



PRELIMINARY STATEMENT OF THE AFRICAN UNION OBSERVER MISSION TO THE SUDAN ELECTIONS

11 – 15 APRIL 2010

In response to an invitation by the National Elections Commission of the Sudan (NEC), H.E Jean Ping, Chairperson of the Commission of the African Union appointed and dispatched an Observer Mission to the Sudan to observe the General Elections held from Sunday 11 to Thursday 15 April 2010.

The Observer Mission was preceded by pre-election assessment missions of the African Union and an advance team of monitors who were deployed in the Sudan on 18 March 2010.

The AU Observer Mission is led by H.E. John Agyekum Kufuor, Former President of the Republic of Ghana. Members of the Mission were drawn from National Electoral Commissions, National Parliaments, the Pan-African Parliament, the Economic, Social and Cultural Council of the AU, Regional Legislative Assemblies and Economic Communities, Ambassadors, prominent individuals, and members of civil societies from various African countries.

In accordance with the African Union Guidelines for Election Observation and Monitoring, the Mission met and consulted with various stakeholders involved in the election process. These included political parties, civil society actors, the media, the National Elections Commission of the Sudan, as well as domestic and international observer missions deployed in the Sudan to observe the elections.

After a 3-day briefing and orientation for its members, the African Union Mission deployed Teams to various locations throughout the country, specifically Khartoum, Al Gederaf, Al Gezira, Red Sea, River Nile, Sinnar, White Nile, Northern Darfur, Southern Darfur, Blue Nile, Bahral Gebel, Upper Nile, Northern Kordofan and Southern Kordofan. The Teams carried out further consultations with relevant stakeholders in the regions and were able to observe the concluding stages of the election campaign.

Initially, the voting was scheduled from Sunday 11 to Tuesday 13 April 2010. However, this was extended by two days to 15 April 2010 by the National Elections Commission.

A. AFRICAN UNION AND THE SUDAN

Over the years, the African Union (AU) has actively engaged in efforts to assist the people of Sudan to address their challenges in line with the Continent's commitment to peaceful resolution of conflict, development and the construction of national democratic societies.

These include, amongst others:

- the AU's support for negotiations that led to the adoption of the CPA which provides a political framework for managing the diversity of Sudan and envisioning its democratic transformation;
- the constitution of the African Union Mission for Sudan (AMIS), the first peace-keeping in the Darfur region of Sudan which comprised of African peace-keepers. This was later hybridised to include peace keepers from beyond the continent in a joint African Union – United Nations umbrella of UNAMID, the African Union and United Nations Mission in Darfur;
- facilitation of various peace agreements between belligerent parties, including the current hybrid Darfur peace mediation process together with the United Nations as led by the Joint Chief Mediator, Mr. Djibril Bassole;
- the formation of the African Union High Level Panel on Darfur to investigate measures through which the Darfur crisis can and must be addressed expeditiously;
- the formation of the African Union High Level Implementation Panel on Sudan to assist Sudan in the resolution of the Darfur crisis, the implementation of the CPA and the democratisation process, which has commenced its work and supported the elections process; and,
- the monitoring and observation of the 2010 national General Elections

B. THE VOTING PROCESS

The African Union Mission observed the following:

1. On the first day of polling, there were delays in opening in some of the polling stations visited due to late distribution of some election materials and in the White Nile State, due to interchange of two party symbols which necessitated the reprinting of the ballot papers. However, after opening, voting went on smoothly and in an orderly manner;
2. Most polling stations were established in public institutions, especially schools. A small number of polling stations could however be found in open areas, with little or no protection for the polling staff and the voting materials, such as ballot boxes and booths;
3. Materials depicting the voting procedures were prominently posted and were visible at each polling station;

4. The voting process was generally orderly and peaceful. The Mission did not observe any major hindrance or disturbance that could have negatively affected the polling, particularly in North Sudan;
5. There were noticeable problems of late delivery of ballot papers in a number of polling stations, which resulted in delays for some hours in the opening of these polling stations. In some polling centres or stations, the voting was interrupted because of shortage of ballot papers, especially in South Sudan;
6. There were between five and seven polling officials in each polling station, with the Presiding Officer heading a polling station, while others were assigned specific duties. This eliminated confusion and ensured orderliness at the polling stations. In general, the polling staff handled the voting process in an efficient and transparent manner, a sign that they were effectively trained for the assignment;
7. The polling staff showed high professional conduct and commitment to their duties. The staff followed the prescribed procedures for voting and remained steadfast throughout the duration of the polling. The Mission commends the dedication of the polling staff, as in most cases they were working without being paid upfront or receiving any provision of food/water or stipend from the NEC;
8. There was an impressive presence of party agents, representatives of candidates and observers from domestic groups in most polling centres and stations visited. This was a positive indication of the commitment of the people and stakeholders of the Sudan in the current electoral process;
9. There was a notable presence of other international observers, beside the African Union Mission, more specifically the Arab League, the Carter Center, the European Union, and the Inter-Governmental Authority on Development (IGAD);
10. There were long queues in some of the polling stations especially during the first two days of voting. However, voters remained calm, patient, enthusiastic, peaceful and orderly, despite delays in the opening and shortage of election materials;
11. Due to the high level of illiteracy in the rural areas, many voters required assistance to cast their vote. In most cases, this assistance was provided by polling officials; **voting exercise in some polling stations;**
12. There were allegations that Presiding Officers in some of the polling stations were accepting letters of introduction from local electoral committees which did not bear the photograph of the resident, contrary to the NEC guidelines;
13. There were complaints that the names of some voters were not on the voters list, and/or that some voters who went to cast their vote were told that the records showed that they had already voted;

C. SUCCESSES

In terms of successes:

- a) The decision to conduct democratic elections in the Sudan is by itself a huge achievement and an important milestone in the peace and democratisation

processes of the country, considering its recent political history, the numerous challenges relating to the size of the country, the security situation and the political tensions prevailing ahead of the momentous elections;

- b) The polling officials in almost all the polling stations visited were competent and professional in the performance of their duties. Procedures were, in most cases, followed;
- c) Voters in all the polling stations visited were calm, orderly and followed instructions by the relevant polling officials;
- d) The high participation of the elderly and women, as both voters and polling officials, was commendable;
- e) There was active participation of party agents, representatives of candidates and observers from local groups and organisations during the voting process;
- f) There were polling stations established in camps dedicated to Internally Displaced Persons (IDPs).

D. CHALLENGES

The Mission observed the following challenges:

- i. The complexity of the elections as a result of the combination of several polls to be held concomitantly, amid pressures for the effective implementation of the CPA, security issues, contested census and Southern Sudan boundary dispute;
- ii. The withdrawal of some of the prominent political parties and candidates in the election process after the legal deadline and the printing of ballot papers resulted in political tensions;
- iii. A significant percentage of voters needed assistance in order to cast their vote. In most cases, they took the option allowed by the law to be assisted by polling officials. This practice could be misused for political or partisan gains;
- iv. The shortage or inaccuracy of election materials, especially ballot papers in some polling stations across the country, especially in South Sudan;
- v. The printing of voters' registers and ballot papers exclusively in Arabic made it difficult for non-Arabic speaking Sudanese voters;
- vi. Polling booths in many cases were set up in such a manner that they did not guarantee the secrecy of the vote. In other cases, polling booths either did not exist or had to improvise.

D. RECOMMENDATIONS

Based on observations and findings made by its different teams, the Mission recommends that:

- In general, the National Elections Commission needs to manage and administer future elections in such a manner as to command the confidence of all parties, candidates and the electorate in general, and should be adequately resourced by the Government to carry out its functions. Many of the concerns and shortcomings witnessed during this process were as a result of the failure of the NEC to adopt a consistently transparent decision-making process and to have a clear communication strategy;
- Although the electoral law gives the National and Southern Sudan Government a discretion to fund political parties, governments need to adopt a clear policy on this matter;
- Systematic voter education and the training of polling staff should be carried out. Given the low levels of literacy, special education targeting illiterate voters should be adopted and carried out well in advance of the polling;
- A legitimate aspect of the elections process is the possibility of formally challenging the results on the basis of breaches of the electoral laws; It is therefore vital that the machinery for adjudicating electoral challenges should work efficiently and impartially and aggrieved parties should be encouraged to resort to the law for redress;
- There is need to ensure that there is a level playing field for all political parties and candidates in elections;
- Election materials in both Arabic and English;
- Illiterate voters should be assisted by their family members or people they trust. Polling staff should not be allowed to assist an illiterate voter at the polling booth;
- There should be continuing voter education;
- Polling booths should be provided in all polling stations;
- Both the voter card and register should bear the photograph of the voter; to prevent multiple voting and impersonation;
- There should be a nationwide display of provisional voter's registers for the purpose of verification;
- Election materials should be provided at every polling station adequately and timeously.

CONCLUSION:

The process of the elections will only be completed when the final results are declared. The African Union Mission will accordingly pronounce on its final findings after the results have been declared.

A country emerging out of a long period of repression, civil war, contending as Sudan does, with underdevelopment, manifesting in part, in high levels of illiteracy, an on-going crisis of the magnitude of Darfur cannot, justly, be compared to one or others that have

enjoyed peace, steady and incremental economic development and political stability 24 years previously and before.

To this end, the elections constitute an important milestone in the country's democratisation process. Given Sudan's history, its current and immense challenges on many fronts, the just-completed elections though imperfect are historic and are building-block for the future elections.

The African Union Mission wishes to acclaim and congratulate the people of the Republic of Sudan, political parties and candidates, as well as all the stakeholders involved in the current electoral process, for the peaceful conduct of the 2010 Executive and Legislative Elections. These elections constitute undoubtedly a fundamental milestone towards realizing the democratic transformation of the country as espoused by the 2005 Comprehensive Peace Agreement (CPA).

The Mission is of the view that objectively, the confluence of circumstances that make up Sudan's recent history would produce imperfect but historic elections which constitutes an important step forward in the country's democratisation process.

These historic elections have indeed afforded the majority of the Sudanese citizens the opportunity to exercise their civic and democratic rights by electing representatives of their choice for the first time in 24 years. The Mission believes that the just-concluded multiparty elections will enhance the peace and democratic processes underway in the country.

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