



UNMIS

Press Conference

5 August 2009

Near-verbatim transcript of the Press Conference
by UNMIS Chief Electoral Affairs Officer,
Ray Kennedy
UNMIS HQ, Khartoum

UNMIS Spokesperson Ashraf Eissa: Good morning and welcome everybody. We would like to start this briefing by introducing our guest today. Mr. James Ray Kennedy is the Chief of the UNMIS Electoral Affairs Division. Ray has got ten years of elections experience in an area extending between South America and Afghanistan. We are very privileged to have him with us today to give you an update on UNMIS' work and its support to the National Elections Commission (NEC) and other aspects of the electoral process.

Without further ado, I hand over to you, Ray. The floor would be open for your questions after Ray's opening remarks.

UNMIS Chief Electoral Affairs Officer, Ray Kennedy: Thank you very much, Ashraf. In 2010, Sudan will hold its first multi-party elections in more than 20 years. These elections are a major milestone in the Comprehensive Peace Agreement, and the United Nations is committed to supporting the process. But I would highlight the word *support* -- UNMIS is here to *support* the process -- and that the responsibility for planning, organizing, and conducting these elections rests with the Sudanese authority established for that purpose, namely the National Elections Commission ("the NEC").

The NEC faces tremendous challenges in organizing these elections.

- The size and physical landscape of the country, together with weak infrastructure in large parts of the country, would present a challenge for any election management body.
- The fact of having to organize elections for six offices at the same time -- President of the Republic, President of the Government of Southern Sudan, state governors, the National Assembly, the Southern Sudan Legislative Assembly, and State Assemblies -- and with different elections taking place in different parts of the country, would present a challenge for any electoral management body.
- The complexity of different elections being decided in different ways -- with the two presidential elections requiring an absolute majority, the governors and geographical constituencies requiring simple majorities, and the party lists and women's lists being conducted by proportional representation -- would present a challenge for any electoral management body.
- And the time pressures that the NEC is under -- with the election law being passed two and a half years late and the establishment of the NEC itself taking far longer than envisioned in the CPA and in the National Elections Act -- would present a challenge for any electoral management body.

Together, all of these factors make these elections some of the most complex and challenging on record.

The success of these elections will require the combined efforts of the NEC, the United Nations system, and the broader international community, but more importantly, it will rely on the Sudanese people themselves, who in the long run will determine if this is a peaceful and acceptable process. Each of us has a stake in these elections and a responsibility to ensure that they are peaceful and that the ideals set forth in the CPA are upheld.

The overall role of UNMIS is described in UN Security Council Resolution 1590 which established the Mission back in 2005, and which mandates us to "*provide guidance and technical assistance to the parties to the CPA to support the preparations for and conduct of the elections and referenda provided for by the CPA.*"

The Security Council renewed our mandate in April 2009 in Resolution 1870 and reaffirmed that UNMIS is to support the National Elections Commission in its preparations for credible national elections, including the provision of assistance and advice.

UNMIS' first electoral advisor arrived in late 2006 to advise the Mission on broad issues relating to the timeline and legal framework for the elections. By the end of 2007, there were three of us, and we had begun looking in more detail at possible timelines for the elections and the resources that would be required to support the NEC once it was established. Today, we have over 100 staff on the ground, with teams in Khartoum, El Fasher, and each of the 10 states of Southern Sudan; by late September, we plan to have election support teams in each state in the North as well as we respond to the NEC's request for support in all 25 states. Our electoral staff come from nearly 50 different countries and have experience in electoral support operations in various countries around the world, and we will be working side by side with NEC counterparts throughout the process.

We are assisting NEC in a variety of areas, including: advising on the development of operational and logistical plans and procedures for voter registration, nominations, polling, counting, and the tabulation and announcement of results; development of training plans and materials; and development of voter education plans and materials. We are able to offer the NEC a variety of options for these activities and to share with them our experiences with those options elsewhere. But again, it is the NEC that makes the decisions and that guides the entire process.

Based on a request from NEC to assist them with logistics, the Mission has asked for additional helicopters to help move registration materials, voter education materials, ballots, and ballot boxes around the country and we are awaiting approval of that request. According to our calculations, we could be asked to assist with the transportation of 7.5 million kilograms of election material.

We are also working with other stakeholders, assisting the Political Parties Affairs Council with the development of information materials and plans for party training, working with election observation organizations to ensure that the CPA provision that "international observers shall participate in the observation of the elections" is fulfilled, and working with civil society groups to ensure that citizens have at least a basic understanding of this complex process. Both UNMIS and UNAMID (the United Nations African Union Mission in Darfur) are working with the police to develop and implement training programs on election security. Our colleagues in UNDP are providing support to the process by managing funds from donor countries and purchasing some of the materials required for voter registration and the elections. And we are working with our colleagues in UNIFEM and the Mission's Gender Unit to ensure that women are informed about and engaged in the electoral process.

We are committed to supporting the NEC, the PPAC, and other stakeholders – within the resources at our disposal -- to help ensure the success of these elections.

In closing, I want to encourage you to be partners with the NEC and to assist the Commission in informing people about these elections. To help you in this, the NEC, with our assistance, has issued a number of fact sheets on the electoral process. We have copies, in both Arabic and English, available for you at the side table. I encourage you to take them, study them, and share the information with your audiences.

Thank you.

Questions and Answers

Reuters: Was it a mistake to make the elections process so complicated or was it inevitable? The SPLM is rejecting the census results. Now that the constituencies are announced this week, are you worried that the elections may be delayed, then, or whether they are going to happen at all?

Ray Kennedy: I am going to answer very briefly because the topic of the briefing is, "The UNMIS Role in Supporting the Electoral Process". On the issue of whether these elections are too complex, I can tell you that the debate on the sequencing and grouping of elections in post-conflict situations is a debate that has been going on for all of the twenty years that I have been involved in electoral assistance and it continues. There are advantages and disadvantages to various sequences and various grouping of elections. I think that we all understand now that this is a very, very complex process. It reinforces a point that I have made for many years that legislators and those who are negotiating peace agreements need very good, very solid electoral advisory support when they are negotiating or when they are legislating to avoid some of the problems that could crop up if those negotiation and legislative processes take place without adequate electoral advisory support.

On the issue of the census results, what I would say is that we do face a very tight timeframe. Anything that potentially delays any part of that timeframe could have an impact on when the elections are held.

Radio Miraya FM: Taking into consideration the current situation in Darfur, do you think that it is favorable for the elections to take place in the Darfur region?

Ray Kennedy: I can tell you that I visit Darfur usually once a month to monitor the situation there. We also have UNMIS Electoral Division staff stationed in El-Fasher already and we anticipate having teams stationed in Nyala and in El-Geneina as well, as I mentioned, by the end of September. The NEC has been very clear that where there are problems, they would consider those on a case by case basis. Our role here is to support the NEC. We believe that as many people as possible should participate in the elections. We are, of course, aware that there may be cases where people would, for whatever reason not be able to or choose not to participate in the elections. But we are doing our best to ensure that as many people as possible do participate in these elections. We want these elections to be a reflection of the will of the entire electorate here in Sudan.

SUNA: There are contradictions on the funding required for the electoral process and what funding UNMIS is set to provide to the process. The NEC estimates that it requires a billion dollars in funding for the process. Could you provide us with figures of funding UNMIS would provide for the process? Do you think that the one billion dollars requested by the NEC is sufficient for such a large country with weak infrastructure?

Ray Kennedy: What I can tell you is that discussions over the budget for these elections continue. The NEC still has to take a variety of policy decisions related particularly to the polling process next year. It is only once the NEC takes those decisions that there can be a detailed operational plan and a detailed budget. At this point, it is impossible to know exactly how much the elections would cost. The basic principle is that the elections are the responsibility of the NEC. The NEC has been developing budgets and submitting those to the government. The NEC reports to us that the government has been providing them with the funding they need. UNDP is working with the NEC in reviewing of their budgets, offering advice on items that might be missing in the budget ... items that might need additional clarification in the budget. So at this point, we don't know what the bill would be for the elections and I will leave it at that – we would have to go through this planning process before we could know for real what these elections would cost.

Al-Ahdath: Has the NEC requested that UNMIS deploy troops for elections security?

Ray Kennedy: NEC has established a working group on security which UNMIS Police and UNMIS Electoral Division are part of. Our role is, again, an advisory role. UNMIS Police are working with their counterparts in the National Police and the Southern Sudan Police Service to develop training programs and materials. We would be working closely with the national authorities but the final responsibility for security for the elections remains in the hands of national authorities.

Al-Akhbar: The UN seems to be focusing on the logistics and technical aspects of elections support while totally ignoring the climate in which the elections would be held. Laws remain in place that contradict the Constitution, basic freedoms are not guaranteed, press censorship remains in place, government continues to control radio and television. Could we expect more from the UN apart from logistics and technical support for the process?

How about prospects for elections in southern Sudan where tribal clashes have been reported?

Ray Kennedy: My role here is as Director of the UNMIS Electoral Division. While we have overall responsibility for coordinating all UN assistance to the electoral process, we are not the only part of UNMIS or the UN that is supporting the electoral process. For example, the UNMIS Human Rights Unit is constantly monitoring issues of political space; UNMIS Rule of Law is monitoring compliance with the rule of law. There are other ways in which UNMIS is supporting the electoral process beyond logistics, training and technical advice. We have also been asked and are working with colleagues in other parts of the Mission to assist other stakeholders. The Advisory Council on Human Rights has asked for some assistance in developing training for judges on the resolution of elections disputes. We are working with our Rule of Law colleagues to respond to requests like that. So, no, it is not just logistics, training and technical advice.

On tribal conflicts in the south, any time there is active conflict going on, it creates problems for elections management. One of the things that I have constantly said here within the Mission as well as to national and international stakeholders is that we need a secure environment not just for elections day. We need a secure environment that allows elections officials to go out and survey to determine where registration centers should be located; we need an environment that allows voter educators to go out to communities and communicate to them the details of the electoral process. All of this has to take place well in advance of an election. We are hopeful that the situation would be stable enough to allow these activities to continue but we do keep an eye open.

Sudan Vision: My first question is that you mentioned that UNMIS and UNAMID are training police for the elections but we know that UNMIS and UNAMID have an area mandated to them that doesn't cover the whole of Sudan. Do you have a different idea about this?

The second thing: with whom are you actually dealing with in the elections? With the government or with the NEC which is an independent body?

Third: you said that you have started training plans. Now this is August although the first advisor arrived in 2006. Don't you think that this way too late for any useful training now?

Ray Kennedy: On the issue of police training, we obviously do not have the resources to be able to train all of the police who are going to be engaged in the elections security. What we are working on is helping the National Police and the Southern Sudan Police Service in developing training programs and materials that they then deliver. Our understanding is that those training programs that we are helping them design are in fact reaching police in all twenty five states. So, while we and UNMIS Police are not present in all twenty five states, they are helping in the design of programs that would reach all twenty five states.

On who we are dealing with, our primary interlocutor is in fact the NEC. And that is part of the reason why things are so delayed. As I mentioned in my remarks, the Elections Law was two and a half years late being passed; the NEC which under the original provisions of the CPA should have been in place by February 2006 was not in place until November 2008. We are all suffering from those delays in putting the electoral law and the elections commission in place. And one of the things that we know from experiences all over the world is that it is very difficult to catch up. But, again, we are committed to doing the best we can to help the NEC make these elections the best possible elections.

Al-Wasat Al-Iqtisadi: Are there mechanisms or guarantees for the participation of Sudanese refugees in the elections?

Ray Kennedy: The issue of refugees is one that comes up quite frequently in post-conflict situations. What we have here is an election law that very specifically says that Sudanese outside of the country must have two documents in order to be able to register and vote. Those are a valid national passport and a valid residency visa. There is not much that we can do. The NEC is constrained by the law and, at this point, I don't foresee the law being changed. Within those provisions, the NEC is working to ensure that those who do meet those criteria and are outside the country are able to vote.

Al-Jazeera: Controversial census results; a complex political and security situation in Darfur; political parties in the north that still push for a democratic transformation; restrictive laws; a complex security situation in the south with reports of deaths from tribal clashes and protests of restrictions of the political space by political parties. How do you expect elections to take place against such a backdrop?

Ray Kennedy: First of all, let me say that we are all very concerned with protecting lives of people and none of us wants these elections to end up in the loss of life. We are encouraging the NEC, we are encouraging the Political Parties' Affairs Council, we are encouraging political parties themselves to do everything possible to get the message out that these should be peaceful elections. We know that elections often raise the temperature, they raise tempers, but it is important for people to understand that elections are periodic. People who do not win office in these elections should have the opportunity to try again in a few years, and it is a matter of respecting the will of the people as we go through this process.

The conditions are never perfect. I have said repeatedly all over the world that there is no such thing as a perfect election anywhere, any time. What we need to focus on is making these elections the best possible, learning as many lessons as possible from these elections and working to ensure that elections in the future go through a process of improvement from one election to another.

Sudan Radio Service: During a meeting of the NEC with different political parties yesterday, (*Assistant to the President of the Republic and NCP vice chair*) Nafie said that UNMIS' mandate is confined to the south and it has no right to monitor elections in other parts of the Sudan. Was Mr. Nafie's statement correct or do you have any comments to clarify?

Ray Kennedy: UNMIS has a mandate to support the holding of elections, which have to be held nationwide. We have received from the NEC a request to place staff in all twenty five states. We are working at this point to respond to that request and, as I said, we hope to have staff in place in the fifteen states in the north by the end of September, again, at the request of the NEC. And I do need to clarify that these are not monitors. These are staff providing technical assistance to the NEC in operations, in planning, in logistics, in training, in voter education. The UN, because we are providing technical assistance to the NEC, has no role in monitoring the process. Monitoring is the function of party agents on the one hand and both international and domestic observers on the other hand. UN is not here to monitor or to observe the elections in any way. We are here to support the NEC, the Political Parties' Affairs Council and other authorities and stakeholders in the organization and conduct of these elections.

Al-Rai Al-Aam: Unfortunately I feel that the answers you gave today are not straightforward ones. I hope I will get a straight answer to my question. (*Foreign Minister*) Deng Alor said that the UN and the NEC are "blowing through a broken pot" through their rejection to postpone the elections. Is that depiction correct?

Ray Kennedy: This goes back to the early part of my statement that these are some of the most challenging and complex elections ever anywhere. To organize these elections in a very short timeframe is an enormous

challenge. We are given limited resources with which to assist the NEC. Yes, it is difficult, it may not succeed but we are going to do our best to assist the NEC in organizing and in carrying out these elections.

Al-Ayyam: Do you expect UNMIS to intervene if there is any misconduct during the elections?

You said that UNMIS supports the NEC in training of judges. Would UNMIS support the NGOs in training the grassroots on how to vote?

Ray Kennedy: Let me start with the second question first on if we support NGOs in voter education work. We are working directly with the NEC to help them develop plans and materials for voter education. UNDP is funding grants to NGOs for voter education work and we anticipate that other donors may have other channels and mechanisms through which to support voter education activities in part or all of the country. So there is work that is going on. Again, we need to know the basic outline, the basic mechanism for voter education and for the elections. The fact-sheets that are over at the side for you are part of the assistance that we have provided to the NEC and to the Political Parties' Affairs Council to get basic information out to voters. We are aware of other efforts that are underway to get information out to voters as well.

As to whether UNMIS might somewhere intervene in the process, I am not a hundred percent clear on what your focus is on that question. UNMIS peacekeepers are here to help in the implementation of the CPA. If there are situations that call for the engagement of UNMIS forces and those situations fall within the mandate and the resources of UNMIS, then that is something that is in the hands of the SRSG to decide. I will leave it at that.

Spokesperson Ashraf Eissa: Thank you very much, Ray. Thank you very much ladies and gentlemen and we look forward to seeing you in our next briefing on the 11th with Lise Grande, the Resident Humanitarian Coordinator for the south. Thank you very much for your time and effort.

ENDS
