

THE
CARTER CENTER



STATEMENT ON SUDAN'S VOTER REGISTRATION, Nov. 1 – Dec. 7, 2009

Dec. 17, 2009

preparations undermined the implementation of the election in these states. Khartoum state, an area with great diversity, registered the lowest voter turnout. At the same time, despite gaps in civic education efforts, election officials report

frequently failed to inform registrants about the need to keep the registration receipt secure. Some political parties actively collected the slip of newly registered voters. Registration receipts were traded and sold in some areas. Given that many voters may not have receipts on election day, the NEC should take additional steps to ensure that polling officials can verify individual's names on the electoral register and ensure the integrity of polling.

Carter Center observers reported that registration teams were professional and enthusiastic about their duties in most areas visited. Registration was relatively efficient and time effective. However, procedural compliance with some aspects of registration regulations was lax. In particular, registration officials often did not verify registrants' age, nationality or duration of residence, nor if registrants had registered earlier elsewhere.

Observers reported that the process was positive – citizens lacking identity documents could substantiate their identity through the use of witnesses, traditional authorities or

It is apparent that the state committees continue to face difficulties in receiving funds from the NEC in Khartoum, which will likely hinder the timely finalization of the voters' lists and related preparations. Some state elections committees currently report shortages of funds to allow for data entry staff to be recruited. In addition, given the severe logistical challenges, including communications and transport limitations in South Sudan, it is essential to ensure the timely disbursement of financial resources throughout the remainder of the electoral process.

Civic education and inclusion of remote areas

Early registration figures suggest that the widespread absence of civic education efforts impacted participation when registration first began. Registration proceeded more successfully in some areas, and registration numbers increased. The reach of formal media was limited throughout the process, but mobilization of local community leaders, traditional authorities and religious figures was influential in making registration more successful. However, many rural areas did not receive adequate civic information on voter registration.

State elections committees should expand civic education into the rural and distant areas to ensure that all citizens have the opportunity to participate. For particularly remote areas, the NEC should consider providing satellite communications to state elections committees and local elections teams to allow for better communications between the headquarters and field staff.

Overall, civic awareness of the registration and related electoral processes remains a serious shortcoming in the process. Key stakeholders need to take immediate action to significantly expand civic education to overcome this deficit in information and lack of awareness of the electoral process. Civic education must go beyond occasional public announcements; sustained efforts to build knowledge and confidence in the electoral process from the community level upwards should be pursued. National and international agencies can play key roles in supporting these efforts, which must be expanded now to ensure that millions of Sudanese people better comprehend their electoral rights and obligations. Voter education is vital to ensuring an informed electorate may fully enjoy their participatory rights and links directly to Sudan's obligations to ensure all citizens are able to vote on the basis of equality and non-discrimination.

Participation of women

The apparently high level of women's participation in the registration process is an important achievement. Registration of women that is broadly proportional with their share of the population is positive, especially given Sudan's challenges in ensuring gender equity. However, more will need to be done to ensure that women participate equally in all aspects of the electoral process, including as registration and polling officials. It is critical that the NEC, the GOSS, and the GONU take steps to ensure that women have better representation at all levels of the electoral process and are equal partners in realizing Sudan's democratic transition.

Participation of nomads and semi-migratory groups

Nomads and semi-migratory groups also participated in the registration process. However, officials should give consideration as to how to fully include nomadic and semi-migratory

populations in polling, as many may have travelled away from their original place of registration during the elections. Determining and raising awareness of appropriate procedures applicable to such populations will be necessary to ensure effective enfranchisement.

Participation of displaced persons

The NEC did not provide formal guidance to state elections committees on the participation of internally displaced persons (IDPs). In Khartoum and the surrounding area, registration centers allowed many IDPs to register. In Darfur, state elections committees did not and were not able to visit all IDP camps, including Kass and Kalma camps, partially accounting for the relatively low rate of registration in the three states (see section below, on Dar). For the electoral process, the NEC should provide clear and specific guidance consistent with international norms, to protect the civil and political rights of IDPs.

Role of the security forces

In most locations, with the exception of Darfur (see section below) security forces played a generally positive role in ensuring the security of registration centers. Center observers reported that most citizens were able to register free of intimidation or harassment.

Voter registration in Darfur

Due to security limitations in Darfur, Carter Center observers were not able to travel as widely as would be necessary to fully assess the quality and inclusiveness of the registration process throughout the region. Problems during the 2008 elections hindered the full inclusion of certain areas of the region in the constituency delimitation process. State elections committees in Darfur [REDACTED] control, and the armed movements did not encourage registration activity.

State elections committees did not and were not able to visit IDP camps, which partially [REDACTED] for the relatively low rate of registration in the three states. Registration is a voluntary exercise and some IDPs in Darfur chose not to participate.

In areas visited by the Carter Center mission, observers reported that Sudanese Armed Forces military units, Sudanese police, and agents of the National Intelligence and Security Service (NISS) were present at registration centers. Electoral authorities confirmed the presence of NISS agents at many registration centers. In some instances, NISS agents were actively engaged in the registration process, e.g. by initiating voter registration receipts, a practice which undermined the independence of the electoral management bodies, and which raises questions about the role of NISS in the electoral process. In North Darfur, Center observers reported the presence of vehicles with heavy mounted weapons (technicals) outside of registration

committees. By avoiding involvement of the secu

that their members do not engage in activities that could undermine public confidence in the

and to build confidence in the broader process. To this end, the NEC and state committees should facilitate efforts by parties and observers to verify the accuracy of the electronic registry now being compiled to ensure that data entry mistakes are rectified and double or false entries are removed. The NEC should provide guidance on how it intends to correct and safeguard electronic data registry records, and should provide political parties with the complete voter registry in a timely manner. In the four states where registration exceeded 100 percent of the estimated eligible voters, a thorough examination of the registry will be particularly important to confirm accurate registration figures.

The NEC should ensure that domestic and international observers and other interested actors are able to conduct thorough reviews and audits of the preliminary and final voters' lists. These and other such analyses will be important to ensure any doubts about the registry are addressed.

Data entry and procedures for challenges and exhibition

Electronic data entry has begun throughout Northern Sudan, and has been successfully completed in most states. However, data centers are operational only in three states in Southern Sudan. State election committees in the other seven states continue to lack funds, equipment and trained personnel necessary to input the registration data. Officials in Southern Sudan estimate that at least one more month will be required to fully input registration data, which makes finalization of the voters' lists by the NEC's January 11 deadline an ambitious target. As authorities recruit staff to input the data, quality control and verification procedures should be implemented. In addition, the registration data entry program appeared to lack an input field for the Southern Sudan Legislative Assembly, which caused data entry in one of the three operational Southern states to be temporarily suspended, pending clarification on this issue from NEC data experts. The Center encourages the NEC to provide increased technical support to the state election committees and data centers to help ensure timely and accurate compilation of the voter registry.

The Center welcomes the NEC's decision to establish exhibition centers in each geographic constituency and to extend the viewing period. Although there do not appear to be sufficient staff nor funds yet in place to manage exhibition, the exhibition of voters' lists has begun in certain states, there is a lack of public information and awareness about the process. Training of electoral staff on exhibition procedures is yet to be completed in many states. In states where exhibition has begun, the quality of implementation has been uneven; some exhibition officials are not aware that every person has the right to inspect and challenge the list. Given logistical constraints and registration teams' fatigue, state committees will likely need additional technical support and guidance from the NEC in order to mount an effective exhibition process.

Due to the delay in creating electronic lists in Southern Sudan, challenges will proceed on the basis of the posting of carbon copies of the handwritten lists. This means that there will likely be no legal review process or exhibition of the electronic lists in Southern Sudan during the formal exhibition period. The NEC should consider instituting a supplemental review process of the published electronic lists in affected states.

The exhibition period is an important opportunity for citizens to exercise their right to view the voters' lists and to seek a remedy to be added to the list, or other corrections as necessary. Widespread acceptance that the voters' lists are comprehensive and accurate will help to build confidence in the electoral process.

In addition, the NEC must move forward without delay to establish and fully support the necessary complaints committees. However, the current procedures, which include complaints committees of one judge per state are unlikely to provide for an effective complaints process. The NEC should consider taking steps to expand the number of judges and other actions to assist in resolving complaints on the voters' list.

Participation of the Abyei Area in the electoral process

Registration was the first electoral activity to take place in Abyei for many years. Abyei's special status, and definition under the CPA having geographic representation rights in both South Kordofan and Warrap states, requires special treatment by the NEC and by the relevant state committees. There is widespread confusion in Abyei over how the population will be represented in the National Assembly and state legislatures, and how registration is linked to Abyei's referendum process. The authorities should take immediate steps to address and clarify these questions to avoid fuelling suspicion and mistrust in the area. South Kordofan and Warrap state elections committees should do more to coordinate their efforts and outreach to the Abyei Area, and also make greater attempts to consult and communicate with the Abyei Area Administration, which was largely left uninformed about the registration process.

Creating a more conducive political and security environment

The Center is gravely concerned by the recent actions of the security forces in Khartoum to restrict legitimate activity related to the exercise of freedom of assembly, association and speech. The Center urges the Government of Sudan to cease arbitrary arrests and to release persons detained while conducting peaceful political activities.

According to a directive issued by the Ministry of Interior on September 17, 2009, notification by a political party of intention to hold a rally is sufficient for such an event to go ahead. The Ministry should urgently clarify procedures for the holding of political rallies and events. In addition, the Ministry and other officials should take immediate steps to ensure the necessary authorizations for such public events.

The Government of Sudan should take all necessary steps to investigate claims of police brutality and take swift action against officials who are found to have perpetrated or permitted unwarranted acts of violence against civilians. If the police are to be perceived as a credible and neutral force in managing elections security, constitutional standards and freedoms must be respected.

In Southern Sudan, the Government of Sudan should take action to ensure that political party pluralism is fully protected. This must extend to the activities of all parties, including the NCP in Southern Sudan. The arson of the PNO office annex in Wau and the looting and attempted arson of the NCP's premises in Rejaf are criminal acts. The Government of

Southern Sudan should pursue the perpetrators without delay to the full extent of the law. Obligations in public international law lay on the need for investigation by the government and redress in any cases of violations of human rights.

Throughout Sudan, the legitimate role of political parties must be respected, and the GONU and the GOSS should direct officials at all levels of state government to end harassment of political parties.^{xi} The African National Congress, NCP (in the Southern sector), Popular Congress Party, SPLM (in Darfur), SPLM-Democratic Change, UDA, and United Democratic Front have all reported the detention or arrest of members of their parties by various state authorities during voter registration. Political parties also have a duty to exercise restraint and demonstrate responsibility in their actions.

For the broader electoral process to succeed, progress on technical preparations must be accompanied by steps to create a genuinely inclusive environment. With only a few months until the April 2010 polling, implementation of the Permanent Court of Arbitration's ruling on Abyei, demarcation of the North-South border, the enactment and implementation of reform legislation including the National Security Forces Act, implementation of the referenda and popular consultation preparatory processes, and progress on the Darfur peace process, all remain in need of attention and action, as noted in previous Carter Center reports.

The parties to the CPA must faithfully apply all provisions of the Comprehensive Peace Agreement, and demonstrate their resolve to allow for a genuine and credible electoral process, in a positive and conducive environment.

The Carter Center Observation Mission

Following the commencement of long-term election observation activities in Sudan in February 2008 at the invitation of the GONU and the GOSS, the Carter Center deployed 32 medium and long-term observers in November and early December to assess voter registration and the broader political and electoral environment across Sudan. The Carter Center mission observed voter registration activities in more than 650 fixed and mobile registration centers in all 25 states across the country. The delegation was drawn from 21 countries: Cameroon, Canada, DR Congo, Egypt, Ethiopia, Germany, India, Ireland, Italy, Kenya, Mozambique, the Netherlands, Norway, Palestine, Serbia, Spain, Uganda, the United Kingdom, the United States, Zambia and Zimbabwe. A smaller delegation of Carter Center observers remains in place for the exhibition of and challenges to voters' lists in constituencies across the country.

The objectives of the Carter Center's election observation mission in Sudan are to: a) provide an impartial assessment of the overall quality of the electoral process, b) promote an inclusive electoral process for all Sudanese, and c) demonstrate international interest in Sudan's electoral process. The mission is assessing the electoral process in Sudan based on the Comprehensive Peace Agreement, Interim National Constitution, National Elections Act, and obligations for democratic elections contained in regional and international agreements.

The Carter Center conducts election observation missions in accordance with the Declaration of Principles of International Election Observation and Code of Conduct that was adopted at the United Nations in 2005 and has been endorsed by 35 election observation groups.

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The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 70 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. The Carter Center began working in Sudan in 1986 on the Sasakawa-Global 2000 agricultural project and for more than 20 years its health and peace programs have focused on improving health and preventing and resolving conflicts in Sudan. Please visit www.cartercenter.org to learn more about The Carter Center.

ⁱ International Covenant on Civil and Political Rights (ICCPR)