



FOR IMMEDIATE RELEASE

May 18, 2011

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**VOTE IN SOUTH KORDOFAN IS PEACEFUL AND CREDIBLE, DESPITE
CLIMATE OF INSECURITY AND SOME IRREGULARITIES**

The Carter Center Election Observation Mission in Sudan

Despite a climate of heightened insecurity and instances of procedural irregularities that removed an important safeguard of the process, South Kordofan's elections were generally peaceful and credible. The voting, counting, and results aggregation processes were conducted in a nonpartisan and transparent manner under intense scrutiny from leading political parties.

The official results announced by the National Election Commission (NEC) and State High Election Commission (SHEC) indicate a closely contested race between the two dominant parties. Challenges and complaints about the process should be pursued through the formal legal channels prescribed by law, and the resolution of any disputes should ensure timely decisions based on a thorough and transparent review of evidence. The NEC should use the official database developed to compile the preliminary results. This process appears to have been bypassed by the SHEC, thus removing an important safeguard that can highlight anomalous results. Further, the Carter Center urges the NEC to post the figures from each polling station on its website to allow party agents to conduct a full analysis of the results.

Climate of Insecurity. Tension among voters was high due to general insecurity in many parts of the state during the months preceding the polls and outbreaks of fighting in two areas on the eve of the elections. Speeches by leaders of the main parties during the campaign claiming that an electoral victory by their party could only be stopped by fraud committed by the other side served to heighten voter fears. In addition, several villages were closed to activists of one or another party during the campaign period. The presence of regular armed forces and militias from the major political forces is common throughout the state. Despite the fact that the armed forces contributed to providing election security, the buildup of troops with political party loyalties heightened voter fears that fighting would occur over the results. It is imperative that future elections be held in an open environment, free from intimidation from state or other armed forces in order for Sudan to fully meet its international obligations

to guarantee universal suffrage, and that elections allow for the genuine will of the voter to be expressed.

Polling and Counting. Although polling staff were observed to be impartial, The Carter Center noted that poor training led to lapses in voter identification procedures. Polling staff failed to follow procedures for checking voters' hands for ink and asking voters to provide identification at many polling centers across the state, removing an important safeguard against manipulation and multiple voting. Despite these lapses, Carter Center observers only reported one clear instance of multiple voting. However, Carter Center observers did report a small number of cases where party agents exploited this oversight and distributed voter registration slips of absent voters to unregistered citizens, thus facilitating illegal proxy voting.

The SHEC implemented an inclusive policy for accrediting party agents and observers, which resulted in many party agents for both the Sudan People's Liberation Movement (SPLM) and National Congress Party (NCP) present in polling stations. Carter Center observers also reported several instances where unaccredited party persons were present in polling stations. In about 15 percent of polling stations visited by Carter Center observers, party agents were inappropriately involved in the voting process, including directing parts of the process, and in some cases accompanying voters into the voting booth. Most of the instances involved SPLM agents. In a few exceptional instances, agents from both leading parties were reported to have directed voters how to vote and/or marked ballots for them. Although electoral procedures allow illiterate voters to request assistance from a person of their choice to cast their ballot, some of these instances of party agent involvement clearly violated procedures and undermined the secrecy of the ballot. Improved voter education should be ensured for future elections to address this problem and decrease the high number of invalid ballots cast.

Although no direct intimidation of voters was reported by Carter Center observers during the elections, the Center received a few credible reports of intimidation of Sudanese domestic observers.

Notwithstanding these problems, observers rated the process positively in 87 percent of polling stations visited and noted that the conduct of the election was largely improved over last year.

Tabulation and Results. The results tabulation proved to be the most contentious part of the process, despite the SHEC's efforts to make the process as transparent as possible by opening results bags in front of all party agents and reading results out loud. The NEC developed a system whereby parties and voters could lodge complaints regarding the polling process on a Form 7 to a polling committee, which could be appealed to the SHEC and/or NEC. Although these complaints were sent to the SHEC, there were no specific regulations in place that mandated how they should be handled.

The SPLM raised a number of complaints to the SHEC during polling. However, as these claims were mostly unsubstantiated, they proved impossible to investigate and were thus dismissed by the SHEC. The party then raised these complaints during the opening of results, demanding that they be addressed prior to the tabulation so that affected results could be annulled. However, many of these complaints were of a minor nature, due to poor form completion. The SPLM delayed the tabulation process by several days with repeated walk

outs over the issue citing mistrust in the election authorities. This eventually caused the NEC and SHEC to decide against using its discretionary executive authority to decide complaints and instead referred all complainants to the court as provided for in the National Elections Act (NEA).

The NEC's election results indicate that the NCP has won both the governorship and a majority in the state legislature. In the race for governor, Ahmed Haroun received 201,455 votes over Abdul Aziz al Hilu with 194,955 votes. The NCP won 33 seats in the legislature to SPLM's 22 seats. Although both parties polled fairly evenly overall, SPLM support was in a smaller area, where it won heavily, whereas the NCP won more constituency seats but with a lower margin.

In spite of the procedural lapses, The Carter Center did not observe systemic irregularities that would invalidate the results. According to the legal framework, parties have one week from the official announcement of results, i.e. May 16-22, to file formal complaints with the Supreme Court. The court should review and adjudicate claims within two weeks of receipt, or by June 5.

Observer Deployment and Methodology. The Carter Center monitored the entire process of the South Kordofan gubernatorial and state legislative elections from the start of voter registration to the announcement of the preliminary results, with four roving long-term observers and a core team of six analysts. In total, 14 short-term and long-term observers and additional core staff observed polling, counting, and the tabulation of results. Observers were deployed in teams of two around the state, making 165 visits to polling committees in 26 of the 32 constituencies over the course of the election. Although Carter Center observers visited many areas of the state, the observation mission was partially restricted in its movements due to security concerns in certain areas of the state.

The observation mission represents 14 different nations including Denmark, Egypt, France, Germany, Hungary, Italy, Kenya, the Netherlands, Norway, Sweden, Uganda, the United Kingdom, the United States, and Zimbabwe. The Center has maintained a presence in South Kordofan since November 2009, initially observing voter registration for the April 2010 elections. The Carter Center has released statements on voter registration and the nominations and campaign period, which can be found on the Carter Center's website, www.cartercenter.org/.

The Carter Center assesses electoral processes in Sudan based on Sudan's obligations in 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 for democratic elections and human rights. 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.

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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 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.