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### **The Carter Center Notes Concerns with Low Voter Registration Turnout in South Kordofan, Highlights Steps Needed for Credible Polling Process**

In a statement released today, The Carter Center welcomed the completion of the voter registration process in South Kordofan. The process was conducted in a generally peaceful environment and the majority of registration centers operated without major problems. However, the Center notes several shortcomings that hurt the inclusiveness and integrity of voter registration and resulted in low turnout. This included the failure of the National Elections Commission's (NEC) to devote sufficient registration teams to conduct a comprehensive voter registration process and create a new registry, and the lack of appropriate voter education to ensure participation of all eligible voters.

Registration was conducted by 110 mobile teams, accommodating 1,463 registration centers. According to the NEC, some 642,555 people registered, approximately 100,000 fewer voters than during the April 2010 elections. While registration officials traveled to various locations in an attempt to reach as many eligible voters as possible, citizens were disadvantaged by a lack of sufficient voter education announcing the anticipated registration centers and dates of operation. The establishment of a limited number of registration centers may have also contributed to lower registration figures. These shortcomings were exacerbated by the limited participation and mobilization of civil society and other political parties outside of the two Comprehensive Peace Agreement (CPA) partners, the National Congress Party (NCP) and Sudan People's Liberation Movement (SPLM), to conduct voter education and mobilization activities.

The challenges observed during voter registration do not compromise the integrity of the overall process; however, the NEC, the State High Election Committee (SHEC), and other stakeholders should take steps to ensure that all registered voters have an equal opportunity to participate in the polling period scheduled for May 2. The Center wishes to highlight these concerns in order to provide lessons learned for future voter registration exercises in Sudan and, where possible, to identify specific areas where the electoral management bodies and other stakeholders could take action to ensure the remaining stages of the electoral process are more credible, inclusive and transparent, and in line with Sudan's national and international commitments.

The NEC should announce the number and location of polling stations in a timely fashion and inform all registered voters of their voting rights and the location of their respective polling station. This will help ensure that all registered voters have equal access to the polls. The Carter Center also urges the wide participation of political party agents from across the political spectrum, as well as increased mobilization of domestic observers, to monitor the polling process. In addition, the Center would welcome the participation of additional international observers given the importance of the elections in South Kordofan for all of Sudan.

Finally, in light of Sudan's commitments to ensure equal and universal suffrage, the responsibility to ensure faithful implementation of the CPA, and Sudan's constitutional protections of freedoms of association and freedom of expression, the Government of Sudan (GOS), in partnership with representatives of the international community present in South Kordofan, should continue to closely monitor the situation in the state. In particular, in the leadup to polling in May, while recognizing that an election is a political contest, all sides should recommit to working together to achieve a peaceful interim process in the state.

The Center observed voter registration in South Kordofan, conducted from Jan.24-Feb. 12, in preparation for the State Legislative Election scheduled for May 2. The Center deployed six observers who visited 67 voter registration centers in South Kordofan in 19 of the state's 32 constituencies. The Carter Center appreciates the timely action by the NEC to provide accreditation to Carter Center observers, ensuring no delay in observer deployment.

The Carter Center will remain in Sudan to observe the candidate nomination, campaigning period, polling, and counting processes of the South Kordofan elections. The elections will be assessed against the 2005 CPA, Sudan's Interim National Constitution, the National Elections Act, the Political Parties Act, as well as Sudan's international treaty obligations. Currently, the Center has 12 long-term observers in Sudan to report on post-referendum processes and to monitor the postponed elections in South Kordofan and Popular Consultations in Blue Nile. The objectives of the Center's observation mission in South Kordofan are to provide an impartial assessment of the overall quality of the electoral process, promote an inclusive process for all in South Kordofan and demonstrate international interest in the electoral process.

The Center's observation mission is conducted in accordance with the Declaration of Principles for 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. The Center will release periodic public statements on referendum findings, available on its website: [www.cartercenter.org/](http://www.cartercenter.org/)

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## **Preliminary Statement on the Voter Registration Process for the Postponed Elections in South Kordofan**

The Carter Center observed the voter registration process in South Kordofan, conducted from Jan. 24- Feb. 12, in the run up to the state legislative election anticipated to take place on May 2.<sup>1</sup> The Center deployed six observers who visited 67 voter registration centers in South Kordofan in 19 of the state's 32 constituencies. The analysis and recommendations included in this statement are based upon the direct observations of the Center's observers.

Overall, the Center noted that election staff at voter registration centers conducted their work in South Kordofan in a largely credible manner. Voter registration was conducted in a peaceful environment in the majority of locations with the exception of a minor security incident in Alsamah East. Registration centers generally operated without major impediments providing the residents of the South Kordofan an opportunity to register for the elections in May 2011.

Despite these successes, there were several shortcomings that hurt the inclusiveness and integrity of voter registration, resulting in low voter registration. The NEC announced a total of 642,555 registrants, which is approximately 100,000 voters lower than the voter registration in South Kordofan for the April 2010 national elections. According to the June 2010 census, there are approximately 1,172,406 eligible voters in the state. While it is not possible to determine the exact reason for lower than anticipated voter turnout, insufficient voter education, a limited number of registration centers and poor preparations by the NEC were likely contributing factors. During the voter registration process, election management authorities deployed insufficient numbers of registration staff to ensure all citizens could register and participate in the electoral process in South Kordofan and a new registry could be created. There was a lack of voter education regarding the registration process and limited presence of voter registration officials in each location. These constraints were further exacerbated by insufficient voter education on when and where the registration teams would be located.

While the above problems contributed to a weak voter registration process, the NEC, the State High Election Committee (SHEC), and other stakeholders could still take concrete steps in preparation for polling in South Kordofan to ensure as many registered voters as possible have the information and resources needed to cast their ballot in a genuine, credible election. The SHEC, with support from the NEC, should ensure that widespread, comprehensive voter education is conducted before polling to inform voters where to find their polling station. Members of political parties and civil society, with assistance from the international community where warranted, should redouble their efforts and contribute to improved voter education for the populace of South Kordofan.

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<sup>1</sup> The election date was postponed by three days after the delayed publication of the voter registry required shifting the electoral timeline.

## **Background on South Kordofan's Electoral Process**

In March 2010, the NEC delayed the state legislative election following the Sudan People's Liberation Movement's (SPLM) allegations that Southern Sudan and South Kordofan were underrepresented in the National Assembly due to inaccuracies of the 2008 national census. The two ruling parties – the National Congress Party (NCP) and SPLM – worked to resolve the deadlock by negotiating 40 additional seats for the South in the National Assembly, including four from the Nuba Mountains area of South Kordofan and two from Abyei. The SPLM agreed to participate in the presidential and national parliamentary elections in South Kordofan as planned, while the gubernatorial and state assembly elections were suspended to a later date.

These negotiations also led to an agreement between the parties to administer a new census in South Kordofan as well as the other key preparatory steps of constituency delimitation and voter registration. A new census was conducted in June 2010 and revealed approximately 1,172,406 eligible voters in the state.<sup>2</sup> This represents an increase of nearly 430,000 potential new voters when compared with the approximately 740,000 voters that registered for the April 2010 elections.

The elections will be held in all 32 constituencies of South Kordofan. The 54 seats in the State Legislative Assembly will be elected through 32 seats by plurality vote in the state constituencies, 14 seats through proportional vote on the women's list, and eight seats through proportional votes on the party list.<sup>3</sup> Respectively, voters will be presented with four different ballots in a given polling station to vote for governor, geographical constituency, women's list, and party list. The elections in South Kordofan will be a necessary step in ensuring that a democratically elected government is in place in the state to administer the popular consultations, a critical CPA benchmark.

The NEC initially planned to update the existing electoral registry. However, after requests from the SPLM and other opposition parties, the decision was made to initiate an entirely new voter registry rather than to update the registry created in November-December 2009. Given enough preparation time, the decision to create a new list could have resulted in a comprehensive voter registry. Although the NEC should be commended on meeting the parties' demands, planning for the registration exercise failed to take into account the resources and voter education necessary to register all eligible residents of South Kordofan. On January 20, the NEC approved a revised election timeline that mandated voter registration from January 24 through February 12 (20 days).<sup>4</sup> Upon the NEC's decision, 110 mobile registration teams were deployed to cover 1,463 registration centers.

## **Eligibility**

The National Elections Act (NEA) broadly allows for citizens who have reached 18 years of age, are of sound mind, and are a resident in the geographical constituency for a period not less than three months before the date of closure of the register to be included in the voter registry.<sup>5</sup>

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<sup>2</sup> Delimitation of geographical constituencies, conducted during November 2010--January 2011, showed the total population of South Kordofan to be 2,508,268.

<sup>3</sup> Article 31, National Elections Act.

<sup>4</sup> NEC Decision No 98, January 20, 2011.

<sup>5</sup> A personal identification card or a certificate authenticated from a People's Committee at the Locality or local administrative authority is a prerequisite for registration. For those not in possession of an ID or other certified

Few cases were reported of voters being denied the opportunity to register due to the residency requirement or absence of identification documents. In the majority of registration centers visited by observers, registration staff failed to request proof of identification, suggesting that their training did not sufficiently focus on the preliminary steps of the registration process. Given that registration was conducted by mobile teams it is unlikely that officials would always be able to rely on any registration staff's personal knowledge of community members. In the future, training should focus on ensuring these important checks are adhered to by staff.

The Center was also concerned with the SHEC's failure to provide sufficient access to voter registration centers to residents of the Abyei area. According to the CPA, citizens of Abyei should be represented in the legislative assembly of South Kordofan.<sup>6</sup> In the letter to the Center, the NEC confirmed the eligibility of Abyei "citizens" and noted that they are part of El Dibab and North Abyei constituency No 32.<sup>7</sup> It is of concern, therefore, that the SHEC in South Kordofan decided against deploying voter registration centers within the boundaries for Abyei as set by the Permanent Court of Arbitration. This effectively forced eligible residents of Abyei to travel many kilometers north in order to register to vote. While residents who were not able to register to vote have no further recourse at this point, the Center urges the SHEC to ensure that measures are taken to provide voter education to registered voters in Abyei regarding polling procedures and the location of their polling station for the elections in May.

### **Election Administration**

The NEC has the responsibility to administer elections nationwide, including the voter registration process. While the NEC largely abided by existing laws, the commission failed to adopt and publish procedural decisions in a timely manner, which would have improved the transparency and integrity of the process.<sup>8</sup> By prioritizing speed over inclusivity in the registration process, the NEC failed to fully abide by Sudan's commitments to guarantee universal and equal suffrage for all eligible citizens, and increased obstacles to participation.<sup>9</sup>

The NEC was constrained by limited capacity and funding during the registration process; staff at the majority of registration centers visited by observers was concerned by a lack of compensation. In all, 68 percent had not yet received payment during the registration process. In many locations visited by observers, voter registration staff reported receiving 200 SDG (approximately \$70 USD) as a loan, which was to be deducted from their salaries. Several staff felt they had not received adequate information regarding when they would receive their final salary. The NEC should work with the SHEC in South Kordofan to ensure all staff receives clear information on payment in a timely manner and to create a plan in the weeks before voting begins so that polling staff are not subject to similar ambiguity or delays in payment.

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document of the eligibility, the law provides for identifiers who are authorized to vouch for people in their assigned region.

<sup>6</sup> Article 6.2, Comprehensive Peace Agreement.

<sup>7</sup> Letter dated Feb. 21, 2011, sent by the Secretary General Dr. Galal Mohamed Ahmed.

<sup>8</sup> The National Elections Act (Article 5) recognizes the independence of the election management bodies by stating that "[t]he Commission shall be financially, and technically independent, and shall perform its functions and duties independently, impartially and transparently..."

<sup>9</sup> Article 25 (b) UN, International Covenant on Civil and Political Rights; UN, United Nations Human Rights Committee, General Comment 25 (para 11) on "The Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service."

## **Registration Process**

While the majority of the voter registration centers observed by The Carter Center implemented their duties in a technically sound manner, there were nonetheless several deficiencies in administration by the NEC and SHEC that hurt the integrity of the voter registration process. Carter Center observers reported several instances in which staff failed to follow procedures correctly. Of particular concern, registration staff consistently failed to ask where the citizen was residing (registrars inquired at 26 percent of centers visited), their length of residence in the area (nine percent of registrars), and whether the registrant had previously registered to vote in another area (reported at only one center visited by observers). The registration procedures require staff follow these steps to provide safeguards against multiple registration by residents in South Kordofan, thus staff's inconsistency in following these procedures undermines Sudan's commitment to protect equal suffrage.<sup>10</sup>

Despite these technical inconsistencies, the Center recognizes the work of voter registration staff, who conducted their work in a challenging environment and without clear assurances regarding the amount and timing of their compensation. Negligence, weak training, or inadequate literacy contributed to the cases of poor performance of registration staff, leading to challenges in the proper entry of names into the voter registry. It should be highlighted that almost all registration centers visited by Carter Center observers across South Kordofan opened on time (98 percent of centers) and the registration teams duly followed the schedule published by the NEC.

Carter Center observers were particularly concerned about the relatively low amount of registrants accommodated over the twenty day process. Most notably, the number of mobile teams deployed to cover all registration centers was insufficient to accommodate all estimated eligible voters. Preliminary numbers received by election authorities during the registration process indicated that voter registration figures would fall below those levels seen during the November 2009 voter registration for the April 2010 elections. Given the low turnout, election authorities should have considered options to either deploy additional teams or extend the registration process in order to provide as many eligible citizens as possible an opportunity to register. For Sudan to meet its commitment to guarantee universal suffrage, the NEC should take all necessary steps to ensure this right is provided to all citizens. However, the NEC failed to take additional action, despite international advisers' recommendations for tangible steps to facilitate increased registration. A number of interlocutors, including staff at registration centers, noted that 20 days were not adequate to conduct voter registration in the whole of South Kordofan.

A convergence of other factors may have contributed to low registration. Observers noted at several centers that the distances people had to travel were very far. Additionally, the overlap of the harvest with the registration period may have depressed turnout, as many areas of the state are heavily agricultural. Moreover, non-governmental organizations (NGOs) and political parties also noted that changing registration procedures on the eve of registration led to confusion. Voters who registered in 2009 were uncertain whether they had to register again.<sup>11</sup> Finally, while

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<sup>10</sup> Article 21 (3), UN, Universal Declaration of Human Rights; Article 25, UN International Covenant on Civil and Political Rights.

<sup>11</sup> An SPLM party agent in Rashad noted that the change in start time of voter registration was not addressed on NEC posters and limited awareness has been conducted to deliver the corrected message to eligible registrants.

the NEC issued a detailed schedule on the deployment of mobile teams by location, there was little communication to the public on when and where the teams would be located, giving voters little opportunity to travel to registration locations when the mobile team would be present.

Lastly, registration procedures lacked basic safeguards, such as the inking of registered voters, which left room for potential multiple registrations. This safeguard would have improved the integrity of the process. In Dilling, observers received credible reports of a mutual agreement between election administration and the major political parties (NCP and SPLM) to allow all students from Dilling University to register irrespective of their residence, which could provide an opportunity for students to register more than once. Given the huge number of names to process on the voter registry, and many similar names, it is unlikely data entry staff could accurately identify and eliminate possible duplicates while processing the data.

These shortcomings in the registration process in South Kordofan undermine Sudan's national and international commitments. These principles require that all eligible citizens should be given the right to vote without distinction and any restriction should be reasonable and clearly justified by exceptional circumstances.<sup>12</sup> Based on problems observed during the registration process, the NEC and SHEC should redouble their efforts to ensure that Sudan meets its international obligations to guarantee universal and equal suffrage, and promote the broad participation of registered voters in the electoral process.

Officials should take extra steps to ensure these principles are followed in the next stages of the electoral process. In registration centers visited by Carter Center observers, officials largely failed to inform voters where they should cast their ballots on polling day. This information was communicated in a limited number of centers in a few constituencies.<sup>13</sup> It is important that electoral authorities communicate these instructions to voters in a timely manner, particularly in light of the fact that the polling centers may not be established in the same location as the registration centers in South Kordofan. If the change in location is coupled with a lack of voter information, voters may face challenges in locating their assigned polling station.

Moreover, registrants received mixed messages as to whether a registration receipt is required to cast a ballot on election day. According to the NEC, voters are not required to display their registration receipt; therefore it is important that all registration centers and polling center staff are adequately informed, so that registered voters are not prevented from voting should they fail to present a receipt on polling day. As part of the state's obligation to contribute to voter education efforts, comprehensive and credible voter information and education activities are necessary to ensure that all eligible citizens are aware of their political rights, including their right to vote and to be registered to vote.<sup>14</sup>

### **Data Entry**

Voter registration data was processed from Jan. 31-Feb. 25. Due to difficulties in processing data in Kadugli, caused by poor network connectivity, officials decided to process a number of forms

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<sup>12</sup> Article 25, UN, International Covenant on Civil and Political Rights; Article 2, AU, African Charter on Human and Peoples' Rights; Article 8, AU, African Charter on Democracy, Elections and Governance.

<sup>13</sup> Registration Centers # 24, 25, 30, 31 of those visited.

<sup>14</sup> Article 19, UN, International Covenant on Civil and Political Rights; Article 39, Interim National Constitution.

in the Khartoum data center to facilitate the process.<sup>15</sup> The number of books processed in Khartoum eventually totaled 110. Despite these efforts, data entry did not finish on time and the exhibition process was delayed by three days after it was clear the Feb. 23 deadline could not be met, which in turn impacted the electoral timeline.

Carter Center observers reported that a small number of books were quarantined in Kadugli and Khartoum due to printing or spelling errors. In three cases, the same voter number was printed more than once and the software did not accept a repeated voter number. There were a few other issues, such as recording incorrect constituencies or registration center numbers which were corrected at the time of data entry. Potential duplicate entries were also examined for accuracy.<sup>16</sup>

Despite the network issues and other problems, the data centers, both in Kadugli and Khartoum, operated transparently during the registration process and were responsive to observer inquiries.<sup>17</sup> While this transparency is noteworthy, observers were concerned by a potential lack of information sharing between the Kadugli and Khartoum data centers, as evidenced by the data center in Kadugli being unaware that Khartoum had entered several thousand names despite the fact that the two offices were inputting names onto the same shared network.

### **Exhibition**

The SHEC's delayed decision on the location and number of exhibition centers undermined voters' ability to check that their name was on the preliminary voter registry and thus hurt the integrity of the process. This was unfortunate as the election timeline mandates a limited exhibition of the preliminary voter registry.<sup>18</sup> Initially, the SHEC planned to establish more than 600 exhibition centers that would subsequently turn into polling centers. However, this decision was altered, reportedly as a result of insufficient human resources. On Feb. 20, the SHEC established 232 exhibition centers. Most were located in urban locations, or in the cases of smaller communities, central gathering places.

The NEC and SHEC did not meet the deadline to exhibit the preliminary printed voter registry on Feb. 23. On Feb. 22, it was decided to delay the process for three days, and further to extend the exhibition for three more days. This resulted in the voter registry being posted from Feb. 26-March 2. As a positive development, electoral authorities extended the exhibition period to ensure all exhibition centers had printed lists available to voters and registered voters had a greater possibility to review the lists for accuracy.

### **Complaints and Appeals**

While the political parties did not view low turnout for the voter registration process as an issue, several complaints were filed with the NEC and SHEC by the SPLM and other opposition parties that highlighted strong concerns over allegations of voter registration fraud. The SPLM expressed concerns that registration staff were biased toward NCP party agents, and that SPLM

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<sup>15</sup> On Feb.20, additional 200,000 forms were sent to Khartoum for data entry.

<sup>16</sup> For instance in constituency # 22, RC 31, three identical names were identified. Although the age varied, the registration book was quarantined until further review verified the entries.

<sup>17</sup> While observers heard reports that the data center staff were members of the NCP, this was not confirmed.

<sup>18</sup> The three-day exhibition period was extended to 6 days.

observers were impeded in their work. However, to the knowledge of Carter Center observers, none of these allegations materialized as official complaints.

On Jan. 28, the SPLM filed an official complaint with the SHEC alleging registration of underage people, denied access of their party agents to registration centers and also challenged the suspension of the registration process in Alsammah East registration center # 2 due to the chaos that was caused by unidentified people, and demanded the dismissal of the chairperson.<sup>19</sup> NCP officials brought a counter complaint, alleging that the SPLM disturbed the registration process and claiming that SPLM agents were photographing registrants, which led to a shooting and created a disorderly environment. In its response, the SHEC rejected the demand to dismiss the chairperson and stated that allowing people to gather at the registration site was a joint responsibility between the chair and party agents; they should have cooperated in maintaining the flow of traffic at the registration center to avoid a crowd, and this is not the responsibility of the chair alone. Further, the SHEC elaborated that given different testimonies on who initiated the shooting, it is the prerogative of the police to investigate. Nonetheless, a Joint Integrated Unit (JIU) was deployed to the area to provide security.

After completion of the voter registration process, the SPLM and seven other parties submitted several formal complaints to the NEC.<sup>20</sup> These complaints alleged irregularities in Constituency #30, including a claim that an additional voter registration team was added in the final days, which was not under the direction of the constituency officer, but reporting to the SHEC directly.<sup>21</sup> The SPLM demanded all these names be removed, and implied they would raise serious objections if they were not.<sup>22</sup> Registration staff members of the constituency in question were summoned to discuss the issue, and the chair was subsequently dismissed.

A petition filed on Feb. 28 by SPLM official Yasir Arman and the seven opposition parties, alleged the illicit inclusion of 38,374 voters in the electoral register in 20 geographical constituencies as well as the removal of 12 geographical constituencies with 20,044 voters. According to the petition, there was a gap of 58,880 voter names between the official register and the one subsequently produced. As a response to these grievances, the NEC sent a technical team to South Kordofan to investigate, and as a result, some 16,000 names were removed from the voter list in Muglad. On March 6, the NEC issued an official reply to this and other complaints, stating that the teams dispatched to South Kordofan did not find proof of other alleged forgery. It also noted that the data on which the political party grievances are based is not accurate, explaining the differences in the voter registration numbers.

Although the NEC was responsive to allegations made by political parties, there should be more effective mechanisms put in place to ensure transparent adjudication and wider legal remedy. The state should acknowledge the fundamental right of every individual or political party to a remedy

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<sup>19</sup> Constituency #10, Kadugli West.

<sup>20</sup> Sudan Communist Party, Democratic Unionist Party, National Umma Party, National Party, Justice Party, Popular Congress Party, and Sudanese Ba'ath Party.

<sup>21</sup> It is important to take into account that the SPLM's leader in Kadugli stated that they rejected the 2010 voter registration figures because they were believed to be inflated.

<sup>22</sup> It is notable that this happened in a largely Misseriyah area, where it is generally accepted that turnout has been low. The SPLM allege that the Misseriyah are boycotting the process as a response to unfulfilled NCP promises. The NCP deny this, but said it had been hard to reach nomads in this area.

for violations of political and electoral rights, including the right to vote and to be registered as a voter, as well as candidature, party and campaign rights.<sup>23</sup> In addition, it is the responsibility of the state to ensure the dispute is resolved effectively within the timeframe of the electoral process by an independent and impartial authority.<sup>24</sup>

### **Political Party Activity**

The presence and active participation of party agents representing different interests is critical to the integrity of the electoral process. The agents' effectiveness, however, is based on their ability to work freely, with a strong comprehension of election procedures and of their role in the process. During the registration period, party agents were seen in the majority of registration centers observed, however, their membership was largely limited to the NCP and SPLM. Of these two parties, the SPLM had a larger presence across the state in the stations visited by observers. During the meeting with the National Umma Party, observers were informed that the party did not have enough resources to monitor the voter registration process, which also appears to be the case with other opposition parties.

In addition to observing the process, party agents were seen outside the majority of registration centers observed, recording names and numbers of people registered. Members of both parties told observers that this was a way of tracking how many of their members registered, and providing an estimate of how many votes to expect for their candidates. While not in violation of the electoral law, this practice is not an official step of the registration process, resulting in potential confusion for many registrants. Political parties should ensure their members do not engage in activity that could undermine public confidence in the integrity of the electoral process. In this respect, political parties can play an important role in helping to ensure the entire election process is free from coercion or intimidation and is in line with national laws and international obligations.<sup>25</sup>

Following the completion of voter registration, the eight opposition parties<sup>26</sup> held a press conference on Feb. 27 at the SPLM headquarters in Khartoum to announce their concerns to the NEC publicly. On March 28, the SPLM and its supporters restated their concerns over the voter registration process at the demonstration staged in front of the NEC. Regardless of intensive police presence attempting to restrict them from getting close to the NEC headquarters, the petition was submitted.<sup>27</sup> In addition, grievances over the voter registration process have been expressed in the SPLM office in Mogran, Khartoum with over 2,000 supporters attending the meeting.

### **Civic Education**

Low registration figures suggest that civic voter education was not widespread throughout South Kordofan, impacting participation levels of eligible voters. Due to late decision-making and the subsequent failure of registration centers to inform registrants of the locations of exhibition and

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<sup>23</sup> Article 2, UN, International Covenant on Civil and Political Rights.

<sup>24</sup> Article 17, AU, African Charter on Human and Peoples' Rights.

<sup>25</sup> Article 40-41, Interim National Constitution,; Article 25, UN, International Covenant on Civil and Political Rights; United Nations Human Rights Committee, General Comment 25.

<sup>26</sup> SPLM, Sudan Communist Party, Democratic Unionist Party, National Umma Party, National Party, Justice Party, Popular Congress Party, and Sudanese Ba'ath Party.

<sup>27</sup> Please see section on complaints and appeals.

polling, it is important to make further efforts in voter education to ensure that eligible voters are made aware of where and how they will cast their ballot.

Civil society was largely absent in the conduct of voter education, although towards the end of the registration process some civil society groups mobilized to inform voters about the exhibition period. Carter Center observers were informed that the civil society organization (CSO) Mubadiroon conducted voter education through radio broadcasts and the distribution of leaflets.

The South Kordofan Civic Education Election Forum (SKCEF) also provided voter education on the registration process, operating an informational tent in Deleng for 20 days and conducting face-to-face voter education in five localities.<sup>28</sup> However, none of the registration centers visited informed observers on the presence of any CSO or NGO pursuing voter education in their areas. Voter education posters were rarely observed near to registration centers and on very few buildings, vehicles and billboards. The majority of posters observed had the original dates of registration (January 8-27). While not directly observed, the SHEC informed observers that various public meetings were being conducted by election commission officials on the process.

The decision to establish only 232 exhibition centers proved challenging for United Nations Integrated referendum and Electoral Division (UNIRED) to inform voters separately on exhibition and polling sites. However, on February 20, voter education was launched through NGOs (SOLO, ECC, MUBADIROON and Gender Center) by means of loud speakers and announcements on local radio stations. In addition, UNIRED informed the Center's observers that a face-to-face campaign would also be conducted to inform voters where their names will appear on final voter registry.

To ensure public awareness, 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 should be expanded to ensure voters 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.<sup>29</sup>

### **Participation of Women**

Women were observed actively participating in the voter registration process. This is an important achievement, especially given Sudan's challenges in ensuring gender equality. Carter Center observers reported that more than 50 percent of registrants observed were women. Often, women were seen as party agents and registration center staff. Women were particularly enthusiastic in Dilling, stating that women want their 25 percent share of seats.<sup>30</sup>

Although women have participated proportional to their share of the population, more will need to be done to ensure that women participate equally in all aspects of the electoral process,

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<sup>28</sup> The work of SKCEF is supported by the National Democratic Institute (NDI).

<sup>29</sup> Article 25, UN, International Covenant on Civil and Political Rights; Article 21 (3), UN, Universal Declaration of Human Rights; Article 1, AU, African Union Declaration on the Principles Governing Democratic Elections in Africa.

<sup>30</sup> According to Article 31, National Elections Act, 25 per cent of votes shall represent women.

including in election management bodies. It is critical that the NEC and the GOS take steps to ensure that women have greater representation at all levels of the electoral process and are equal partners in realizing Sudan's democratic transition.<sup>31</sup>

### **Domestic and International Observers**

The Carter Center was the only international observer group present in South Kordofan for the voter registration process. Carter Center observers had full access to voter registration centers across the state, the data center and the SHEC and were not hindered in fulfilling their duties. The Carter Center appreciated the timely action by the NEC to provide accreditation to Carter Center observers, ensuring no delay in observer deployment. The Center hopes that additional organizations will apply for accreditation with the NEC and will send observers to monitor the polling processes in South Kordofan.

It is also regrettable that the process was not widely observed by domestic observers, which would have further ensured the transparency and integrity of the process. The SHEC informed Carter Center observers that approximately 120 observers from four domestic groups (Salah, Developing Democracy and Human Rights Network, Thiqh al Atiah, and National Civic Forum) had been accredited. The National Civic Forum was only able to observe as of Feb. 2 due to budget constraints. The Developing Democracy and Human Rights Network commenced observation on Jan. 27 and claimed to have 90 volunteers covering all 32 constituencies. However, the Carter Center observers encountered very few observers at voter registration centers and none were present at the data center in Kadugli.

The Center urges domestic observer organizations to increase their presence during the polling period, while also urging international partners to provide any necessary support to ensure observers are present throughout the state to monitor and report on all remaining parts of the electoral process. Sudan is obligated by an international commitment to ensure that every citizen has the right to participate in the public affairs of Sudan and the right to freely participate within civil society and domestic observation organizations.<sup>32</sup>

### **Role of Security Forces**

In most locations of South Kordofan, security forces played a generally positive role in ensuring the security of registration centers. Carter Center observers reported that there were almost no cases of intimidation or harassment by security forces directly observed at voter registration centers. Members of Sudan's national police generally played a positive role in maintaining order during the process; observers recorded members of the police entering registration centers, in contravention to the NEC's procedures on voter registration, at only nine percent of registration centers visited.<sup>33</sup> There were isolated reports of arrests of opposition party members without cause in South Kordofan during voter registration, which may contribute to increased tensions on the local level.

It should be noted that South Kordofan, on the border with Southern Sudan, is impacted by the ongoing conflict in Abyei and the resulting civilian displacement and troop buildup. The GOS, in

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<sup>31</sup> Article 9 (1), AU, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women.

<sup>32</sup> Article 25, UN International Covenant on Civil and Political Rights.

<sup>33</sup> NEC, Electoral Register Manual, Procedures for Updating the Electoral Register, Southern Kordofan 2011, "Observers and Agents," p.24.

partnership with representatives of the international community present in South Kordofan, should continue to monitor tensions in the state, particularly in the lead-up to polling in May. All sides should recommit to working together to achieve a peaceful interim process in the state.<sup>34</sup>

### **Background on the Carter Center's Mission**

The Carter Center election observation mission observed the entirety of the 2010 National Elections following an invitation from the leaders of the Government of National Unity and the Government of Southern Sudan. In August 2010, the Center commenced referendum observation activities, subsequently deploying long-term observers throughout Sudan in September 2010, including to South Kordofan, where a team has been present in the state on a continuous basis. The Center assesses the election processes in South Kordofan based on the Comprehensive Peace Agreement, Interim National Constitution, National Elections Act, and Sudan's obligations for democratic elections contained in regional and international agreements, including the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights.<sup>35</sup> In total, Carter Center core staff and long-term observers currently deployed to Sudan form a diverse group from 14 countries.<sup>36</sup>

Following the launch of voter registration in South Kordofan, the Center deployed two additional teams to observe in the state. Teams were based in Kadugli, Lagawa and Dilling, covering 19 out of all 32 constituencies. The Carter Center observed the voter registration process and will remain in Sudan to observe the candidate nomination, campaigning, polling, and counting processes in South Kordofan. These elections will be assessed against the 2005 Comprehensive Peace Agreement, Sudan's Interim National Constitution, the National Elections Act, the Political Parties Act, as well as Sudan's international treaty obligations. The Center's observation mission was conducted in accordance with the Declaration of Principles for 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. The Center will release periodic public statements on referendum findings, available on its website: [www.cartercenter.org](http://www.cartercenter.org)

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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. For more than 20 years, The Carter Center has worked to improve health and prevent and resolve conflict in Sudan. Please visit [www.cartercenter.org](http://www.cartercenter.org) to learn more.*

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<sup>34</sup> The SPLM has expressed a lack of confidence in the Sudanese police and as a result of their perceived biases have asked that the JIU provide security for the elections even though the relevant laws would suggest this is not possible.

<sup>35</sup> Sudan ratified the African Charter on Human and Peoples' Rights (ACHPR) Feb. 18, 1986. The ACHPR came into force on Oct. 21, 1986. Sudan acceded to the International Covenant on Civil and Political Rights (ICCPR) on March 18, 1986, which entered into force on March 23, 1976.

<sup>36</sup> These countries include: Argentina, Canada, Denmark, Egypt, France, Georgia, Germany, Hungary, Kenya, Norway, Uganda, United Kingdom, United States, and Zimbabwe.