

Report of the Japanese Election Observation Team for Submission to the National Election Commission of Sudan

21 April 2010

I. Background and Context

1. In accordance with Article 27 (e) of the Rules for Elections Observation and Code of Conduct of Observers stipulated by the National Elections Commission of Sudan (NEC), the Japanese Election Observation Team for the general elections in Sudan hereby submits its report regarding the Team's activities during its assigned period in Sudan from 5 to 19 April 2010. It is the hope of the Team that this brief report will contribute to the activities of a future elections commission of Sudan and ultimately to the democratization of the country.

2. The Japanese Election Observation Team was led by Mr. Yuichi Ishii, former Ambassador of Japan to Sudan, and composed of sixteen members, including government officials, university professors and representatives of academic and non-governmental organizations. A list of the names and titles of the members is presented in Annex I of this report. The Team was dispatched by the Ministry of Foreign Affairs of Japan under the recognition that the elections were to be an important benchmark in the implementation of the 2005 Comprehensive Peace Agreement.

II. Activities of the Team

3. The Team had meetings with representatives of the NEC, the Southern Sudan High Committee (SSHC), State High Committees (SHCs), the National Congress Party (NCP), the Sudan People's Liberation Movement (SPLM), the Umma Party, the Democratic Unionist Party (DUP) and the Communist Party, among others. It also exchanged views and information with members of the European Union; the



Meeting with NEC Chair Alier and Vice-Chair Abdalla

Carter Center; other election observation missions including those from the League of Arab States, the African Union, Russia and China; the United Nations Mission in Sudan (UNMIS); the United Nations-African Union Hybrid Operation in Darfur (UNAMID) and the United Nations Development Programme (UNDP), among other organizations.

4. From 11 to 15 April, the Team conducted observation activities in the capital city Khartoum, Juba in the South and El Fashir in the Darfur region. In total, it visited 156 polling centers. At the polling stations visited by the Team, it was observed that the voting was carried out in a generally peaceful and orderly manner, with voters patiently and enthusiastically awaiting their turn to cast their ballots. In addition, the Team witnessed NEC staff, particularly the younger members, making admirable

efforts for the successful implementation of the elections, which deeply impressed all members of the Team. The Team also observed the counting process, which, in its view, also was conducted in a generally well-organized manner.

III. Issues that the Observers Identified

5. The efforts of the National Election Commission and its staff to prepare and implement general elections after a twenty-four years' suspension were highly commendable. It is also appreciated that preparations were made prior to the first day of the polling, and that the voting was launched as planned at most of the stations, although it did not start on schedule at many stations. At the same time, there is no doubt that there were many problems in the voting process, mainly technical and administrative in nature, as the NEC itself confirms. The following are some of the specific issues that the Team observed and its proposals to address them in future elections in Sudan.

Voter lists and voter identification

6. The most serious problem among the issues that the Team identified was the management of the voter lists. This problem was the cause of many of the troubles encountered at a number of polling stations, the most serious of which was difficulty in finding the names of voters. It was observed that lists were not delivered on time and with a sufficient number of copies. The lack of correspondence between the serial numbers on the slips provided upon voter registration and those on the voter lists was an obstacle to smooth identification. In the South, the mixture of the Arabic and English languages in the description of the names on the lists was the cause of much confusion. Some names were missing, or even if they did exist on the lists, they were misclassified and thus very difficult to find. Some voters had to wander around visiting multiple polling stations in order to discover their names and the exact polling stations where they were to vote, and, regrettably, some of them were too discouraged to vote. In addition, the Team observed in the North identification papers being issued on the spot just outside of polling centers. This inevitably created doubt as to the credibility of the voter registration process. *The Team recommends that a future election commission take into account the many lessons learned in this matter and make adjustments and improvements for more efficient and transparent administration of future voter lists.*



At a polling station under tree in the South

Need for preparations well in advance

7. The problems resulting from the mixture of ballot papers and political party symbols could have been avoided if preparations had been made more carefully and further in advance. At the same time, it was observed that, while there were a number of cases of confusion, particularly on the first day of the voting, the NEC was making an effort to correct the problems as promptly as possible. *The Team recommends that a future election commission make preparations far in advance and check the*

status of preparation processes more frequently and in a more prudent manner, in anticipation of unforeseen difficulties that could arise before and during the voting.

Management of polling stations

8. The Team observed that there were noticeable differences in the management methods among polling stations. Examples in this regard include the degree of thoroughness in the identification of voters and the level of systematic control of voter queues. It seemed that inconsistency in the instructions given by the heads of polling stations was the main factor in these differences. A lack of cohesion in polling methods can damage the credibility of the elections, and therefore *the Team recommends that more extensive training and guidance for polling station chiefs be provided in future elections.*

Welfare of the polling staff

9. It was observed that, despite severe working conditions, NEC staff members at the polling stations that the Team visited were making devoted efforts for the successful conduct of the elections, even to the extent of enduring some personal sacrifice. One example in this regard is that, due to the insufficient quantity of materials provided, NEC staff members in some polling stations were purchasing tables, chairs and tents at their own expense, in order to ensure the credibility of the voting process. Another example is that the number of staff in many polling stations was so limited that the staff had to work throughout the day without taking an appropriate amount of rest. The members of the Team were all impressed by the dedication of the NEC staff for the advancement and realization of democracy in their country. *The Team therefore strongly recommends that appropriate measures be taken in future elections to improve the working conditions of the polling staff with regard to such matters as shifts and rotation of the work, provision of food and drink, and timely payment of sufficient salaries.* Otherwise, the morale of those who are committed to the promotion of democracy in Sudan could be lowered, which over time could severely hamper democratization in the country.



At a polling station in Khartoum before its opening on the first voting day

Domestic observers and party agents

10. The Team believes that the presence of many domestic observers at every polling station contributed both to the promotion of democracy in Sudan and to the deterrence of possible misconduct at the polling stations. At the same time, the Team heard complaints that some political party agents were not given identification cards until the last moment and therefore could not join the voting process in time. In addition, the Team observed that political party agents at some polling stations were intervening in their administration, including identification processes, and even allegedly guiding voters to cast their votes for specific candidates. *The Team is of the view that a future election commission should take more timely action as well as provide firmer guidance in*

order to prevent such incidents.

The police

11. It was observed that the police were generally well disciplined and conducting their duties with patience and professionalism at polling stations. At the same time, it was observed in some locations that police personnel were present inside polling stations, which was contrary to the election rules. In one instance, Team members actually observed a police officer giving instructions to the polling staff on the management of the station. *The Team, while appreciating the devotion of many of the police personnel, hopes that more solid training will be provided for the police in future elections.*

Voter education

12. The materials provided by the NEC for the purpose of voter education seemed to be effective and adequate. It appeared that voter education was widely conducted in urban areas, while this was not necessarily the case in rural towns and villages. At the same time, the Team also observed that NEC staff members were respectfully providing assistance to voters requiring it at polling stations. *The Team hopes that a future election commission will make maximum use of the lessons learned from this election process in regard to this matter and will further advance voter education with the support of the international community.*

Participation of socially vulnerable people

13. It was observed that women actively participated in the polling, particularly in the North. The innovative women's lists in the parliamentary elections also contributed to the promotion of the interest of female voters in the elections. *The Team looks forward to further substantive participation on the part of Sudanese women in elections in the future.* It was also observed that appropriate support was being extended for elderly and disabled voters at polling stations. *The Team hopes and trusts that such treatment will be afforded elderly and disabled voters in future elections as well.*



At an IDP camp polling station in El Fashir

The media

14. The Team is aware that there were complaints that freedom of speech and expression was not fully guaranteed before and during the election campaign and that the content of media reports was partial to the views of the ruling parties. *The Team expects that the NEC will take steps to verify and address such complaints.*

Impartiality of the NEC

15. The Team is not in a position to confirm whether the NEC was impartial or not. Having said that, in light of the many allegations made during the election process, the Team is of the view that not only the question of whether the NEC is indeed neutral but also that of whether the NEC is *perceived*

as neutral by the population and relevant parties are critically important. The NEC perhaps should have been more keenly aware that the facts that the factory printing the ballot papers was changed at the last moment, that sample ballot papers contained only a limited number of candidates and that some ballot papers were printed only in Arabic could raise doubts as to the impartiality and credibility of the Commission, whether or not there was any intentionality behind these arrangements. *The Team therefore hopes that the NEC will demonstrate further accountability in the process of addressing any complaints that are lodged in the future, and will also pay greater attention to the promotion and protection of its impartiality and reliability.*

IV. Observations and Conclusion

16. Sudan's general elections were among the most complicated in the history of the contemporary world. During the process, the Team members observed directly many problems and difficulties that were technical, administrative and substantive in nature. There were also allegations of various instances of misconduct during the process through the voting itself as well as the NEC's failure to properly address the complaints that were raised. The Team believes that it is necessary to verify to what extent these issues could affect the credibility of the elections in general.

17. In the meantime, the Team appreciates that the voting and counting processes were conducted peacefully throughout the country without any major violent incidents. As the elections were intended to serve as a firm step towards the return and consolidation of democracy in Sudan, the Team congratulates the people of Sudan on the exercise of their democratic rights in the nation-wide elections. The interest and enthusiasm of the people were clearly indicated by the high voter turnout. Although many issues were raised and serious difficulties were encountered, the Team believes that many precious lessons were learned from the 2010 general elections, which should be considered an important turning point for Sudan in order to achieve a democratic transformation. It was a great pleasure for the Team members to be present in Sudan at this historic juncture for the country, and it is the wish of the Team that Sudan will continue to pursue a path towards the full implementation of the Comprehensive Peace Agreement and the democratization of the country.

Annex I

List of Japanese Election Observation Team members (in alphabetical order)

Head

Mr. Yuichi Ishii Former Ambassador of Japan to Sudan

General Coordinator

Mr. Yoichi Nakashima Counsellor, Embassy of Japan in Sudan

Assistant to the Head

Mr. Shojiro Nishimura Official, Ministry of Foreign Affairs of Japan

Khartoum Team

Mr. Toshiaki Ando Official, Ministry of Foreign Affairs of Japan

Ms. Yuki Daizumoto Country Director, Northern Operation, Association for Aid and Relief

Ms. Yukiko Fujisawa Attaché, Embassy of Japan in Sudan

Mr. Takahiro Kako Third Secretary, Embassy of Japan in Egypt

Ms. Yoshiko Kurita Professor, Chiba University

Ms. Keiko Watanabe Assistant Director, Foundation for Advanced Studies on International Development

Juba Team

Ms. Yukari Ando Programme Adviser, Cabinet Office of Japan

Mr. Katsushi Hamasaki First Secretary and Defense Attaché, Embassy of Japan in Sudan

Mr. Eisei Kurimoto Professor, Osaka University

Mr. Akira Okazaki Professor, Hitotsubashi University

Ms. Chie Sugino Second Secretary, Embassy of Japan in Sudan

El Fashir Team

Mr. Yasuhito Murakami First Secretary, Embassy of Japan in Sudan

Ms. Mayuko Okabe Second Secretary, Embassy of Japan in Sudan



Annex II

Activities of the Team in Sudan from 5 to 19 April 2010

5 April	Arrival in Sudan of eight Team members from Tokyo
6 April	Briefing by Japanese Embassy in Sudan, EU workshop, meeting with Carter Center representative, dinner reception hosted by Japanese Ambassador to Sudan
7 April	Meetings with UNDP, NEC, NCP, Communist Party and SPLM representatives
8 April	Meetings with Umma Party and media representatives, UNMIS workshop
9 April	Pre-voting observation in polling centers (Team Head traveled to Juba)
10 April	Meeting with DUP representative, pre-voting observation
11 April	Observation of voting (day 1)
12 April	Observation of voting (day 2) (Team Head traveled to Juba)
13 April	Observation of voting (day 3) (Team Head traveled to El Fashir)
14 April	Observation of voting (day 4), meeting with Chinese representative
15 April	Observation of voting (day 5 / final day)
16 April	Observation of counting, meeting with AU Panel Chair Mbeki, reception hosted by Russia
17 April	Observation of counting, reception hosted by EU
18 April	Observation of counting, meeting with NEC Chair Alier and Vice-Chair Abdullah
19 April	Meeting with LAS representative, departure of Team Head from Sudan