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AN ASSESSMENT OF USAID ELECTION SUPPORT OPTIONS IN SUDAN

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EXECUTIVE SUMMARY

Decades of civil war in Sudan, Africa's largest country, have left it with a lack of democratic institutions and electoral history. But, the signing of a Comprehensive Peace Agreement by major northern and southern combatants in 2005 signaled a new attempt at establishing a peaceful, democratic state. The Agreement mandated general elections for all levels of government as well as a series of referenda and consultations. These were slated to begin in 2009 and end in 2011.

Against this backdrop, USAID directed Management Systems International, under its SUPPORT contract, to send a two-person team to (1) assess the electoral legal framework, election preparations, and planning and implementation of election-oriented programs by other donors and (2) make recommendations on how best USAID can support the Sudanese election process.

The Assessment Team spent two weeks in Sudan, reviewing all the major documents related to electoral activities and interviewing key informants from various branches of the UN, other country donors, international NGOs and members of the Sudan and South Sudan governments and political parties.

The General Elections, currently scheduled to take place on or before July 9, 2009, will involve three elections for executive offices – presidents of Sudan and South Sudan and governors of all Sudanese states – and three for legislative offices – a national assembly, a South Sudan assembly, and state assemblies.

A Referendum on Self-Determination for the People of South Sudan and a Referendum on Abyei are planned for 2011. While there is a focus on the Self-Determination Referendum among citizens in the South, there has been little preparation for either referendum.

Popular consultations planned for South Kordofan/Nuba Mountains and Blue Nile states have also received little attention. Since these consultations require action by elected state legislatures, they must be preceded by legislative elections.

The Team determined that other obstacles to credible elections include on-going conflict – and difficulty in conducting elections – in Darfur.

The Team reviewed the draft Electoral Law and determined that it generally meets international standards. However, many electoral processes are left up to the National Election Commission (NEC) and there is concern that the commissioners may have difficulty developing a proper and timely regulatory framework for voter registration and elections. In addition to passing the Electoral Law, the Sudanese government will also need to revise laws on security and media in order to ensure a proper electoral environment.

The Team also explored the impact on, and effect of, other stakeholders in the democratic process and determined that:

- Domestic NGOs and the media have an important role to play in educating the public about electoral and other civic issues; and
- IDPs (internally displaced persons) will have the opportunity to vote, but only in their places of current residence. Refugees will have no opportunity to vote.

The Team briefly evaluated measures which are currently planned or needed to manage election complaints and limit election-related violence and conflict. Managing complaints and resolving disputes

is important for mitigating conflict and violence. The draft Electoral Law does not describe in detail what bodies will be responsible for managing and resolving electoral complaints but does indicate that the responsibility will be shared by the NEC and the courts. The team believes there is need for an efficient, transparent and just system to manage disputes and complaints.

The team also found that there are some ongoing security sector reform efforts in the South that include training of the police and army. There are more limited activities in the North. These efforts should aid in mitigating election violence. However, GoNU (Government of National Unity), GoSS (Government of Southern Sudan) and donors also should consider programs to provide additional election-specific training, mentoring, coordination and observation of government security forces and non-state security personnel who may be involved in the election process.

The Team assessed what other donors and international organizations are currently doing or plan to do to support the elections and referenda. The United Nations election assistance effort will be coordinated and led by UNMIS, which has current and planned programs to provide personnel for technical assistance and logistic support. UNDP plans to manage donor funds through the Election Assistance Basket Fund (EABF) and to contract NGOs to provide election support for civic education and for training domestic election observers and political parties. In addition, UNDP plans to provide some technical assistance to the NEC and South Sudan Election High Committee. UNOPS has recently completed a “Gap Assessment” that detailed logistic and operational needs for holding elections in the South and also identified a possible election timeline.

In addition to the United States, the EC and United Kingdom appear to be the donors that intend to provide the most support to the process. Other donors who are known to have current or planned election support programs include the Netherlands, Canada, Italy and Norway. While some of these donors currently have some bilateral-funded programs, they intend to channel the majority of their support through the UNDP Basket Fund.

The Team developed 12 recommendations for USAID, involving both financial and political support for the election process in Sudan, as follows:

- Convene the diplomatic community to develop a coordinated message to persuade the Sudanese governments (GoNU and GoSS) and CPA signatories to adopt a new, workable timeline for elections.
- Fund an Elections Complaints Commission advisory project.
- Fund capacity-building activities for the NEC, SSEHC (South Sudan Election High Committee) and State High Committees and their senior staff.
- Provide financial support for international and domestic observer groups.
- Support and encourage immediate creation of election task forces in both the North and the South.
- Fund the set-up and operations of Democracy Resource Centers.
- Increase support for grassroots civic and voter education activities.
- Fund the development of media centers in Juba and, if possible, Khartoum.
- Support training for forces responsible for election security.
- Provide needed equipment to security forces.
- Provide technical advisors to the SSEHC and State Committees and possibly the NEC.
- Consider providing support to the UNDP Election Assistance Basket Fund (EABF).

INTRODUCTION

Sudan, Africa's largest country, has endured decades of civil war – particularly between the more populous North, centered in Khartoum, and the South, with its capital in Juba. In January 2005, with the urging and support of the international community, a Comprehensive Peace Agreement (CPA) was signed between northern and southern combatants.

The CPA is comprised of six interlocking agreements, including a Protocol on power-sharing between the North-based Government of Sudan (GOS) and the South-based Sudan People's Liberation Movement (SPLM). This Protocol established and defined the powers of (1) a country-wide Government of National Unity (GoNU) to replace the GOS and to be headed by the incumbent national president, and (2) an autonomous Government of South Sudan (GoSS) whose President would be the Chairman of SPLM. It stipulated that this South Sudanese President would also serve as the First Vice-President of the GoNU. Further, it established an interim National Assembly of 450 legislators, of which 66 percent would be chosen from northern political forces and 34 percent from southern political forces.¹

The CPA also included protocols for the resolution of conflict in the border regions of North and South Sudan (known as the "Three Areas"). These include Abyei, South Kordofan/Nuba Mountains, and Blue Nile State. It also provided for state governments with appointed leadership in the North (15 states) and the South (10 states).

The CPA mandated a six-year interim period during which all these arrangements would be finalized or changed through democratic processes. While the CPA is still in place, movement toward these democratic processes has been slow, and this has started to seriously compromise the six-year timetable.

The CPA also mandated a Census through which the power-sharing arrangement and percentages between North and South shall be "either confirmed or adjusted" prior to holding country-wide elections for the National Assembly. The Census – mandated in the CPA to be conducted by July 2007 – has only recently been conducted. Only the enumeration phase has been completed, and resulting population figures have yet to be produced. In addition to the direct relationship between the Census and democratic elections, the Census exercise may also serve to build the capacity of both GoSS and GoNU to conduct nationwide activities and to begin the logistical planning needed to conduct boundary delimitation, voter registration, and placement of polling stations.

The CPA also resulted in the establishment of a country-wide Interim National Constitution and an Interim Constitution for South Sudan. Both constitutions call for general elections for nearly all levels of government to be held by July 9, 2009.

Conducting credible elections in Sudan will be a major challenge. The country has little voting history – the last elections in the South were held in 1986, and elections in the North (the last being in 2000) were not considered credible by the international community. Sudan also has an extremely high rate of illiteracy, topping 80% in some parts of the South, with even higher rates among women. Other electoral challenges faced by Sudanese will be discussed later in this report.

¹ Since some members of the "northern political forces" are actually residents of the South and vice-versa, the actual percentage breakdown by residence is 70 percent from the North and 30 percent from the South.

The Election Assessment Mission

In May 2009, Management Systems International's SUPPORT Project contracted a two-person Election Administration Assessment Team to travel to both North and South Sudan for the purpose of preparing USAID/Sudan to provide technically sound and politically appropriate assistance to election administration bodies and other stakeholders as soon as key elements of the legal framework for elections are completed. After 1 ½ days of team planning in Washington, DC, the team traveled on May 20th and arrived in Juba on May 22nd. The team spent ten days in Juba and four days in Khartoum conducting its assessment.

Assessment Methodology

The Assessment Team utilized two methods to conduct its work:

- **Document Review** – A wide variety of documents directly or indirectly related to electoral preparations were reviewed. These included various CPA protocols, the draft Electoral Law, and assessment and planning documents developed by various divisions of the UN, among others.
- **Semi-structured Interviews** – The team conducted open-ended interviews with key individuals from international NGOs, US government, other country donors, various UN divisions, government officials in both GoSS and GoNU, and Sudanese political party officials. The interview questions necessarily varied according to the type of respondent interviewed. Most interviews were conducted with individual respondents; some were group interviews.
 - 22 interviews were conducted in Juba. In addition, the Assessment Team attended a meeting of the South Sudan Election Donor Group.
 - 9 interviews were conducted in Khartoum.

A list of interview respondents is provided in Appendix 1.

THE ELECTORAL FRAMEWORK AND CALENDAR

The CPA Protocols, the Interim National Constitution, and the Interim Constitution of South Sudan all mandate a variety of electoral exercises to be held by the end of the CPA interim period (July 9, 2011).

General Elections

Key Point: The General Elections mandated by the CPA involve six different elections. The electoral system for three of these is still not determined, but most likely will result in very complex balloting. The delay in deciding the electoral system and passing an Electoral Law is seriously compromising the timetable for holding these elections.

General elections for executive and legislative bodies – both country-wide and in South Sudan – are mandated to be held no later than **July 9, 2009**. (The CPA Power-sharing protocol actually mandated them for July 2008, but the two constitutions both provided an extra year to hold them.) These elections are to be conducted by the National Election Commission (NEC) and its various branches. Offices to be elected are:

- 1. President of the Republic of Sudan**
- 2. President of the Government of South Sudan (GoSS)**

Both these positions are to be elected through a First-Past-The-Post election system, but the winner in each must have an absolute majority. If no one gets an absolute majority, then a run-off election between the two highest vote-getters must be held within 60 days. The election for President of the Republic is country-wide; the election for President of GoSS is only for voters registered in the 10 states that currently constitute Southern Sudan.

- 3. Governor of each state**

Again, these elections are through a First-Past-The-Post system. However, the winner only requires a plurality, so no run-off is needed. Only registered voters in each state are permitted to vote for that state's governor.

- 4. National Assembly**
- 5. Southern Sudan Legislative Assembly (SSLA)**
- 6. State Legislative Assemblies**

The method of election of these legislative entities is still not decided. The CPA and the constitutions indirectly gave the job of determining the legislative electoral systems to the National Constitutional Review Commission, which was tasked with writing the National Electoral Law. However, that body reached an impasse concerning the electoral systems and passed the draft law on to the office of the Presidency, leaving blank the sections dealing with electoral systems.

From discussions with various respondents, the Assessment Team has determined that the most probable electoral system for selecting each of the three types of legislatures is as follows:

- Somewhere between 50% and 60% of the seats in each legislative body will be selected on a single-member constituency, First-Past-The-Post basis. It seems, as of this writing, that 55% is the most likely proportion. If the 55% figure is chosen, and if the National Assembly is kept at 450 seats, then approximately 250 seats in the Assembly will be chosen by this method. This would require the drawing of 250 constituencies or legislative districts country-wide. (The drawing of constituency boundaries is the purview of the still-to-be-created National Election Commission.)
- 25% of the seats in each legislative body will be allotted to women. Again, there was much debate between the two major parties as to how these seats would be allotted. The SPLM wanted the women to be on party lists that would be used to elect the proportional representation part of the electoral system (see below). But the NCP wanted them to be elected on separate lists – party lists including only women – where the party with the most votes wins them all. Based on the Assessment Team's interviews, it seems likely that the latter method will prevail. For purposes of the National Assembly election, this means that all voters country-wide will receive a ballot with party names, and the party receiving the most votes will get to seat all the women to reach the 25% quota in the Assembly. Assuming again a 450-seat National Assembly, the seats set aside for women will number approximately 113.
- The remaining seats – somewhere between 15% and 25% of the total – will likely be chosen through a proportional representation (PR) system. Parties (and independent candidates) will appear on the ballot, and the proportion of votes won by each party will determine the proportion of legislative seats awarded to that party. Again, assuming a 450-seat National Assembly, the

number of seats won through the proportional representation system will number approximately 90. Aside from the battle over the percentage of PR seats is yet another battle: the NCP wants this part of the election to be on a country-wide basis, while the SPLM wants these seats selected on a state-by-state basis.

Analysis

The ongoing debate over the electoral system has proven costly in many ways. It has greatly delayed the start of any electoral preparations. The CPA mandated that the Electoral Law be enacted by January 2006. It is now almost 2 ½ years late. And, the Electoral Law is necessary for the creation of the National Election Commission, which is tasked with conducting the General Election. (The Constitution stipulates that the Commission will be formed within one month after passage of the Election Law.) With no law and no commission, most respondents believe that holding the election by the mandated date of July 9, 2009 is virtually impossible. There are current moves afoot to take the law – in the next few days or weeks – directly to the National Assembly for debate and passage, but with every day of slippage, the chances of on-time elections grow more remote.

A second major problem with the electoral system debate is the degree of complexity inherent in the proposed system. If the system finally adopted reflects the likely system discussed above, then voters in the North will have nine different ballot papers to mark, while voters in the South will have twelve. Some international elections experts believe that this would be a world record-breaker for the number of ballot papers in one election. While voters in established democracies with high literacy may be able to handle such a complex election, Sudan's spotty history of elections and very low literacy rate do not bode well for citizen understanding and participation in such an electoral event.

Referendum on Self-Determination for the People of South Sudan

Key Point: Citizens of South Sudan are more interested in voting in this referendum than they are in the General Elections that are supposed to precede the referendum. However, little planning has taken place to prepare for the referendum.

The constitutions and CPA all mandate a Southern Sudan Referendum to be held in the South to determine whether the South will stay in union with the North or secede and become a separate country. The CPA mandates that this referendum should be held by January 2011. The referendum is to be run by a Southern Sudan Referendum Commission, which is to be appointed by the President, with consent of the President of GoSS, and is to include international experts. The operational aspects of the Referendum are to be spelled out in a Referendum Act, which was to be passed no later than July, 2007. Among other things, the Act should spell out eligibility requirements for voting in the Referendum.

Analysis

As with the General Elections, the Self-Determination Referendum has already fallen behind its timetable. Passage of the Referendum Act is a year late and the Assessment Team detected little forward movement here. One respondent in the GoSS Ministry of Legal Affairs said that he “had been given a couple drafts, but I haven’t had time to look at them.” However, it was apparent to the team that interest in the South was more focused on the Referendum than on the General Elections. Most respondents rated the chances for a vote of self-determination as very high. Further, the will to hold the Referendum on or close to the original timetable seemed strong.

Abyei Referendum

Key Points: *The planned 2011 referendum for the people of Abyei depends partly on defining the boundaries of Abyei in a manner acceptable to all parties. Recent conflict in the area may actually lead to a final definition so that the referendum can go forward if there is a cessation of violence.*

A referendum on the future of the oil-rich Abyei area is mandated by the CPA Protocol on The Resolution of Abyei Conflict and is to be held at the same time as the Self-Determination Referendum. This referendum will allow the citizens of Abyei to determine by ballot whether they wish to remain part of the North or become part of the South (either in Bahr el Ghazal or Warrap state²). The referendum will be conducted by an Abyei Referendum Commission appointed by the Presidency. As a necessary prelude to this referendum, an Abyei Boundaries Commission was established to demarcate the boundaries of the Abyei area. The Commission, which included international experts, presented its boundary determination, but this was rejected by the President. So, while the definition of “residents” of Abyei is fixed in the Protocol (members of the Ngok Dinka community and others who live there -- mostly Misseriya nomads), boundary delimitation for the area is still contentious.

Analysis

The Abyei area has again become a conflict flashpoint. Several respondents believe that there is likelihood of a restart of the civil war over this area. As of this writing, President al-Bashir has publicly announced plans for international arbitration to seek a new settlement for the conflict in this area, but details and timelines have not been announced. Without an accepted boundary, it will be difficult for voter registration and the referendum to go forward. The intent for the referendum to be held simultaneously with the Self-Determination Referendum also seems problematical since Abyei residents would be forced to vote on whether to become part of the South without benefit of knowing whether the South was to become its own independent country. Furthermore, if violence continues in the region until the time of the referendum, it will be difficult to hold a referendum in which voter safety is assured.

Popular Consultations in Southern Kordofan/Nuba Mountains and Blue Nile States

Key Point: *These consultations are votes by state legislatures, not by the people. There is some confusion as to the end purpose of holding them.*

The CPA envisioned a different way of settling issues in these war-torn areas than the referendum route. The Protocol for these north-south border areas calls for the state legislatures in each state to consider the treatment of their area under the terms of the CPA and decide to accept the CPA as is or to modify it. As such, this decision is not really a “popular” consultation, since the residents have no vote on the issue. Also, many respondents are puzzled by the language of this Protocol, which suggests that the relevant legislatures are only stating “like” or “dislike” of the CPA. Other respondents suggest that the consultation may give some power to these state legislatures to reorganize themselves as part of the South (currently they are defined as part of the North). The Protocol is silent as to the timing of the popular consultations, though they are generally discussed as occurring within the same timeframe as the two referenda.

Analysis

² Both the Protocol and the Interim National Constitution cite “Bahr el Ghazal,” while the Interim Constitution of South Sudan cites “Warrap.”

The consultations have little impact on the electoral timetable, since they do not involve conducting an electoral exercise. However, unlike the two referenda, the consultations are legally and technically dependent on the conduct of the General Elections, since a pre-requisite for the consultations is the establishment of elected legislatures in each state.

The Electoral Calendar

Key Point: Holding General Elections in July 2009 appears unfeasible for many reasons. The UN is now promoting a new schedule which includes the possibility of splitting the elections into two parts.

As stated earlier, few if any respondents from the international community foresee any likelihood of holding elections by July 9, 2009 – particularly given the absence of an election law and election management body. (Some Sudanese respondents still spoke of the upcoming July elections but seemed to do so without taking into account the various intervening factors.) For this reason, the UN departments most closely involved in preparing for an election – UNOPS and UNMIS – have proposed some “Plan B” options. These options necessarily take into account the rainy season (June to November) in the South – a time period when it is considered logistically impossible to conduct electoral exercises.

Principals in UNOPS and UNMIS have proposed a calendar for holding two electoral events during each upcoming dry season. Further, they have floated the concept of splitting the General Election into two events in order to lessen the complexity of the ballot. This calendar would include the following events:

- 1st dry season (December 2008 to May 2009) – A voter registration exercise of perhaps one month, followed by a registration challenges and appeals period once the registration data have been gathered and printed.
- 2nd dry season (December 2009 to May 2010) – A first round election (in either December or January) which would include **only** elections for executives (i.e. President of the Republic, President of GoSS, and State Governors). This would be followed by a second round election (February or April 2010) that would include all legislative assembly elections and, if necessary, run-offs for either of the two Presidency elections.
- 3rd dry season (December 2010 to May 2011) – The two referenda and the popular consultations.

Ray Kennedy, Chief Electoral Affairs Officer for UNMIS, believes there is a small possibility of keeping the elections on the July 2009 timetable, but only if a one-month voter registration exercise could be organized and conducted by January 2009 with a very foreshortened registration challenges and appeals period. To get to this stage, the National Election Commission would need to become operational very soon.

To change the electoral calendar to what is proposed above would require the parties to the CPA to agree to modify some of the aspects of the CPA. While the CPA allows for certain mutually agreed changes, some respondents within the GoSS do not believe that separating the General Election into two parts would be allowable.

Analysis

While adhering to the mandates and timetable of the CPA is in the best interest of all parties, including the international community, that timetable has already been voided by the extreme delays in meeting many of the critical milestones in the Agreement. There are indeed many operational obstacles to meeting the July 2009 target for General Elections, including:

- Lack of an electoral law
- Lack of an electoral system
- Lack of a voter registration system
- Lack of an electoral management body
- The logistical impossibility of performing many activities during the rainy season
- Lack of an agreed-upon North-South boundary (necessary for boundary delimitation)
- Lack of Census data (also necessary for boundary delimitation) and likelihood of its lack of acceptance once released

Some of the above obstacles can be overcome. For example, an interim electoral law could be adopted in order to establish a working – if temporary – election commission so that preparations can begin. Also, it is possible to create temporary constituencies – once there is agreement on how many there should be – by using voter registration data rather than Census data. In Liberia, for example, constituency size and boundaries were created based on how many people registered at various registration sites. This is certainly not a “best practice,” but it served to move the electoral process along.

But when all the obstacles are considered together, the Assessment Team believes it is highly unlikely that a credible General Election could be conducted by July 2009.

Other Obstacles to Credible Elections and Referenda

Key Point: Beyond the issue of the timetable, there are several other factors that present challenges to conducting successful elections and referenda, such as the difficulty with monitoring transparency in the North and the ongoing conflict in Darfur.

While there are many other obstacles – both political and logistical – to holding credible elections accepted by both the Sudanese and the international community, a few stand out as particularly problematic:

- **International Assistance and Monitoring in the North** – The General Election is a country-wide event, and international attention must focus on ensuring credibility in the North as much as in the South. As of this writing, most attention and assistance has focused on the South. For the General Election, there must be a mechanism whereby the international community can adequately determine if its financial and other assistance is being properly utilized and the elections are being conducted in an internationally acceptable manner. In sum, there must be equal **transparency** throughout the country.
- **Darfur** – The conflict in Darfur is particularly problematic for elections, given the significant percentage of the Sudan population that lives there (probably between 10 and 20 percent). Respondents suggested that there is a strong reluctance on the part of the citizens of Darfur to participate in elections. With over 2 million internally displaced persons (IDPs), proper registration will be extremely difficult. There is also concern that IDPs will not want to register for fear that the registration data will be used to permanently separate them from their actual

place of residence. Respondents also suggested that Darfur citizens see no benefit in these elections, fearing that they will be used as an excuse to sidetrack any negotiations concerning self-determination or autonomy for Darfur. (A Darfur referendum is scheduled to be held by July 9, 2010, but the Assessment Team heard little mention of it.) Finally, it will be nearly impossible for registration and election officials to conduct their duties in areas with ongoing conflict. In sum, the Darfur situation could result in the disenfranchisement of a significant portion of the Sudan population, thereby diminishing the credibility of the elections.

- **Effect of Timetable Slippage on the Referenda** – The further the timetable for General Elections is pushed back, the less time there will be to properly prepare for the Self-Determination and Abyei referenda. Both referenda are to be run by commissions established by the Presidency. One would expect that commissioners from the election management bodies and their secretariats would become commissioners and staff for the referenda, since they would have some degree of experience and knowledge of electoral processes. But, if the General Elections are not held until just before the referenda, these individuals would be involved in post-election activities and would not be able to take the lead in conducting the referenda.

LEGAL FRAMEWORK FOR ELECTIONS

This section analyses the draft Electoral Law as it pertains to key election administration functions and provision for fulfilling those functions. It cites the relevant articles in the draft law. This section also analyses the legal framework for the National Election Commission and its branch bodies. Finally it cites other legal provisions which impact the electoral environment.

The Draft National Electoral Law

Key Point: *The draft Electoral Law generally meets international standards. However, many procedural issues are left to the National Election Commission to decide by regulation.*

The law, to be officially known as “The National Elections Act 2008” was developed by the National Constitutional Review Commission and delivered, with key sections dealing with the electoral system still missing, to the Presidency. As of this writing, it remains in the President’s office awaiting action before it goes to the National Assembly for passage.

Delimitation of Constituency Boundaries. Art. 10(2)(d) provides that the National Election Commission (NEC) shall have sole power to determine the geographical constituencies of the country. It does not specify the manner in which the NEC should accomplish this task.

Voter Education. The draft is virtually silent on provision of voter education activities, either by the NEC or other entities. It could therefore be assumed that any and all outside agencies, such as civil society organizations, other Sudanese NGOs, or international organizations and NGOs can engage in voter education activities as they see fit.

Voter Registration. The actual methodology and operational aspects of voter registration are not directly addressed in the draft, but Art. 22(5) states that the “method and means of registration...” shall be addressed in rules promulgated by the NEC. In addition, Art. 22(4) requires all voters to be registered three months before any election or referendum. Arts. 21 and 22 specify the eligibility requirements for registration.

Printing and Distribution of Voter Cards or Other ID. The draft makes no mention of the use of voter cards or other ID. As mentioned above, the method of registration, which could include provision of voter cards, is left to NEC regulation.

Compilation and Printing of Voter Rolls. Art. 10(2) gives the NEC sole authority to “prepare, revise, keep, and approve the Electoral Register and to “determine the...arrangements and periodical schedules and the local centres for registration...” Further, Art. 23 mandates that the NEC (1) shall prepare the register; (2) revise it by addition, deletion, or amendment once a year or three months before any election or referendum; and (3) make it available for public display and specify when it will be displayed. While sole authority for the register is vested in the NEC, Art. 20(1) mandates that the NEC shall appoint returning election officers at the state and South Sudan levels – and election officers at the constituency level – to “undertake the organization, revision and maintenance of the electoral register.” Art. 24 specifies in much detail how voters can object to or challenge their own listings (or that of any other citizen) in the register. Art. 25 mandates that the NEC will publish the final register three months before polling and will also make it available to any political party.

Political Party and Candidate Registration. The draft is silent on the issue of party registration, presumably because this electoral aspect is covered by the Political Parties Act passed in January 2007. The only mandated role of the NEC in regard to political parties is to “establish and maintain liaison and co-operation” with them. Candidate registration, however, is entirely the purview of the NEC. Art. 10(2)(k) gives sole power to the NEC to “determine the procedures...for the secondment of candidates, evaluate, and approve them...” Arts. 41, 42, and 43 lay out the requirements for candidate eligibility, candidate nominations and the nomination application process and timeframe. Finally, Arts. 45 and 47 delineate the NEC’s responsibilities in publishing preliminary and final candidate lists. However, appeal of an NEC invalidation or rejection of a candidacy will be made to “the Court” (meaning the National Supreme Court) – which has final authority to accept or reject the candidacy (Art. 46).

Ballot Design, Printing, and Distribution. The draft does not address design and printing, other than stating that the NEC shall “disseminate the forms...to be used in the election” (Art. 10(2)(k)), and that it shall provide for and allocate symbols to be used by independent candidates (Art. 48(1)). (Party candidates are to use their respective party symbols.) One may assume that symbols will be part of the ballot design. As to distribution, Art. 75(a) mandates that “every Senior elections officer shall furnish the High Committee in the state with sufficient number of ballot papers...” Unfortunately, the draft does not previously refer to or describe the role of “Senior elections officer.” It does, in Art. 20(1 and 2), mandate the appointment of Returning Elections Officers for each state and for Southern Sudan, but it is unclear if this position is the same as “Senior” Elections Officer.

Maintenance and Distribution of Commodities. While procurement and maintenance of commodities are not mentioned in the draft, Art (75)(c) mandates that Senior elections officers shall furnish state high committees with “other necessary materials for conducting the polling, including ballot boxes, polling booths, forms required for polling and counting, indelible ink, and stationery.” Other than the aforementioned mandate that the NEC disseminate the forms, there is no mention of the source for other commodities, though one may assume these would come from the NEC.

Accrediting International and Domestic Observers. The draft welcomes both international and domestic observers (Arts. 78 and 108) and gives the authority to “confirm” them to the NEC. However, the procedures for confirmation are to be prescribed through NEC regulations (Art. 108(5)).

Planning and Implementing Out-of-Country Voting. The only out-of-country voting envisaged in the draft is for the “diaspora,” i.e. Sudanese holding valid resident visas in other States. There is no mention

of how those in the diaspora will go about registering and voting – other than that they have the right to apply for registration “in accordance with the rules.” (Art. 22(3))

Developing Voting and Counting Procedures. The draft does not describe precise polling procedures, but mandates that “the Commission shall lay down the necessary rules for the conduct of polling.” (Art. 78(1 and 2)) The draft provides greater detail for counting, including the order in which different ballots will be counted, a mandate that the count shall continue uninterrupted, proper preparation of count reports, etc. Even so, the draft dictates that the Chief of the polling committee shall “sort out and count the votes in the manner detailed in the rules” – presumably meaning regulations promulgated by the NEC. (Art. 80)

Recruiting and Training Election Officers. The draft vests authority in the NEC to “determine the functions, powers, and procedures for the registration, elections and referendum officers, and appoint and supervise them.” (Art. 10(2)(p)) Further, the NEC “shall, before...every election or referendum, appoint a Chief for every polling centre...and a Chief for every branch polling centre.” (Art. 20(3)) There is no mention of training. One criticism leveled at the draft law is the inadvisability of the NEC making all appointments, which will number in the many thousands. However, the Assessment Team believes that the provision that the NEC “may delegate...any of its powers to...any committee formed or office established” (Art 10(3)) adequately addresses this problem.

Maintaining Order on Election Day. The draft provides that one of the main functions of the NEC is to “determine the measures to ensure the order, freedom, justice and secrecy in the performance of registration and polling and the control measures to guarantee the same.” (Art. 10(2)(g)) However, in the event of “riot or violence or any other occurrences,” the Chief of the polling centre is given the authority to adjourn polling and complete it later that day or the next day “provided that s/he must inform the election officer of the...constituency and receive the necessary directions from her/him.” (Art. 79) Furthermore, the Chief of the polling committee is given the right to expel anyone who “commits any act that hinders the polling process.” (Art. 78(5)) Finally, Chapter 10 of the draft describes in comprehensive detail corrupt and illegal practices and election offences – including use of violence or threats and obstruction of election officials – and punishment for these offences upon “conviction by a Competent court.” The draft law glossary defines this as a court specified by the Chief Justice in Northern Sudan, and by the Head of the Judiciary in Southern Sudan.

Ensuring Transparency of Voting and Counting Processes. As to overall transparency, the draft mandates that the NEC “will perform its functions...transparently.” (Art. 5) Specific to voting and counting, Arts. 78(3) and 80(3) establish the right of all confirmed candidates, agents, observers, and media representatives “to enter the polling centre and stay therein at any time during the polling process as shall be specified by the rules” and “to attend all the processes of vote sorting and counting...until its end...as shall be detailed in the rules.” (Interference with the process is prohibited – as in most electoral laws.) These provisions would not seem to warrant further rule-making, except in regard to overcrowding, so one can only hope that whatever rules are promulgated will not abrogate the observer and agent rights stated in the law. Finally, the same observers, agents, etc. have the right to attend the aggregation and declaration of results at all other levels up to and including the NEC. (Art. 84) Several of the Assessment Team’s respondents have expressed concern that the ability of agents and observers to monitor the polling, counting, and aggregation processes does not seem to extend to the registration process. Whether this is an oversight or intention of the draft law is not known.

Transporting Ballots. Other than the aforementioned requirement of Senior Election Officers to deliver ballot papers before the election to the state high committees, the draft is silent on any other transport, especially that of marked ballot papers.

Tabulating Votes (beyond the polling station level). While this is of course under the purview of the NEC (Art.10(2)(h)), the procedures to be followed are once again left to rule-making. Art. 83 state that “the rules shall specify the procedures and the manner for the aggregation and declaration of results at the Polling Centre, the Geographical Constituency, the state, Southern Sudan, or the Commission.” It is assumed that “the Commission” as used here refers to the final aggregation and announcement of national results.

Announcing Results. This topic has mostly been covered above under “Tabulating Votes.” At the polling station level, the draft specifies that “the Chief of the polling committee shall, immediately after the completion of the sorting and counting of votes...declare the results of the sorting and counting, and display a copy of the sorting and counting report at the door of the polling centre.” (Art. 82(1))

Adjudicating Electoral Disputes. The draft offers little insight into the adjudication process. In the **registration** process, a citizen who wishes to object to inclusion or exclusion in the register may appeal to a committee appointed by the returning elections officer. (Art. 24) (Since it is the original decision of the returning elections officer that one would be appealing, some evaluators of the draft have expressed concern that the voter must, in essence, appeal to the same person who “wronged” her/him in the first place.) In the **nomination** process, a candidate may appeal the Commission’s decision to reject her/his nomination to “the Court,” defined in the draft law glossary as meaning the National Supreme Court. (Art. 46) The law appears completely silent on adjudication of complaints during **polling**. During the **counting** process, adjudication, with one exception, is left to NEC rules: “the rules shall specify the procedures to submit and record any complaint during the counting of votes and declaration of results.” (Art. 80(8)) The exception is that an agent in a polling station whose request for a recount is denied has “the right to submit a written objection to the Chief of the polling committee, who shall attach such objection to the polling and counting report...” (Art. 82(4)) There is no mention of what ultimately happens with such a written objection.

Analysis

The Assessment Team believes that the draft Electoral Law is, for the most part, comprehensive in its coverage of major tasks to be performed during elections and referenda. As such, it conforms to generally accepted international standards, is succinct and understandable, and is superior to many other electoral laws (for example, Pakistan and Nigeria) that have been used through many election cycles.

Some respondents have expressed concern that much of the detail of the various tasks delineated above are left to the NEC to determine by regulation. The degree to which the law should address broad policy (with details left to regulation) or should spell out procedural details (to avoid meddling or procrastination by the relevant commission) is a source of debate among international experts. The Assessment Team believes that the former is generally a better model, because it takes smaller matters of procedure out of the hands of legislators who have little knowledge of procedural issues. However, there is some cause for concern in the Sudanese context. Final production of the current draft by the NCRC came much later than needed according to the electoral timetable put forth in the CPA, and it has now lacked action for the better part of a year. Once the law is passed, the NEC will have little time to promulgate all the rules and regulations delegated to it in the law – in particular those significant ones such as boundary delimitation and selection of a voter registration procedure. The election timetable could thereby slip so far as to endanger completion of the registration and General Election exercises before the proposed time for the South Sudan Self-determination Referendum.

The National Election Commission

Key Point: *The draft Electoral Law contains typical language concerning the independence of the commissioners, but the degree of actual independence will not be known until the Commission is established and operating.*

Powers and Responsibilities. As discussed above, virtually all powers and responsibilities for conducting the procedural aspects of elections and referenda, excluding the specific CPA-mandated referenda, are vested in and administered by the NEC.

Creation and Membership of the NEC. The draft mandates that the NEC be created within one month of passage of the Election Law. (Art. 4(1)) The NEC shall have nine members who will be appointed by the President with consent of the First Vice-President (who also serves as the President of the Government of South Sudan) and approval of two-thirds of the National Assembly. (Art. 6(1)) The nine will elect their chairperson from among themselves.

Independence of the NEC. The draft law explicitly mandates that the NEC “shall be financially, administratively, and technically independent, and shall perform its functions and duties independently, impartially, and transparently without interference...” (Art. 5) Further, it states that each of the nine members shall be “independent, competent, non-partisan and impartial” (Art. 6) and that members may be removed for partiality. (Art. 8(2))

The NEC’s administrative independence is reinforced by the fact that it is not organized under any government ministry. (Art. 5)

Financial independence of the NEC also is mandated in Art. 16, which states that the Commission develops its own budget and submits it to the President for inclusion in the general budget.

Analysis

While generally accepted language concerning Commission independence is in the draft law, practical reality – especially in a post-conflict setting – is that independence is a goal that is seldom fully achieved. While most respondents within GoSS and GONU stated that it should not be difficult to find nine non-partisan esteemed individuals of integrity, one GoSS member readily admitted that there are few, if any, non-partisans in Sudan. In the best of situations, those appointed to the NEC will perform their duties in a generally independent and non-partisan manner, regardless of private and past partisanship.

As to administrative independence, the reality in virtually any democratic government is that election commissions must call upon other governmental departments to assist with warehousing of commodities, delivery of materials, recruiting of election officials, provision of polling place security, and the like. In the near-term, some of these activities **may** be handled by the international community, but in the long-term, the NEC will most likely have to rely upon other government entities to assist with many election-related tasks.

While it is helpful that the NEC will be responsible for preparing its own budget, the law does not address whether the President can alter the budget once it is presented to him. Also, there is no provision for ensuring that the Ministry of Finance will release the budgeted funds in a timely manner.

Capacity of the NEC and its Personnel

Key Point: *There are virtually no Sudanese with election administration knowledge and skills. Finding and building the capacity of election personnel will be a major challenge.*

According to respondents, there are some individuals still holding title from the previous Sudan Elections Authority. Additionally, one individual from the previous election secretariat has the current title of Registrar under the Political Parties Act of 2007. Other than those, it is doubtful that there are more than a few Sudanese with electoral experience beyond the polling committee level, and it is safe to assume that there are virtually none in the South (where the last election was apparently held in 1986). Recruitment and management of personnel is entirely within the scope of the NEC, according to the draft law.

Analysis

The lack of experienced personnel, from the NEC level down to the polling centre level, amplifies the need for mentoring and technical assistance from the international community as well as capacity-building and training programs at all levels. The NEC and its subsidiaries will have a major challenge in finding appropriate personnel for its secretariat and in recruiting the thousands who will be needed for a proper registration exercise, and even more so, for the general election. One would assume that former Census workers and school teachers will constitute the largest resource pool for these exercises.

Relationship Between the NEC and Other Electoral Bodies

Key Point: *The relationship between the National Election Commission and subsidiary election management bodies is not clear. The degree of autonomy and policy-making ability of the South Sudan Election High Committee is especially unclear.*

The draft law mandates the creation of the South Sudan Election High Committee (SSEHC) and High Committees in each state throughout Sudan. All of these committees will be established and appointed by the NEC. Each will have five members who are to be independent and non-partisan. The NEC appoints the head of each committee. The committees are to be independent from executive and legislative governmental bodies. They are to perform whatever functions the NEC delegates to them. The High Committees may in turn form temporary branch committees at smaller geographical and electoral levels. (Art. 18)

Analysis

Other than the statement that the NEC delegates functions and powers to the High Committees, it is unknown what relationship these committees will have with the NEC and with each other, i.e. the draft law does not prescribe a hierarchical structure. One could assume that the High Committees of the ten states in the South will report to the SSEHC, but the law certainly does not say so. (One respondent pointed out the lack of symmetry in this organizational structure, there being no High Committee for the North.) There is nothing in the draft law which would preclude the ten state committees from reporting directly to the NEC, as evidently the state committees in the north are expected to do. But if this were the case, then the SSEHC would appear to be an impotent entity in the organizational structure.

If one assumes that this part of the draft law, incomplete as it is, envisions most operational aspects of the general election in the South being administered by the SSEHC, then that opens the question of what funding and resources will be available to it. Several respondents related this organizational situation to that of the recently conducted Census. Two bodies jointly conducted the Census – the Central Bureau of

Statistics (CBS) in Khartoum and the Southern Sudan Commission for the Census, Statistics, and Evaluation (SSCCSE) in Juba. The CBS was responsible for policy and for providing necessary funding to the SSCCSE in the South.

But if funding for electoral operations in the South becomes an issue – as during the Census exercise – then the question must be raised as to whether direct financial assistance from the international community to the SSEHC is a possibility. In the opinion of most respondents, this is not an option, since the SSEHC only serves as a committee under the control of the NEC, and since the general election must be viewed and conducted as a national exercise. However, this would not seem to automatically preclude the provision of in-kind assistance to the South through the SSEHC, particularly any in-kind assistance that addresses some of the unique challenges and obstacles in the South, such as high illiteracy, inferior infrastructure, travel difficulties during the rainy season, etc. Finally, the Government of South Sudan is evidently not reluctant to come up with its own funding for southern programs when money is not forthcoming from the North. One respondent from the South Sudan Legislative Assembly, when speaking about financial relations between north and south, said “when they give what we need, fine; when they don’t give, we just find a way to do it ourselves.”

Other Legal Provisions Impacting the Electoral Environment

Key Point: Creating a proper electoral environment will require modification and passage of other laws in addition to the Electoral Law.

Sudan has existing laws that undermine the ability to conduct elections in accordance with international standards and that contradict the draft Electoral Law. Laws identified by respondents include the **National Security Act** and aspects of the broader criminal code it is based on – as well as **media laws**. These laws potentially limit the independence of the press and the freedom of candidates and citizens to participate in the campaign process.

The Assessment Team asked both internationals and Sudanese about current and planned efforts to reform these laws and, according to these respondents, there is little progress to date. Respondents said this was because GoNU and the National Assembly faced other pressing issues and because it would be difficult to get agreement on what reforms should be made. To advance the reform process, civil society groups have been working to develop model laws and drafts that can be presented to the National Assembly for consideration.

THE ROLES OF, AND EFFECTS ON, OTHER STAKEHOLDERS IN THE ELECTORAL PROCESS

The Role of Other Federal, Regional and State Governmental Bodies in Election Administration

Key Point: Despite its independence, the NEC will likely need support from other parts of government.

As stated earlier, the draft Electoral Law mandates that the NEC and its branches shall be financially and administratively independent from other ministries. However, as in most countries, it most likely will be necessary for the NEC to rely on certain ministries to support it in preparing for and conducting the General Elections and referenda. The NEC will probably need to seek support in the areas of warehousing, transportation of election and registration paraphernalia, recruitment of election and registration officials, and security for registration and election day, among others. To ensure cooperation from the ministries that may provide this support, the NEC will need to inform these ministries of its specific needs well in advance of the electoral events and secure memoranda of understanding or other signed documents. International electoral advisors should be prepared to assist the NEC in determining what agreements are needed.

The Role of NGOs and the Media

Key Point: Both domestic NGOs and media will play a role in educating the electorate.

A major challenge with both the General Election and referenda is ensuring that there is a fully informed electorate – an electorate that understands the value of the elections/referenda; how these democratic events will shape the future of their government; and, put simply, how to vote. Achieving this goal will be particularly difficult, given the high illiteracy rates in Sudan, the lack of electoral history, and the complexity of the elections and referenda.

Domestic NGOs and the media will play a significant role in providing the needed civic and voter education activities to achieve this goal. The international community will need to be involved in training, equipping, and funding NGOs, so that they can reach all levels of Sudanese society with properly coordinated civic and voter education messages. Some of these activities are already under way through USAID-funded programs as well as those sponsored by other countries. But these will need to be greatly enhanced – and closely coordinated – to achieve coverage of the whole country.

The role of the media may be somewhat smaller, given the lack of media penetration in much of the country, but no less important. There have been many unfortunate cases in other countries where ill-trained media have misinformed the public on aspects of upcoming elections. To avoid this, it will be necessary for the international community to work with various Sudanese media outlets to ensure that they understand how the elections and referenda will work, as well as how to effectively communicate this to their audiences.

Issues for People with Disabilities

The draft Electoral Law mandates that every polling centre shall “be located in a place to facilitate access by persons with special needs and the elderly...” (Art. 77(1))

The Assessment Team was not able to investigate the extent to which there are NGOs or other organizations targeting the needs of people with disabilities. Assuming such NGOs exist, organizers of

voter/civic education activities should endeavor to engage them so that education messages fully reach the disabled population.

Issues for Refugees, Internally Displaced Persons, and Diaspora Populations

Key Point: *As currently envisioned in the draft Electoral Law, refugees will not be allowed to vote, and registering and voting may be problematic for many IDPs.*

Refugees. According to a respondent at the International Organization for Migration (IOM) and data from the UN High Commission for Refugees (UNHCR), there are over 500,000 Sudanese refugees living outside the country. Half of these are refugees from Darfur who are mostly living in Chad. The other half are mostly from South Sudan. The biggest segments of these are now living in:

-Chad – 250,000	-Kenya – 40,000
-Uganda – 120,000	-Egypt – 12,000
-Ethiopia – 50,000	-Congo – 4,000

The refugee voting situation was evidently an issue in early discussions on the Electoral Law. But, according to an NCRC member and SPLM National Assembly member, there was genuine concern among the law drafters about vote-rigging in refugee camps. As a result, there is no provision for voting for refugees in the draft Electoral Law. The same respondent did suggest that there may be the possibility for refugee voting in the Self-Determination Referendum.

Internally Displaced Persons (IDPs). Data from IOM, UNHCR and the Office for the Coordination of Humanitarian Affairs (OCHA) suggest that there are over 5 million IDPs living in Sudan. Approximately half of these are from and in Darfur. Of the other half, virtually all (with the exception of residents of Abyei who are now in the South) are former residents of the South now living in the North as a result of the civil war and related strife.

The current wording in the draft Electoral Law will allow IDPs to vote, **but** only at and for the place where they are living during the voter registration exercise (and where they have lived for the last three months). The IOM respondent believes that this part of the law could spark a rash of returns – particularly those citizens who wish to vote for southern candidates and parties as well as those who are concerned that registering in the North may separate them from their true residences. This respondent thinks that “the draw is much greater to return for the elections” than it was during the Census.

There are special concerns about IDPs in and from Darfur and Abyei. Darfur IDPs have been discussed earlier (see “Other Obstacles to Credible Elections and Referenda”). As to Abyei, there are estimated to be 50,000 residents of Abyei now living as IDPs in the South. They may be fearful that if they register to vote where they are now living, they will lose rights to their original land. However, the Protocol on Abyei defines “residents” of Abyei as “those members of the Ngok Dinka community...” so by this definition displaced Dinka may be able to retain their voting rights in the Abyei area.

The Diaspora. The IOM respondent estimated that there probably about 100,000 Sudanese living abroad and holding resident visas in the countries where they are living. There are estimated to be approximately 30,000 in Germany and 20,000 in the U.S. The draft Electoral Law specifically allows them to register and vote for President of the Republic and in referenda, as long as they meet the other voter eligibility requirements. However, the law does not specify the method of registration or voting.

Analysis

While the Assessment Team believes that the fear of vote-rigging in refugee camps does not warrant their disenfranchisement, there are other operational considerations that may preclude providing full voting status to refugees. While procedures for voting for President of the Republic could be arranged, most of the other offices would require establishing the former residency of the refugee. It would also require the provision of many different ballot styles to each refugee camp in order to cover all the states from which a refugee may have come. A similar situation occurred in Afghanistan. For the 2004 presidential election, in which all citizens voted on the same ballot, voting was permitted for the 3 million-plus refugees in Iran and Pakistan. But for the legislative elections held a year later, the cost and logistic problems in producing and distributing all the ballots that would be required in the refugee camps were considered too large to warrant such an exercise; therefore refugees were not able to vote.

The Assessment Team believes it is unfortunate that, under the draft Electoral Law, IDPs can only register for the place where they are currently living. If there is no political will to modify this policy in the law, there should be efforts to ensure IDPs that registering will not affect their rights to return to their homeland.

ELECTION DISPUTES AND CONFLICT MITIGATION

This section explores current and planned activities in Sudan and describes some “best practices” used in other countries.

The Assessment Team considered mechanisms and programming options to address potential conflict caused or exacerbated by the electoral process, to limit violence around the election, to ensure the integrity of the process and to address electoral complaints that are endemic to the election process.

The Government of National Unity (GoNU), Government of South Sudan (GoSS), political parties and the international community are developing and implementing security sector reform (SSR) programs in Sudan. Many of these efforts are consistent with SSR best practices which maintain that reform efforts include tasks such as training and equipping of security forces but also seek the involvement of civil society and civilian government authorities in the overall management of security.

Many Sudanese government and political leaders and international donor representatives the Team spoke with were concerned about the potential for the elections to produce further instability and disrupt the peace. However, they also recognized that during the election process, there is the opportunity to further SSR goals including increasing civilian oversight of security forces and demobilization, disarmament and reintegration of former combatants and professionalization of security forces.

Comprehensive SSR efforts by GoNU, GoSS and international donors should be accelerated in anticipation of security needs for the elections. In addition, efforts to address election-specific security and conflict resolution issues should be pursued. Some of these election-specific issues and potential solutions are highlighted below.

Security Forces Training, Coordination and Management

Key Point: In addition to ongoing general security forces training programs, election-specific training for police, army and non-state security forces is needed.

A number of joint GoSS and donor-sponsored efforts are underway to train and reform Southern Sudanese security forces. In the South, the U.S. State Department, through a contract with DynCorp,

along with the British, are assisting GoSS with training and restructuring of the Southern People's Liberation Army (SPLA). The United Nations is supporting GoSS police training efforts. In addition, there are plans to conduct SPLA and police training exercises using an election scenario. In the North, GoNU and international donor SSR efforts are more limited. They have included activities such as the development of a white paper on SSR and a briefing session for government officials.

In addition to these ongoing efforts, election-specific training for police and army should be pursued. Training for non-state security forces in geographic areas where they might provide election security should also be considered by GoNU, GoSS and international donors. There may be a need for donor assistance to security forces in the form of communications equipment, building repair or improvement, and increased operating and transportation funds during the registration and election period. Security force training and coordination efforts may be especially helpful in the Three Areas.

Joint operations centers (JOCs) that co-locate security forces and civilian authorities to enhance rapid communications and information-sharing are also critical for bolstering monitoring and response capabilities during critical periods in the election cycle. JOCs could be set up and operated at national, regional, state and local levels or could be operated in potential conflict areas. There may be a role for donors to assist GoNU and GoSS to set up and staff such JOCs.

Communications and Results Announcements

Key Point: Strong public outreach and effective communications by the election management body are important for mitigating election-related violence.

Investing in building a strong public outreach system that can rapidly disseminate messages from the electoral management body is an important way to reduce the risk of the outbreak of violence during the election period. In some recent post-conflict elections, such as in Afghanistan, the infrastructure for this has been funded by international donors.

One area of particular importance is the tabulation and results period – a time when the risk of electoral violence is especially high. If results are delayed or if the population does not have a clear understanding of how and when results will be announced, instability and unrest might occur. A strong public outreach effort on the part of the electoral management body has proven important in many countries for preventing conflict and violence during this period.

In recent post-conflict elections, this has been accomplished through provision of a well-equipped and managed results and media center. Such media centers have communication facilities for the press as well as political party agents, observer groups and other stakeholders. In the case of Sudan, with limited mass media infrastructure, there should also be methods to strengthen traditional communication methods, such as mobile phones, in order to effectively communicate election information to the public.

Disputes and Complaints

Key Point: Currently there are no election dispute mechanisms in place in Sudan. An efficient, transparent and just system to manage electoral disputes and complaints from candidates, political parties, civil society groups, voters and other stakeholders is important for the credibility of results as well as for mitigating election-related conflict and violence.

As described above in the Electoral Law section, electoral dispute resolution mechanisms are somewhat vague and undeveloped. For many disputes, regulation and procedures will have to be developed to

determine what complaints are within the jurisdiction for the election management body to handle independently and what types will be passed to the courts.

Depending on the rules and regulations, the NEC or the courts may need additional management and administrative capacity to handle complaints in a timely manner, including complaints against the NEC itself.

In the case of the Afghanistan Parliamentary Election, an independent electoral complaints commission (ECC) was established and given jurisdiction to handle electoral complaints. A similar arrangement could be useful in Sudan. Its relationship to the formal court structure would have to be determined and incorporated into either electoral rules or the law.

This dedicated complaints body might be more credible and efficient at resolving election disputes than existing judicial structures. However, setting up this body would require additional resources and the identification of additional credible and independent commissioners, which is challenging in all contexts and might prove especially challenging in the case of Sudan.

Conflict Mapping and Traditional Conflict Resolution

Key Point: An effective conflict prevention plan should incorporate local traditional leaders.

Building a system for identifying and monitoring likely areas of conflict is important for conflict and violence prevention. Conflict prevention plans can then be developed and implemented for these areas, and electoral and security authorities can pre-position civilian and security conflict resolution resources to these locations during critical electoral events.

Importantly, in the case of Sudan and many other post-conflict environments, local traditional leaders play a significant role in conflict resolution. Their capabilities have to be assessed and incorporated into any conflict prevention efforts.

According to respondents the Team met with, the Electoral Institute of South Africa (EISA) is developing plans for building conflict prevention and response capacity in Sudan. This plan incorporates local leaders based on a model EISA successfully introduced in the Congo during recent elections. EISA also is identified in UNDP election project documents as a potential partner. (The Assessment Team was unable to meet with EISA to learn more about this plan.)

Finally, these efforts are most successful when they are coordinated with other current or planned non-election specific systems of conflict assessment and human rights monitoring.

Non-state Security Providers

Key Point: In some areas of Sudan there are no formal security structures. Non-state security actors who may be involved in the provision of election security should receive specific training on their roles and responsibilities.

The role and involvement of non-state security actors in election security has to be considered by election authorities. In many areas these groups are involved in the provision of security, either through their own initiative, the void of other security actors or because they have been put in this role by GoSS or GoNU

officials. Indeed in the Three Areas, poorly equipped and trained militias have been incorporated into Joint Integrated Units (JIUs).³

If it becomes necessary to use these groups for election security in some areas of the country, then there should be efforts to professionalize them. Training programs and recognition of their roles and responsibilities during the election period, as well as development of codes of conduct and standard operating procedures for them, should be considered by GoNU, GoSS and donors.

DONOR AND INTERNATIONAL ORGANIZATION SUPPORT AND COORDINATION FOR THE CPA ELECTION PROCESSES

Donor Assistance Strategy

Key Point: To produce a uniformly transparent and credible election process across Sudan, differences in needs and challenges to providing election assistance in the North, South, Three Areas and Darfur must be considered by donors and the GoNU.

Donors are seeking to provide support to the electoral process so that it is uniformly well managed across the country and operates with transparency and credibility. The UN and individual donors are planning to provide support at all levels – national, regional and local. The levels and types of support needed are different in the North, South, the Three Areas and Darfur because of the very different conditions in each. In addition, the support requested and accepted by the Government of National Unity (GoNU) may be different in each area. (As of this writing, GoNU has yet to request election support from the UN or other sources.)

The North has better administrative capabilities and fewer logistical challenges but has limited experience with elections. The South has tremendous logistical challenges brought on by climate, poor infrastructure and limited administrative capability. It also has virtually no experience with conducting elections. Darfur and the Three Areas provide even greater challenges due to ongoing conflict.

There are a number of current and planned efforts to support the CPA election processes through both the United Nations and through bilateral aid agencies. The United Nations, largely through UNMIS, UNDP and UNOPS, plans to offer direct and indirect support to the National Election Commission (NEC) and the Southern Sudan Election High Committee (SSEHC). Much of this support is conditional on both the direct request of the GoNU and also the passage of an electoral law and establishment of the NEC.

In addition to support through the United Nations, donor countries have ongoing or planned bi-lateral aid programs. However, at this stage, these plans and current programs are highly dynamic as donors and UN agencies determine what resources they can offer.

UN Electoral Assistance – UNMIS, UNDP and UNOPS

Key Point: UNMIS is the coordinator of United Nations election assistance and will provide technical assistance and logistic support, while UNDP will assist with managing donor funds and contracting for election-related projects such as observation and political party training. Finally, UNOPS likely will assist with procurement, logistics and building refurbishment and construction.

³ International Crisis Group (ICG), “Sudan’s Comprehensive Peace Agreement: Beyond the Crisis,” March 2008 and interview with UNMIS staff.

Though general plans have been made, there are still negotiations taking place among UN agencies about roles and responsibilities for supporting the election processes.

UNMIS has overall coordination responsibilities for UN work in Sudan. Through its Chief Electoral Affairs Officer (CEAO), Ray Kennedy, it will lead electoral assistance efforts. The CEAO has twenty-six staff currently in Sudan to support the process, with 20 in the South and 6 in the North. Depending on the level of support requested by GoNU, GoSS and the NEC, UNMIS plans to provide anywhere from 150 to 900 total UN staff. The staffing level varies depending on whether an equal level of technical assistance is required in the whole country, the South only, or the South and Darfur. It also varies depending on whether assistance is provided at the headquarters, regional, state or district levels or some combination of these.

In addition, UNMIS staff could directly help with logistics using existing air and ground transportation assets or augmenting them if needed. Finally, existing UNMIS staff, such as human rights officers, political affairs officers and civilian police can also be mobilized to support the electoral process. As the CEAO described, UNMIS can provide personnel and logistics assistance but cannot provide financial assistance to the NEC for commodity purchases or operational expenses.

UNDP, through the Election Assistance Basket Fund (EABF) aims to fill this gap and more. As described in the UNDP Project Implementation Plan (PIP), it proposes three phases of work. The first phase, which is starting immediately, includes work to support development of the electoral legal framework, civic education, domestic observation and political party, civil society and government officials training.

Most of this work would be contracted to outside firms that are likely to include International IDEA, the Carter Center, the Electoral Institute of South Africa (EISA) and others. Though initial documents proposed working with these firms without additional bidding and tendering processes, UNDP now says there may be some changes in the procurement method so that other firms may seek a contract award. In addition to continuing first phase activities throughout the election period, in the second and third phases of the basket fund, UNDP plans to procure electoral materials, equip NEC offices and provide additional technical assistance as needed to the NEC. (Phase I is from May 2008 to February 2009; Phase II is from March 2009 to the end of the General Election; Phase III is from after the election through the end of referenda.)

Donors to the Basket Fund include the British through the Department for International Development (DFID), the EC, Canada, Netherlands, Italy, Norway and possibly others. As the Basket Fund project management structure becomes established, DFID plans on completing ongoing bilateral projects and then implementing future projects through the Basket Fund management structure.

UNOPS is another key UN agency that is supporting CPA electoral processes. Plans call for UNOPS to assist with logistics, building construction and refurbishment, and procurement. In addition, with Dutch assistance and approval of GoSS – and in cooperation with the UNMIS Chief Electoral Affairs Officer – UNOPS recently completed a comprehensive 3-month assessment of the logistic, operations, staffing, procurement and budget requirements for the CPA election processes in Southern Sudan. This assessment also included an analysis of possible electoral timelines, civic education needs and model organization structures for the SSEHC. Briefings were held for the Election Donor Group (EDG) in the North and the South Sudan Election Donor Group (SSEDG) and GoSS. The report is expected to be distributed to donors and GoSS officials soon.

Bi-lateral Donor Electoral Assistance

Key Point: Donors other than the United States are conducting some bilateral election-related programs but plan to contribute future funds through the UNDP Basket Fund mechanism.

In addition to the United States, key bilateral aid providers include the European Community, United Kingdom, Netherlands, Canada, Norway and Italy. While most of these countries are sponsoring current projects, most told the Assessment Team that they intend to eventually put all election-related funds into the UNDP Basket Fund. The European Community said they will provide large financial support but did not indicate how much. The United Kingdom appears to be the largest current supporter. DFID representatives said they have about 11 million pounds or about 20 million US dollars to dedicate to the process. The Canadian government intends to contribute about 5 million dollars. It is unclear how much funding other contributors plan to offer.

Voter and Civic Education Assistance

Key Point: Currently, civic education programs are the main focus of election assistance.

Up to this point, donor attention has focused largely on civic education. This focus can be attributed to the great need in this area and to the fact that it is one of the few areas where activities can be implemented now, before an electoral structure is in place. Most of these activities are focused in the South and include education/outreach activities by Mercy Corps (with support from NDI), Christian Aid, PACT and IRC. Also Friedrich Ebert Stiftung Foundation (FES), through support from DFID, is providing civic education activities in the North. Finally a CIDA/IFES scoping mission on civic education focusing primarily on the North should begin soon. In another effort, DFID is considering support for a civic education assessment in Darfur.

UNOPS has proposed a robust, UN-coordinated voter education effort in the South estimated to cost about \$6.5 million over a three-year period. This would be coordinated by a Technical Support Unit, and it envisions employing about 1,300 master trainers, supervisors, and educators to provide civic and voter education programs throughout the South.

Coordination

Key Point: Many election assistance coordination mechanisms are planned for donors, implementing agencies, GoNU, GoSS and NGOs. However, it is unclear which ones will be most effective.

There are numerous mechanisms established or planned to coordinate assistance among UN agencies, donors, and GoNU. Coordination among the donors and the UN is ongoing through the EDG and SSEDG. In addition, United Nations agencies and UNMIS plan to coordinate UN efforts through an election task force that includes the heads of UN agencies and senior managers. A steering committee for the UNDP Basket Fund is also envisioned that would include UN officials, donors, GoNU, GoSS and civil society groups. In practice, these coordination mechanisms will likely evolve and change as they are tested.

A table of current and proposed coordination forums, excerpted from the UNDP Project Implementation Plan (PIP), is attached as appendix 2.

Analysis and Possible USAID Approach to Donor Coordination

Key Point: USAID can provide assistance through implementing partners or the UNDP Basket Fund, or a combination of both, to achieve its goals of supporting the election process in all parts of the country.

UNDP programming plans for the first phase of the Basket Fund are comprehensive and include activities currently being done through bilateral donor programs funded by USAID, DFID, the EC or CIDA.

In its future election support programming, USAID could choose country-wide projects which are of most interest and would best be supported with bilateral aid, and pursue those projects that complement other donor and Basket Fund projects. However, in the North it may be more effective to fund projects through the Basket Fund because multi-lateral assistance might be more acceptable to GoNU than programs from a single country. Finally, bilateral programs could be pursued in the South only.

Many ideas listed in the Assessment Team's recommendations are also in the Basket Fund project document but are projects that may be pursued bilaterally. These include legal reform, civic education, and security and conflict resolution programs. In addition, there may be short or longer term technical assistance that can be provided to the NEC or SSEHC if coordinated with UNMIS. As the election processes advance and the Electoral Law is passed and the NEC established, there may be a need to reassess what type of support is best provided through the Basket Fund and what is best done through bilateral aid mechanisms.

Projects the Assessment Team was able to identify to date are listed in the table below.

TABLE: DONOR AND INTERNATIONAL ORGANIZATION SUPPORT TO CPA ELECTION PROCESSES

	Current programs	Planned short-term	Planned med-term	Planned long-term
European Community	<ul style="list-style-type: none"> Committed to strong financial support for election Media Law reform support (along with DfID) Serving as focal point for SSEDG civic ed sub-group 	<ul style="list-style-type: none"> Basket fund 		
Japan	<ul style="list-style-type: none"> Unknown 			
Italy	<ul style="list-style-type: none"> Lead in EDG on legal framework 	Basket Fund		
United Kingdom / DfID	<ul style="list-style-type: none"> EDG lead on Media training and regulation Political party training – IDEA <ul style="list-style-type: none"> Six large (Foreign Office) Small parties (DfID) Security Sector Reform – Elections Nexus Some type of bilateral program with security forces in both North and South, but unclear Civic education – FES (North focused) – working with network of CSOs on election issues Media training and law reform BBC World Service Trust Article 19 NCRC Election Law Drafting Advice Civic education baseline study in North and South – (DfID and CIDA) Sponsored NCRC member study tour to Scottish elections 	<ul style="list-style-type: none"> Current programs folded into basket funding mechanism Future basket funding Possible support to EISA on capacity building for conflict resolution Sending people to BRIDGE course in Jordan and sponsoring BRIDGE course in Sudan 	<ul style="list-style-type: none"> Basket Fund 	
Netherlands	<ul style="list-style-type: none"> Funded UNOPS assessment EDG lead on capacity building 	<ul style="list-style-type: none"> Basket Fund 		
Canada	<ul style="list-style-type: none"> Funding IFES/CIDA civ-ed assessment (mostly in North) Civ-ed baseline study in North and South (DFID/CIDA) 	<ul style="list-style-type: none"> Basket Fund Darfur-focused civ-ed assessment 	<ul style="list-style-type: none"> Basket Fund 	
Norway	<ul style="list-style-type: none"> Heading observation sub-group and shepherding Carter Center proposal on domestic observation 	<ul style="list-style-type: none"> Basket Fund 		
International Organizations				
UNDP	<ul style="list-style-type: none"> Project Initiation Plan (PIP) basket mechanism preparation and outreach 	<ul style="list-style-type: none"> Political party Training Civic Education Observer group training Conflict mitigation - EISA 	<ul style="list-style-type: none"> Continuation of current activities Procurement Technical assistance 	
UNMIS	<ul style="list-style-type: none"> Advising and monitoring Continuation of UNOPS assessment activities Managing staffing request 	<ul style="list-style-type: none"> Provision of operational and technical advisors 	<ul style="list-style-type: none"> Technical assistance Logistic assistance Security Force training 	
UNOPS	<ul style="list-style-type: none"> South Sudan Gap Assessment completion and dissemination 	<ul style="list-style-type: none"> Gap Assessment completion and dissemination 	<ul style="list-style-type: none"> Procurement of election materials Election building refurbishment / construction 	
IOM	<ul style="list-style-type: none"> No ongoing programs 	<ul style="list-style-type: none"> If requested, assist with IDP/refugee registration/voting 		

RECOMMENDATIONS

The Assessment Team offers both policy and programmatic recommendations. The programmatic recommendations are made without regard to which funding mechanisms USAID may wish to use. They are programs that could be funded within the UN Basket Fund *or* programs currently envisioned in the Basket Fund which could be pulled out and funded bilaterally *or* programs that could stand completely apart from current UN proposals.

(1) Convene the diplomatic community to develop a coordinated message to persuade the Sudanese governments (GoNU and GoSS) and CPA signatories to adopt a new, workable timeline for elections and take actions required to meet it.

The obstacles to holding the general election by July 9, 2009 outweigh the benefits of staying with the timeframe outlined in the constitutions and CPA. However, a possible negative impact of moving the election date to December 2009 or even later would be further procrastination on the part of Sudanese political actors in passing needed enabling legislation such as the Electoral Law.

(2) Fund an Elections Complaints Commission advisory project.

Through an implementing partner, international elections experts could be contracted to develop alternative models for creation of an entity to accept, process, and adjudicate complaints through the registration period, campaign period, and election and referenda events. The plan could address the needs for complaints-processing and adjudication at all levels, including the National Election Commission (NEC), South Sudan Election High Committee (SSEHC), and State High Committees. The positive impact of this recommendation would be to spur development of an acceptable and politically neutral method of processing and adjudicating complaints throughout the election cycle. It may not be feasible to undertake this effort until after the creation of the NEC and SSEHC since it will require their buy-in. Such a program could be ongoing from summer of 2009 until the end of the referendum period.

(3) Fund capacity-building activities for the NEC, SSEHC and State High Committees and their senior staff.

These activities would include BRIDGE⁴ training, study trips, mentoring and other training modalities. In addition to election management training, curricula could include courses in organizational management, financial and IT skills. A robust capacity-building program would serve to develop skill sets among Sudanese election commissioners and secretariat prior to the elections and referenda. These capacity-building activities could be more difficult to conduct in the North than the South depending on the openness of the NEC to such assistance.

(4) Provide financial support for international and domestic observer groups.

Sudanese respondents emphasized the importance of international observation to ensure integrity in their elections. Furthermore, the CPA Protocols state that “international monitors shall participate in the observation of elections” and mandate international observation of the Referendum on Self-determination for the People of South Sudan. The Assessment Team believes that a robust international *and domestic* observer presence will be a key element in furthering the goals of transparency in the electoral events. Observer groups from African organizations and countries should be considered for such missions.

⁴ Building Resources in Democracy Governance and Elections (BRIDGE) is a comprehensive election management training program sponsored by IFES, the UN Electoral Assistance Division, UNDP, the Australian Election Commission, and the International Institute for Democracy and Electoral Assistance (IDEA)

(5) Support and encourage immediate creation of election task forces in both North and South.

There appears to be an urgent need for ad hoc groups of Sudanese officials to begin considering voter registration and election issues prior to the creation of the NEC and SSEHC. Hopefully members of such task forces would become commissioners or senior election officials once the NEC and SSEHC are established. The diplomatic community, donor agencies and current implementing partners should take the lead in attempting to organize such task forces. Once organized, the task forces should be supported as necessary by advisors from the international community. There seems to be general agreement in the international community that such task forces would be extremely helpful to the election process.

(6) Fund the set-up and operations of Democracy Resource Centers.

These centers, which have been successful in several other post-conflict countries, provide a place for civil society organizations, domestic observer groups, other NGOs and possibly political parties to use computers, copiers and other IT equipment. They also provide training and meeting rooms and serve as repositories for resources on election processes, governmental structures and civic education. They are most valuable to organizations and political parties with few resources. Ideally, such centers could be set up and supported in all 25 states and some counties in Sudan. A basic model for the centers has already started through Mercy Corps, which has 8 civil society resource centers in South Sudan. The concept has also been discussed in the UNDP Project Initiation Plan (PIP) and is being considered by International IDEA. Once the NEC and its branch commissions are created, these centers could be turned over to or run jointly with the election commissions. While they would be highly useful in both North and South, they may be easier to support and set up in the South than the North.

(7) Increase Support for Grassroots Civic and Voter Education Activities.

While USAID already funds such activities through Mercy Corps and NDI, the needs in this area are great, given the high Sudanese illiteracy rate and low knowledge of CPA, governance structures and planned electoral events. Working with existing programs, USAID implementing partners could be funded to start civic and voter education programs in geographic areas not yet covered. These could begin immediately, while UNOPS/UNDP begins to develop its own civic education plan. Then these USAID-sponsored activities could be closely coordinated with the overall UN plan. (Many respondents cited the need for better coordination for civic education activities among international partners.) These programs will greatly increase the ability of the Sudanese people to participate in an informed way in the elections and referenda. There may be more of a need to implement these programs in the South and transition areas although it is likely that the need in the North is also great.

(8) Fund the development of media centers in Juba and, if possible, Khartoum.

Such media centers, common in many recent post-conflict country elections, provide a venue for election commissioners, international donors and others to communicate election messages and results to local and international media. They also provide opportunities for journalists to interview the major actors in the election process. These centers have a positive impact on the electoral process by enhancing communication to the public on electoral issues and providing a means to quickly and accurately communicate election results. Some of the recent successful models have been funded at least partially by USAID. Media centers could only be created with approval and cooperation of the NEC and SSEHC, and such approval may be more difficult to obtain in Khartoum.

(9) Support training for forces responsible for election security.

Training needs to be provided to police, military and non-state security providers in crowd control and protection during the campaign season and on proper behavior at registration and polling sites. Respondents within GoSS and the international community repeatedly emphasized the importance of ensuring peace and security during the election process. Proper training of security forces will help achieve this outcome. It is likely that training provided by USG implementing partners would be more accepted in the South than in the North.

(10) Provide needed equipment to security forces.

Providing communications equipment and vehicles to security forces responsible for election security will strengthen their ability to operate effectively during electoral exercises. It appears that various joint (North/South) units and Southern security forces, particularly those other than SPLA, are poorly equipped and not at a sufficient stage of development to provide effective security for electoral events. Donor coordination with the DFID Security Sector Advisors would be helpful for determining needs in this area.

(11) Provide technical advisors to the SSEHC and State Committees and possibly the NEC.

Through implementing partners, USAID could provide key technical election advisors that would most likely be seconded to UNMIS, as was done in Afghanistan and other post-conflict elections. Given the lack of electoral history in Sudan, technical advisors with broad expertise in post-conflict election management are a necessity for the success of election operations. Through discussions with UNMIS, USAID could determine the advisability of providing expert advisors to the NEC in Khartoum, but if political considerations suggest that this is inadvisable, then they could be provided specifically in the South. The level of support would be dependent on stated needs from UNMIS.

(12) Consider providing support to the UNDP Election Assistance Basket Fund (EABF).

Contributions through the Basket Fund may reduce USG control over the use of funds; however, it may help USAID have a desired impact in the North and provide for closer coordination with other international donors. It would ensure US involvement in a wide variety of UN-sponsored programs. Further, the Basket Fund as currently proposed will allow for earmarking of funds for specific programs, which may provide some modicum of control over fund usage.

APPENDICES

Appendix 1:

List of Respondents Interviewed

Interviews Conducted in Juba

AYUEL MONYLUAK ALUOU, SPLM Assistant Secretary for Political Affairs
CAROLA BALLER, Dutch Embassy
DENG BIONG, Consul General and Director for Training and Research, Government of South Sudan
SHYAM BHURTEL, Senior Governance Advisor/ Team Leader, Governance Unit, UNDP Southern Sudan
ADAM BOLOUKOUS, Country Director, UNOPS
GUILLAUME CHARTRES, Gap Assessment Project Manager, UNOPS
KC CHOE, USAID Democracy and Governance Unit
GEORGE CONWAY, Deputy Head of Office – UNDP Southern Sudan
AWUT DENG, Minister of Human Resources and Labor and Member of South Sudan Legislative Assembly
CARLOTTA FERRERO, Technical Advisor on Governance, EC – South Sudan Office
AMI HENSON, Former Sudan Country Representative, USAID Office of Transition Initiatives
SENADA KAHRIMAN, Deputy Chief of Party, Mercy Corps
RAY KENNEDY, Chief Electoral Affairs Officer, UNMIS
RICHARD KLINE, Sr. Advisor – Elections and Political Processes, National Democratic Institute
VEENA KUMAR, Chief of Party, Mercy Corps
JEROME LEYRAULT, Gap Assessment Project, UNOPS
JAMES LUAL, SPLM Secretary for Political and Organizational Affairs
MAJOK MADING MAJOK, Undersecretary of Legal Affairs and Constitutional Development, Government of South Sudan
KYM MCCARTY, National Democratic Institute
GRAY MITCHELL, Deputy Country Director, International Republican Institute
PHILLIPA NEAVE, Gap Assessment Public Outreach Expert, UNOPS
DICKSON OSMONDI, National Democratic Institute
AMSELME SADIKI, Programme Specialist, UNDP Southern Sudan
DAVID SAUNDERS, Head of UNMIS Humanitarian Affairs Liaison Unit
SUSAN STIGANT, Country Director, National Democratic Institute
JEREMIAH SWAKA, Advocate General – Government of South Sudan; and Member, National Constitutional Review Committee
ERIN TARIOT, US State Dept Political Officer
GERARD WAITE, Juba Head of Office, International Organization for Migration
MATT WHITTING, US Department of Agriculture and Sudan Census Advisor
MAX ZALDIVAR – Resident Country Director, International Republican Institute

Interviews Conducted in Khartoum

ATTA EL-BATTAHANI, Program Manager, International IDEA; and Professor, University of Khartoum

LAUREN BRAUNOHLER, Political Officer, US Embassy Khartoum
FREDDIE CARVER, Governance Advisor, UK Department for International Development (DFID)
STIAN SAND CHRISTENSEN, First Secretary, Royal Norwegian Embassy
MASSIMO DIANA, Head of Governance and ROL Unit, UNDP
JOSHUA DAU DIU, Chairman, The Special Commission for the Rights of Non-Muslims in the
National Capital; and Member, USAP(1) Political Party
FRANCOIS-PHILLIPE DUBE, Canadian International Development (CIDA) Representative
SANJA GAVRIC, Development Officer, Sudan Program, CIDA
WANDIA GICHURU, Governance Adviser, DFID Sudan
PRISCILLA JOSEPH, Member, National Assembly; Chair of Human Rights Commission; and
Member, NCRC; Member, SPLM
ROBBIE MOPP, Field Office Director, Democracy Program, The Carter Center
GRAHAM THOMPSON, Security Sector Reform Advisor, DFID
JOSEPH UKEL, Minister of Parliamentary Affairs, GoNU; Chairman, Union of Sudan African
Parties (USAP)
ALY VERJEE, Deputy Field Office Director, The Carter Center
ANSELM SADIKI, Program Specialist, UNDP Southern Sudan

Appendix 2:

Table of Current and Proposed Electoral Assistance Coordination Forums

(Excerpted from UNDP Project Implementation Plan (PIP) Document, version May 1, 2008)

Forum/Process	Convenor	Representation	UNDP	Frequency
EDG Ambassadors/ SRSG <u>Role:</u> High-level policy and diplomacy	SRSG	EDG Ambassadors, SRSG	Country Director	Frequency: Monthly, depending on need
Steering Committee on Elections <u>Role:</u> UN internal policy-making in relation to electoral support	SRSG	SRSG, DSRSGs, JSR, Regional Coordinator, Chief Electoral Affairs Officer, UNDP CD	Country Director	Monthly
Electoral Donors Group & Working Groups; South Sudan Electoral Donors Group & Focal Points <u>Role:</u> General coordination and information sharing	EDG & SSEDG chairs	All donors, UNMIS, UNDP, other UN agencies and implementing partners	Deputy CD(P) North & South Elections Advisors	Frequency: Monthly
Elections Support Project Board <u>Role:</u> Review and approval of project work plans and budget Project oversight and decision making	GoNU	Donors, PMU & GoNU	(1) DCD(P); (2) Head of Unit; (3) Senior Elections advisor, etc.	Monthly
Project Management Unit <u>Role:</u> Implementation of Project, fund management and reporting	N/A	Project Manager & Support staff & Specialists	Elections Advisors Head of Unit	Daily and/or as needed
Elections Task Force <u>Role:</u> Internal coordination of UN agencies intervention	UNMIS Chief Electoral Affairs Officer	All relevant UN agencies and offices in Juba, Khartoum and El Fasher.	DCD (P) Head of Unit	Monthly