

IOM report to UNDP on implementation of the Out of Country Voting element of the Southern Sudan Referendum

Project Report

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New England-based Sudanese rejoicing after voting in Arlington, USA (Dina Rudick/ Globe Staff)

Project Report Details

- Reporting Agency: International Organization for Migration
- Country: Sudan, plus the 8 countries named in the Southern Sudan Referendum Act 2009
- Project Number and title: 00074668 & 00074669 Support to Southern Sudan Referendum Project
- Project duration: October 2010 to June 2011
- Reporting Period: October 2010 to June 2011 (project signed 3 February 2011)
- Project Budget:
 - Total estimated budget: USD 15.6 million. Actual expenditure USD 12,853,860.29.
 - BF amount estimated at: USD 9,477,244. Actual amount for BF: USD 6,687,597.
- Funds committed for Reporting Period:
- Other Donors:
 - IFES 494,708
 - USAID 3 million
 - UN EAD 60,000
 - UN PBF 1,622,441
 - AUSAID 994,036
 - DFID 2,947,702
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Table of Contents

Project Report Details	2
I. Executive Summary	4
II. Introduction.....	4
III. Progress Review	6
IV. Challenges and Lessons Learned.....	7
V. Partnerships and Sustainability	8
VI. Financial Summary.....	9

I. Executive Summary

Provision was made in the Southern Sudan Referendum Act of 2009 for Southern Sudanese in 8 countries to take part in the referendum provided for under the Comprehensive Peace Agreement in which the Southern Sudanese would decide whether the South would remain united with the North or should secede. The Act also made specific provision for IOM to assist in the implementation of the referendum “in any location outside Sudan”. IOM signed an MoU with the Southern Sudan Referendum Commission (SSRC) to assist them in the tasks set out in the Act.

IOM established offices in each of the 8 countries in which OCV was to take place, procured equipment, hired and trained core staff, rented premises for the registration and polling, conducted outreach and voter education activities to ensure potential eligible voters knew where, when and how to register and vote, identified and trained the Sudanese Nationals identified as potential registration and polling staff, identifiers and considerations committee members ready for selection by the SSRC, supported the SSRC in-country representatives in the accreditation of observers, and in the registration, exhibition, polling, sorting, counting, and declaration of results. IOM also supported the SSRC in arranging visits by SSRC Commissioners and secretariat staff to some of the countries during the registration period.

60,219 people registered and 58,203 people voted in the 8 countries at 80 registration and polling stations in 41 locations. Observers certified the process to have been free and fair.

The main challenge was the extremely tight timeline between the signing of the MoU with the SSRC (4 October 2010) and the start of registration (15 November 2010). Another challenge was the limited experience of the SSRC in implementing a referendum and thus the delays in getting decisions on key issues, and in getting SSRC representatives appointed in each of the 8 countries. The delay in the Sudanese authorities issuing a formal request to the Government of Egypt to allow OCV to take place on their soil resulted in a late start of registration in Egypt. The SSRC decided not to open the registration centres in the US and Australia on the declared first day of registration even though they were ready, while they decided on whether, how many and where additional centres would be opened in those countries in response to lobbying from diaspora groups. 2 additional centres were opened in Australia and 5 in the US. During the polling phase, there were floods in Brisbane, Australia which forced the closure of the polling centre for several days. The SSRC allowed polling in Brisbane to go on beyond the 7 days foreseen to give the voters there a chance to vote once the centre was able to reopen.

II. Introduction

The Comprehensive Peace Agreement signed on 9 January 2005 ending the civil war in Sudan made provision for the holding of a referendum 6 years after the signing of the CPA, ie 9 January 2011 to enable the Southern Sudanese to choose between the continued unity of the country or secession for the South. IOM was named in the Southern Sudanese Referendum Act of December 2009 as providing assistance to the entity involved in planning, preparing for and implementing the out of country part of the Southern Sudanese Referendum in accordance with the Act, which named 8 countries with substantial Southern Sudanese populations. IOM signed an MoU with the SSRC on 4 October, the entity charged with the referendum as a whole, and the Basket Fund grant

was to enable IOM to provide this support to the implementation of a crucial component of the CPA and the peace-building process as a whole.

The programme supported the implementation of the CPA and political dialogue, and contributed to increasing peaceful conflict resolution. An organized, fair, free and peaceful referendum in which the identified Southern Sudanese diaspora participated was expected to lead to greater stability for Sudan and the greater region as a whole. The project was also intended to help cement the legitimacy of the SSRC and Southern Sudanese government authorities which should in turn encourage donors to more fully support peace-building measures.

The specific main objectives and outcomes were the provision of the opportunity for eligible voters residing outside Sudan to participate in the Southern Sudan Referendum in full accordance with the Southern Sudan Referendum Act and the Southern Sudanese Referendum Commission Rules and regulations. The out of country element supported the UN's and specifically UNIRED's efforts on assisting the SSRC for the in-country conduct of the referendum.

Because of the difficulties in getting visas for international staff to enter Sudan, IOM established the main operational and coordination office in Nairobi Kenya, where the largest country operation would also be. A core team was recruited and established in Nairobi to oversee the recruitment of staff for the 8 countries, establish procedures and guide the whole process. A liaison office was established in Khartoum inside the Chief of Mission's office in Khartoum to maintain constant contact with the SSRC and with UNIRED to ensure that to the extent possible the OCV element was in line with the in-country implementation for consistency, and that questions, recommendations and decisions which applied to both in-country and for OCV were discussed with the SSRC in a coordinated way.

Implementation mechanisms used were based on IOM's past experience of implementing OCV operations. A number of key international staff with experience of OCV or other key skills and experience such as operations, logistics and procurement, financial and human resource administration, from IOM missions around the world provided surge capacity for this programme. Additional international staff were recruited on all-inclusive contracts for maximum speed and flexibility and local staff were recruited for the whole period on the basis that they would be paid only for those days actually worked. A pool of registration and polling staff were identified and trained in each country so that the in-country representatives could make the final selection, and have a reserve of staff in case of need, poor performance or drop outs.

Procurement procedures used were standard for IOM in emergency situations. Because the agreement with UNDP was only signed after the completion of the polling phase, none of the UNDP Basket funding was used for procurement.

In terms of **monitoring systems**, there were excellent communication channels between the OCV liaison office in Khartoum and the operations/coordination office in Nairobi so that policies and guidance coming from the SSRC or UNIRED were channeled through Nairobi and combined with other systems and mechanisms in place for instructions and guidance to the 8 country offices. A daily reporting system was put in place from each country with headings so that both particular

and systemic problems could quickly be addressed, and lessons learned in one place could be passed on to others. A system of guidance notes and Qs and As was instituted both for the registration and polling phases. These systems ensured that lessons and solutions were fed swiftly to all who needed to know, and any questions were put to the SSRC or UNIRED in Khartoum as soon as they arose.

III. Progress Review

As in the terms of the Letter of Agreement:

- IOM established all mechanisms for the Southern Sudan referendum in each of the 8 countries;
- Established the OCV office in Khartoum, an OCV coordination office in Nairobi and 8 country offices in the host countries, benefiting from administrative support from the IOM Mission in each country. OCV offices were established, equipment procured and core staff hired to manage the process, and premises were rented in neutral venues in which the registration and polling in the 8 countries would take place.
 - The total number of staff for the registration phase was 1626:
 - 41 international
 - 235 local
 - 1350 registration and polling staff – ie Sudanese nationals
 - The total number of staff for the polling phase was 901
 - 41 international
 - 186 local
 - 674 registration and polling staff – ie Sudanese nationals
- Coordinated with the SSRC through the OCV office in Khartoum, liaised with the OCV countries and with the SSRC in country representatives. Information was collected on the numbers and locations of Southern Sudanese in the eight named countries to provide advice to the SSRC on the number and locations of registration and polling centres to be established. There was ongoing liaison with the OCV countries and their representatives for the implementation of the OCV, with ongoing coordination and briefing on procedures, security issues and progress.
- Applied the rules, regulations and procedures developed by the SSRC in each of the 8 countries by providing specifically drafted guidelines for the OCV element, requested and obtained clarifications from the SSRC for those aspects specific to OCV;
- Provided training for voter registration through the three step process set out in the LoA, using the manual and modules similar to or adapted from the SSRC in country models, and provided training also for the polling phase;
- Implemented voter information campaigns in the 8 countries using media, voter information centres, hotlines, community meetings, social networking sites and websites. 83,784 posters, leaflets, pamphlets, info sheets and other materials were printed, around 10,588 took part in community meetings, and an average of 87 calls per day were answered across the whole OCV operation.
- Voter registration process was conducted from 15 November for most centres. The centres in Egypt opened late as the Egyptian Government had received no formal request from the Sudanese authorities for the OCV to take place in Egypt. The centres in the US and Australia did not open on 15 November as the SSRC decided to delay while deciding on additional venues in response to lobbying by groups in those countries. The registration period for the

additional and other centres which opened late was different from the in-country period, but all the timelines were agreed with the SSRC;

- The staffing of RCs and VRSs, and the identifiers were as specified in the Referendum Act, the LOA and agreements with the SSRC. Assistance was provided to the SSRC in appointing and supporting the 8 SSRC in-country Representatives in general and specifically in the appointment and training of the referendum staff for each centre including identifiers and considerations committee members.
- Logistics and transport for referendum documents and materials were managed, following the same procedures as in Southern Sudan to the extent possible. At the end of the process, materials were returned, offices and polling centres closed, and assets disposed of.
- Assistance was provided to the SSRC in country representatives for managing the procedures for accreditation of observers.
- Visits to the OCV countries by SSRC Commissioners and secretariat staff during the registration process were arranged, and the costs of travel and DSA covered. Not all countries were visited due to visa problems. The SSRC decided not to send delegations again during the polling or counting period.
- Support was provided to the SSRC in the registration, exhibition, dealing with objections, polling, sorting, counting and declaration of results, and regular updates on the process, including daily reporting during registration and polling on the figures in each location.
- 60,219 people registered and 58,203 people voted at 80 registration and polling stations in 41 locations.
- The process was judged by international observers as having been free and fair.

IV. Challenges and Lessons Learned

The main challenge was the tight timeframe for the implementation of the referendum, caused by a delay to all the processes leading up to the start of serious preparation for the Referendum due to political differences, from the passing of the Referendum Act in late December 2009, the appointment of the Referendum Commission in late June 2010 and the selection and functions of the Secretary General in September. The result was a delay in all the key actions needed in order to implement the process in a timely way.

In accordance with the terms of the Referendum Act, an independent body was required to manage the process which meant in effect that an ad hoc institution with no previous elections experience was appointed to over see the Referendum.

The late signature of the MoU for OCV was a consequence of these two factors and this in turn had knock on effects.

The tight timelines and lack of clarity of many aspects of the Referendum Act, including for example the eligibility criteria, led to a number of difficulties for the SSRC in coping with the huge demands for decision making on many critical and detailed matters, and in making those decisions also applicable and implementable for the OCV. The delay of SSRC in-country representatives being appointed and their not having clear roles and responsibilities led to a number of problems.

Key figures in the Government of South Sudan had made clear their concerns that the referendum in the North of Sudan and overseas could be manipulated and had therefore made it known that they did not want Southern Sudanese to take part outside Southern Sudan itself. Some influential figures in the diaspora took up that call and actively campaigned using social networking sites and the media to discredit IOM and the OCV process and discourage people from taking part. In some countries it was the GoSS liaison office personnel or SPLM representatives doing this and in Uganda death threats were made against IOM staff working on OCV and Southern Sudanese who were in any way involved, including those coming to register and vote. This helps to explain why the turnout was much smaller than expected, though an inflation of the numbers by Southern Sudanese entities was also a factor: their aim was to try and ensure that there were many accessible centres.

The delay in the Sudanese authorities formally requesting the Government of Egypt to allow OCV to take place on their soil delayed the start of registration in Egypt. The SSRC decided not to open the registration centres in the US and Australia on the first day of registration even though they were ready, while they decided on whether, how many and where additional centres would be opened in those countries in response to lobbying from diaspora groups. The additional centres (3 in Australia and 5 in the US) were opened as soon as possible, and the SSRC gave permission for the registration in those centres which opened late to continue for suitable periods. The last registration centre to open in the US closed on 21 December. During the polling phase, there were floods in Brisbane, Australia which forced the closure of the polling centre for several days. The SSRC allowed polling in Brisbane to go on beyond the 7 days foreseen to give the voters there a chance to vote once the centre there was able to reopen.

V. Partnerships and Sustainability

Key partnerships and collaborations were established with the SSRC as the main partner, along with UNIRED. UNIRED was a key partner for IOM on OCV matters as they were posing questions and getting answers from the SSRC on in-country matters, and IOM was trying to ensure that the OCV part was, as far as was possible, in step with the in-country procedures. An OCV working group consisting of IOM, UNIRED, IFES and EU regularly meeting with the SSRC ensured a common approach. OCV country authorities were also key partners initially in helping to establish the numbers and whereabouts of the Southern Sudanese communities and then in enabling the process to take place, especially supporting on security and crowd control issues. UNHCR helped with the numbers of Southern Sudanese, particularly in those countries with substantial Southern Sudanese populations in camps and camp-like situations.

The referendum project was a one-off, but the participants learned a great deal about processes and standards of implementation and conduct through the OCV process.

Given the tight timelines and the inexperience of the SSRC, it was impressive that the Southern Sudan referendum took place within the timeline set by the CPA. For IOM it was the shortest ever timeline for an OCV operation, so it was remarkable too that IOM kept to the timelines. The extraordinary focus of the international community at large, and the commitment and driving force of the UN, both UNMIS and UNIRED, in particular were what made it happen.

VI. Financial Summary

Funding from other donors:

- IFES 494,708
- USAID 3 million
- UN EAD 60,000
- UN PBF 1,622,441
- AUSAID 994,036
- DFID 2,947,702

The initial estimates of IOM's OCV financial needs were in the range of USD 18 to 20 million. This was brought down to 15.6 million in early January, but the actual cost was under USD 13 million (USD 12.85 million) of which the amount being claimed from the Basket Fund is USD 6,687,597. IOM based its initial estimates on the numbers of diaspora populations provided by the GoS, GoSS liaison offices, Sudanese Embassies, host countries, UNHCR, diaspora associations and others. Once it became clear that these initial estimates were high, IOM reduced its staffing and commitments for the registration phase, and from there was able to reduce its staffing and other arrangements accordingly. As the programme progressed, other adjustments to the budget were needed. For example, the SSRC increased the number of registration and polling centres on the eve of the start of registration in mid November in Australia by 3 and in the US by 5. In addition, IOM was asked to cover the costs of supporting the SSRC in-country representatives, and of the travel and DSA of Commissioners and members of the SSRC secretariat to visit the OCV countries during registration.

Because IOM's financial regulations do not allow it to commit or spend money which has not been pledged or paid, the Director General authorized a loan from the IOM Emergency Preparedness Account and provided an exception to the regulations to enable IOM to continue working on the OCV once that had been exhausted. The grants of funding by other donors and the prospect of IOM's residual needs being covered by the Basket Fund were critical in keeping IOM closer within its financial regulations and in enabling IOM to complete the task.