutional Review Commission

The key challenges faced by the NCRC throughout FY2013 continued to be the disconnection and poor internal communication on the implementation of organizational priorities between the

Chairperson, Commissioners, Committee Chairpersons, and Secretariat, leading to delays in decision-making and slow progress on identified action items.

The NCRC's administrative and management capacity to plan and implement multiple complex projects, such as thematic subcommittee reviews, civic education field activities, and public relations outreach messaging simultaneously is limited.

While receiving some funding to cover staff salaries, the lack of adequate financial resources from the national government has created operational gaps that were not able to be covered by international assistance providers since the establishment of the NCRC.

Traction was, however, steadily achieved on NCRC milestone activities throughout FY2013, most notably the completion of a civic education outreach campaign that was conducted in all 10 states of South Sudan from July – September 2013 with significant operational and logistical support from IFES and UNMISS.

As with IFES support to the NEC, several key lessons were identified and confirmed over the course of SEASP implementation with the NCRC. Throughout FY2013, IFES carefully documented all requests and responses for technical assistance and material support with the NCRC to manage expectations and avoid miscommunications. Such attention to detail in the managing the relationship with the NCRC leadership is strongly recommended in the future in order to ensure a productive, professional relationship with the NCRC.

6. ANNEXES

1. Task Order Contract Modifications Listed Chronologically
2. IFES Staffing Summary 2009 – 2013 (USN & TCN)
3. IFES USAID Development Experience Clearinghouse (DEC) Submissions Summary
4. IFES USAID TRINet Submissions Summary
5. IFES USAID Asset Disposition Summary (2009-2013)