

ELECTIONWATCH

SUDAN



Sudan Pre-Referendum Watch: January 2011 Southern Sudan Referendum

Southern Sudanese will vote in a referendum on self-determination beginning January 9, 2011. The referendum vote is the culmination of a six-year process laid out in the 2005 Comprehensive Peace Agreement (CPA) signed between Omar al-Bashir, president of the Republic of Sudan, and the late Dr. John Garang de Mabior, leader of the Sudan People's Liberation Movement (SPLM).

The CPA ended a 21-year civil war between the mainly Muslim North and Christian, animist South, and established a power-sharing Government of National Unity (GONU) governing the Republic of Sudan and a semi-autonomous Government of Southern Sudan (GOSS) in the South. President Bashir retained his position as the president of the Republic of Sudan, while Dr. Garang filled the newly-created constitutional posts of first vice president of the Republic of Sudan in GONU and the president of GOSS. Lieutenant General Salva Kiir Mayardit took over for Dr. Garang after his untimely death in the summer of 2005.

Sudan reached another CPA milestone in April 2010, when Sudanese participated in the first multi-party elections at the national and state levels of government in 24 years. Presidents Bashir and Kiir were both re-elected and their respective parties - National Congress Party (NCP) and SPLM - enjoyed wide margins of victory, leaving opposition parties marginalized from the governing space. While the vote was largely peaceful, the process did suffer from reported voting irregularities and major logistical errors. The international community, however, accepted the outcome of the elections and both GONU and GOSS formed governments shortly thereafter dominated by their leaders' respective parties.

In the referendum, voters from Southern Sudan will have two choices: (1) Confirm the unity of Sudan by maintaining its current form of government; or (2) secede. The system of voting, milestones and processes for the referendum are laid out in the Southern Sudan referendum Act, 2009. It mandates the Southern Sudan Referendum Commission (SSRC) to oversee the referendum process and creates a Southern Sudan Referendum Bureau to manage the referendum in Southern Sudan. The act lays out three criteria that the referendum process must meet: (1) It must be held in an "environment favorable" to conducting the referendum; (2) the voters must "enjoy the exercise of their right to express freely their opinion in a secret referendum on self-determination"; and (3) more than 60 percent of all registered voters must vote.

Political Situation

Following the April elections, political forces in both the North and South had very little time to absorb the outcome before being forced to focus on the Southern Sudan referendum process, which was already falling behind schedule to meet the January 9 deadline mandated in the CPA. The establishment of the SSRC was held up for months due to political wrangling between NCP and SPLM over the appointment of commission members and the

SSRC's secretary general post. The process was also slowed by the establishment of the commission's supporting structures at the Southern Sudan, state and local levels, as well as in Northern Sudan and in other countries with large populations of Southern Sudanese where voting will take place. As a result, voter registration and other key processes remain on a tight timeline to meet the January 9 deadline for the start of voting.

Despite late efforts on the part of President Bashir and NCP to make unity more attractive, it is largely expected that the South will vote for secession and Southern Sudan will become Africa's next new independent country. Southerners mobilized in massive numbers in the South during a recently completed voter registration exercise. This excitement was not matched in the North, where registration numbers were lower than expected and Northern political forces continue to insist that Sudan remain a unified state. Furthermore, Southerners living in the North have been returning to Southern Sudan in massive numbers. Many fear what might happen to them should the South secede, while others want to rejoin their families and participate in the referendum from the South where they feel their vote will be more free.

The SPLM, a long holdout in declaring their support for secession, did so recently when Dr. Anne Itto, deputy secretary general of SPLM's Southern Sector, openly declared that SPLM supports the option for secession over unity. NCP on the other hand prefers unity and continues to campaign to that effect. Both President Bashir and NCP leaders have pledged to respect the result either way.

North-South border negotiations and a delayed referendum in the disputed oil-rich region of Abyei have fueled tension between the NCP and SPLM and threatened the stability of the CPA. The recent aerial bombardment confirmed by the United Nations along the disputed North-South border by Sudan Armed Forces was not met with retaliatory attacks by the South's Sudan People's Liberation Army, but it has raised tensions between the two military forces and fueled worries of a renewed North-South conflict.

The Southern Sudan referendum has increasingly received more attention from the international community, most notably the United States. U.S. President Barack Obama spoke at a special United Nations summit on Sudan that occurred on the sidelines of its annual conference. In August, Secretary of State Hillary Clinton appointed Ambassador Princeton Lyman, a veteran diplomat on African affairs, to help Special Envoy General Scott Gration lead an expanded U.S. negotiating team to mediate talks between the SPLM and the NCP.

The North-South negotiations, which seek to resolve post-referendum issues not addressed by the CPA, have been a painstakingly slow process. The Mekelle Memorandum, signed in June 2010, committed the parties to a sincere discussion of key post-referendum issues, which include: Citizenship; security; financial, economic and natural resources; and, international treaties and legal issues.

In an attempt to push the NCP closer to an agreement and sway the party's reactions to the outcome of the referendum, President Obama asked Senator John Kerry to travel to Khartoum in November to deliver a package of incentives. The White House is offering to take Sudan off the list of state sponsors of terrorism, normalize diplomatic relations through the exchange of ambassadors, work to end unilateral economic sanctions imposed by Congress and provide a package of aid and debt relief. However, these incentives are dependent on whether Khartoum accepts the results of the referendum and reaches an

agreement on the post-referendum issues, while also restraining military escalation along the border area.

Challenges of the Referendum

The primary challenge that has faced the forthcoming referendum has been delays. As such, the timeline for the registration process and campaign period has changed several times. The voter registration period, which was supposed to begin in July, did not begin until November 15. This caused the Sudanese as well as the international community to question the feasibility of a January referendum. However, voter registration was conducted successfully where a total of 3.9 million Southerners registered to vote.

In recent developments, the highest court in Sudan - the Sudan Constitutional Court - agreed to hear challenges of alleged violations related to voter registration. A group of lawyers argued that the SSRC is in violation of the CPA stipulation because voter registration should have been completed three months prior to the vote. Additionally, there has been increased civil unrest in the North. Opposition parties, particularly the Umma Party led by Sadiq al-Madhi and the SPLM's Northern Sector led by former presidential candidate Yasir Arman, have made statements seeking the overthrow of the regime should President Bashir refuse to open political dialogue among all the political parties in the North following the referendum.

Another logistical challenge that Sudan was forced to reconcile recently was the issue of the printing of ballots. In early December, SSRC announced that it was reopening the bidding for the printing of ballot papers, making it easier for Sudanese companies to enter the bidding. During the April national elections, the use of a national currency printing company caused much controversy throughout the country. After much concern by the Sudanese and the international community about the possible further delays this process could cause for the January 9 referendum date, the bidding was closed and a British company was chosen as the printer of ballots.

In addition to all of its logistical challenges, Sudan is also faced with the daunting task of educating a population with practically no political knowledge or experience.

Next year is expected to be one of the most pivotal years in Sudan's political history as they grapple with the outcome of the upcoming referendum. The capacity of political parties to govern responsibly and democratically, without resorting to violence and amid heightened tensions, will be a crucial test of Sudan's political development. The International Republican Institute (IRI) stands in the middle of this pivotal transition with its work to help build the capacity of political parties and their leaders in both Northern and Southern Sudan.

IRI in Sudan

IRI operates in Sudan through a grant from United State Agency for International Development. Since its work began in Sudan in 2004, IRI's mission has been to: Improve the organizational development of political parties; improve the effectiveness of political parties' participation in governance; and increase political parties' level of preparation to participate in elections. To date, IRI's programming in Sudan has trained more than 6,000 political party members as well as elected legislators for the upcoming Southern Sudan referendum.

In preparation for the Southern Sudan referendum, IRI has focused on educating political parties across the country on the laws and political processes surrounding the plebiscite. IRI

used the SSRC timeline and the Southern Sudan Referendum Act to provide a series of briefings to political party observers and members of the Southern Sudan Legislative Assembly. The information provided to participants in these briefings was disseminated through various training manuals and videos. With offices in both Juba and Khartoum, IRI has been able to reach and provide information to the majority of registered political parties in Sudan.



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