

Assessment and Evaluation Commission

56th Plenary Session 21 September 2010, Juba

A full day of meetings were organized by the Assessment and Evaluation Commission around the upcoming referendum in Southern Sudan, for a delegation of high level officials from the international community, and with representation from both the SPLM and NCP. The delegation included representation from the European Union, the United States, Norway, Italy, Kenya, the United Kingdom, UNMIS Political Affairs.

Meeting with the Referendum Bureau

Chairperson – Mr. Chan Reech

Capacity and Technical Progress

The Bureau has so far received no funding and is working with a core staff structure within a building provided by USAID. A broader staffing structure has been agreed on, but awaits funding. Currently they are submitting ad-hoc applications to the GoSS Office of the President for basic needs and travel facilitation in order that they move on with work. The Commission is at present discussing a budget to be submitted to the Presidency for funding, but there are fears that the budget will not be adequately funded, or that the flow of funds from the Commission to the Bureau will be problematic.

The Bureau have requested vehicles (90 hardtops) but have not received anything yet. It seems to be hoping that the international community, through the basket fund, will provide support.

Technical Progress

As of 21 September all 10 High Committees (State Level bodies responsible for overseeing the administration of the referendum) and 79 Sub-Committees (bodies at the County Level responsible for directly administering the referendum) have been set up.

The Bureau have prioritized the registration process and preparations for that (production of registration materials). The view held by the Bureau Head, Mr. Chan, is that in the case that there is a need to delay referendum for technical reasons, **it will to be easier to convince the public that the referendum will be held and therefore to accept such a delay**, if they have already been issued voter cards.

However, the Bureau is currently not considering a delay, as the Commission was directed by the Presidency that there should be no delay.

Concerns

- The committee overseeing the referendum in the North **has not yet been formed**. This was raised by both the Bureau and the GoSS Referendum Taskforce Head, VP Riek Machar
- The training of the sub-committees, registration and polling station personnel is a priority that needs support (technical in particular)
- The Bureau requested support from the international community, stressing that in-kind support was better than funds. This could be in view of the short time span for procurement

Meeting with the GoSS Referendum Taskforce

H.E. Vice President, Riek Machar, Taskforce Head

H.E Minister for Information, Barnaba Marial Benjamin

Status / Progress

The GoSS Referendum Taskforce has 3 Sub-Committees:

1. Preparations for the Conduct of the Referendum – currently the priority
2. Preparing the GoSS for 2011 scenario
3. Post Referendum Issues

At the moment, the Taskforce's priority is the conduct of the referendum, as follows:

1. Creating a conducive environment for the referendum
 - a) Security. They are currently training the SPLA and police forces, however they advise that the Police require vehicles and equipment to function fully
 - b) Legal – training of judges and legal officers on the Referendum Act in preparation for legal cases related to the referendum (registration and polling issues)
2. Civic education for the referendum
3. Overseeing the work of GoSS overseas liaison offices to undertake the same functions in the 8 countries eligible to participate – currently GoSS Egypt is the most progressed and already has the numbers of Southern Sudanese voting

Funding

The GoSS has an allocation of SDG 150million, of which SDG 114million is budgeted for GoSS activities. They therefore have SDG 36 million (USD 13million) which they could use to

support the Bureau. However according to a budget drawn up by USAID, the cost of the referendum (including civic education, security, and the process itself) was estimated at \$360 million¹. No allocation in this budget was made for Diaspora registration and polling.

Both the Bureau and the GoSS have stressed the urgent need for funding.

The international community basket fund for the referendum is \$60million, and so far approximately 50% of pledges have actually been deposited in the account.

Other Concerns

Post Referendum Negotiations: There is concern that the negotiations are moving very slowly and also a fear that unresolved agreement on post referendum issues could be used to hold the referendum hostage. Dr. Machar stressed that in no way should the negotiations be used to delay the referendum, as many of the issues can be resolved later.

Abyei: The lack of progress on the Abyei issue is of great concern and requires assistance. This was further stressed by Kosti Manibe in the AEC Plenary Session later. At least from the side of the SPLM, they welcome proposals for the way forward. All eyes seem to point to the AUHIP as having an important role to play in moving things forward.

Border Demarcation: Again there is slow progress and help is needed.

AEC Plenary Session

A brief introduction was given by the Chair, Sir Derek Plumbley. The SPLM gave an update on the post referendum negotiations, summarizing progress as slow and not very coordinated; turning to the NCP and suggesting that they have shown very little commitment to the process. The SPLM also stated the urgent need for technical experts.

A gloomy and similar summary was given of Abyei. The situation in Abyei by all accounts is extremely tense and volatile, with deployment of armed forces which now surround the entire area and the settlement of Misseriya into Abyei in Dinka Ngok territory. The UN representative, asked to corroborate this information, replied that they were looking into the reports. The SPLM representative, in response to a question from the Netherlands, explained that at this time it was crucial that outside actors came up with proposals on how to help, as the parties themselves had not been able to find a way forward. SPLM also

¹ Interestingly, the cost of the referendum as per another report by an elections expert is estimated at \$60million. Whatever is / or is not included in the estimate, it is very possible that the figure of \$360million is overestimated.

indicated that unless there is some creative intervention, things may continue as is, or degenerate.

The NCP representative did not speak.

Conclusion by AEC

The AEC greed that negotiations' progress was slow. They chaired the last security meeting and saw the difficult process.

The AEC also explained that they were arranging a meeting with the Chair of the Commission and the Chair of the Bureau to try to build trust between the two, in an attempt to help the work move forward.

Key Issues for the Panel

- **Post referendum negotiations** are progressing slowly and could be in danger of stalling in the same way as other CPA processes. It is necessary that the Panel play a stronger and more active role in facilitating and convening perhaps the discussions. Simple structural changes such as hold meetings for all clusters simultaneously and regularly (on a set regular schedule e.g. every 2nd Tuesday). Also discussions with the SPLM representative after, highlighted the need for technical work on drafts agreements / documents to be drawn up by experts. Either by one expert per cluster, or by one expert per party per cluster. In the second case, the two experts from each side would work together to present a draft for discussion. The SPLM representative suggested that such proposals could be put forward at the next oversight committee meeting. It is important that the Panel attend all meetings of the negotiation teams.
- By and large, it seems that actors are looking towards the Panel for intervention / assistance on moving **Abyei** forward; many feel that no other body is as well placed and / or has the capacity to make an impact on the status of the process there.
- The next AEC meeting will be in Khartoum on 12th October.