

Re: Darfur and Sudanese Elections, April 2010.  
Date: 21 February, 2010  
From: Gavin R Crawford

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In the run up to Sudan's April 2010 elections, the Carter Centre questions "can national elections in Sudan be credible without the inclusion of Darfur?"<sup>1</sup> Not only would Darfur's exclusion from national elections in 2010 prevent between 6 and 7 million Sudanese voters from participating in the democratic process, it would remove one of Sudan's most controversial and well publicised political problems as an issue at the polls.<sup>2</sup> It is for this reason that the Secretary General of UNAMID has stated, "it is critical that the national elections [...] provide an opportunity for all Darfurians, particularly internally displaced persons, to participate fully and completely unhindered."<sup>3</sup>

While holding elections in an area of ongoing conflict is "not recommended," with the commitment of the National Election Commission (NEC) and Government of National Unity (GoNU) to the democratic process, the Carter Centre argues that they are at least, "possible."<sup>4</sup> Nevertheless, a brief assessment of the electoral process thus far shows that problems with both the 2008 census and voter registration in Darfur have already raised questions about the democratic nature of the upcoming elections. Furthermore, deficits in voter education and challenges to basic freedoms of speech and assembly continue to question Darfur's legitimate inclusion in April's elections.

Sudan's national census of 2008 was heralded as "a vital step towards holding democratic elections in Sudan."<sup>5</sup> However, controversy surrounding the census data has marred rebel support for the entire electoral process. The exclusion of certain areas of Darfur from "the constituency delimitation process"<sup>6</sup> has given rise to concerns that "the number of constituencies allocated to areas where IDPs are now located are likely to misrepresent their actual size," giving IDPs "a much smaller voice" than had been expected.<sup>7</sup> The SLA – Minni Minawi, traditionally the more

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<sup>1</sup> "Statement on Sudan's Voter Registration, Nov. 1 – Dec. 7, 2009." *The Carter Centre*. 17 December 2009. <http://www.cartercentre.org/resources/pdfs/news/pr/sudan-voter-reg-121709.pdf> (Date Accessed: 15 February 2010) p1

<sup>2</sup> "Darfur Population Figures: 6 million, 6.5 million, or 6 – 7 million." *Sudan Watch*. (29 November 2004). <http://sudanwatch.blogspot.com/2004/11/darfur-population-figures-6-million-65.html> (Date Accessed: 17 February 2010)

<sup>3</sup> "Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur." *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010) s13p71

<sup>4</sup> "Statement on Sudan's Voter Registration, Nov. 1 – Dec. 7, 2009." *The Carter Centre*. 17 December 2009. <http://www.cartercentre.org/resources/pdfs/news/pr/sudan-voter-reg-121709.pdf> (Date Accessed: 15 February 2010) p2

<sup>5</sup> "Counting Begins in Disputed Sudan Census." *Reuters*. 22 April 2008. [http://www.reuters.com/article/idUSL22691984.\\_CH\\_.2400](http://www.reuters.com/article/idUSL22691984._CH_.2400) (Date Accessed 18 February 2010)

<sup>6</sup> "Statement on Sudan's Voter Registration, Nov. 1 – Dec. 7, 2009." *The Carter Centre*. 17 December 2009. <http://www.cartercentre.org/resources/pdfs/news/pr/sudan-voter-reg-121709.pdf> (Date Accessed: 15 February 2010) p5

<sup>7</sup> Stephanie Schwartz. "Conducting Elections in Darfur: Looking Ahead to Sudan's 2009 Elections." *United States Institute of Peace*. March 2009. [http://www.usip.org/files/resources/USIP\\_0309.PDF](http://www.usip.org/files/resources/USIP_0309.PDF) (Date Accessed: 14 February 2010) p5.

cooperative of the SLA factions, has adopted “a hostile position” towards the census data.<sup>8</sup> Hussein Abu Sharati, the spokesperson of Darfur’s Displaced Refugees has dismissed the government’s figures as both farcical and indignant.<sup>9</sup>

Carried out throughout Sudan from 1 November to 7 December 2009, voter registration was undertaken in Darfur “without major security incidents.”<sup>10</sup> Registration facilities were provided in five IDP Camps in Northern Darfur, four in Southern Darfur, and six in Western Darfur.<sup>11</sup> For camps with no on-site registration facilities, nearby registration centres were established.<sup>12</sup> Nevertheless, “the three states in Darfur, failed to reach the Commission’s registration target of 80 percent of the estimated eligible voters.”<sup>13</sup> By January, 2010, just 67% of Darfur’s total voting population, some 2,433,920 Darfurians were registered to vote.<sup>14</sup>

UNAMID cite “an insufficient number of registration centres” as one of the main limitations to the registration procedure.<sup>15</sup> State election committees in Darfur were unable to access all areas of the region, particularly those not under government control.”<sup>16</sup> “SLA-Abdul Wahid [...] threatened to attack registration officials if they entered areas under its control.”<sup>17</sup> Registration was, for these reasons, not conducted in areas controlled by either the Justice and

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<sup>8</sup> “Darfur Displaced Reject Sudan Census.” *Sudan Tribune*. 1 April 2008.

[http://www.sudantribune.com/spip.php?page=imprimable&id\\_article=26583](http://www.sudantribune.com/spip.php?page=imprimable&id_article=26583) (Date Accessed: 17 February 2010).

<sup>9</sup> “Darfur Displaced Reject Sudan Census.” *Sudan Tribune*. 1 April 2008.

[http://www.sudantribune.com/spip.php?page=imprimable&id\\_article=26583](http://www.sudantribune.com/spip.php?page=imprimable&id_article=26583) (Date Accessed: 17 February 2010).

<sup>10</sup> “Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur.” *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010) s13p71 s4p18

<sup>11</sup> “Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur.” *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010) s13p71 s4p18

<sup>12</sup> “Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur.” *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010) s13p71 s4p18

<sup>13</sup> “Statement on Sudan’s Voter Registration, Nov. 1 – Dec. 7, 2009.” *The Carter Centre*. 17 December 2009.

<http://www.cartercentre.org/resources/pdfs/news/pr/sudan-voter-reg-121709.pdf> (Date Accessed: 15 February 2010)

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<sup>14</sup> “Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur.” *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010) s13p71 s4p18

<sup>15</sup> “Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur.” *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010) s13p71 s4p19

<sup>16</sup> “Statement on Sudan’s Voter Registration, Nov. 1 – Dec. 7, 2009.” *The Carter Centre*. 17 December 2009.

<http://www.cartercentre.org/resources/pdfs/news/pr/sudan-voter-reg-121709.pdf> (Date Accessed: 15 February 2010)

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<sup>17</sup> “Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur.” *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010) s13p71 s4p20

Equity Movement (JEM) or SLA-Abdul Wahid.<sup>18</sup> Notably absent from the registration process were residents of the Kass and Kalma camps.<sup>19</sup>

Inadequate voter education remains a serious problem, one with the power to undermine the entire democratic exercise.<sup>20</sup> Given that April's elections "will be the most ambitious and complicated in Sudan's history," a much greater focus on voter education will be required to guarantee meaningful participation in the elections.<sup>21</sup> Without which, "the results will likely not be accepted as legitimate."<sup>22</sup>

The complexity of Sudan's upcoming elections should not be underestimated. The Interim National Constitution (INC) provides for elections for; (i) the National Presidency; (ii) the President of Southern Sudan; (iii) State Governors; (iv) The National Legislative Assembly; (v) the Legislative Assembly of Southern Sudan; and (vi) the Legislative Assemblies of States.<sup>23</sup> The National Elections Act (2008) stipulates that eight different voting systems will be used.<sup>24</sup> "Voters in Sudan will be casting between nine and thirteen different ballots. Given that many of them have never voted in an election before, the task of voter education will be formidable."<sup>25</sup> The Carter Centre has accused the NEC and GoNU of moving too slowly and urges them to "take urgent steps to implement broad civic education programs."<sup>26</sup>

Prohibitions on freedoms of speech and assembly under the 1997 emergency laws are another major constraint upon Darfur's preparedness for the April elections.<sup>27</sup> Although

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<sup>18</sup> "Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur." *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010) s13p71 s4p20

<sup>19</sup> "Statement on Sudan's Voter Registration, Nov. 1 – Dec. 7, 2009." *The Carter Centre*. 17 December 2009. <http://www.cartercentre.org/resources/pdfs/news/pr/sudan-voter-reg-121709.pdf> (Date Accessed: 15 February 2010) p5

<sup>20</sup> "Statement on Sudan's Voter Registration, Nov. 1 – Dec. 7, 2009." *The Carter Centre*. 17 December 2009. <http://www.cartercentre.org/resources/pdfs/news/pr/sudan-voter-reg-121709.pdf> (Date Accessed: 15 February 2010) p5

<sup>21</sup> Elwathig Kameir. "The 2010 Elections in the Sudan: Landmines on the Road to Democratic Transition." *Making Sense of Sudan*. <http://blogs.ssrc.org/sudan/2009/04/08/the-2010-elections-in-the-sudan-landmines-on-the-road-to-democratic-transition/> (Date Accessed: 14 February 2010)

<sup>22</sup> Stephanie Schwartz. "Conducting Elections in Darfur: Looking Ahead to Sudan's 2009 Elections." *United States Institute of Peace*. March 2009. [http://www.usip.org/files/resources/USIP\\_0309.PDF](http://www.usip.org/files/resources/USIP_0309.PDF) (Date Accessed: 14 February 2010) p8

<sup>23</sup> Elwathig Kameir. "The 2010 Elections in the Sudan: Landmines on the Road to Democratic Transition." *Making Sense of Sudan*. <http://blogs.ssrc.org/sudan/2009/04/08/the-2010-elections-in-the-sudan-landmines-on-the-road-to-democratic-transition/> (Date Accessed: 14 February 2010)

<sup>24</sup> Stephanie Schwartz. "Conducting Elections in Darfur: Looking Ahead to Sudan's 2009 Elections." *United States Institute of Peace*. March 2009. [http://www.usip.org/files/resources/USIP\\_0309.PDF](http://www.usip.org/files/resources/USIP_0309.PDF) (Date Accessed: 14 February 2010) p3

<sup>25</sup> Elwathig Kameir. "The 2010 Elections in the Sudan: Landmines on the Road to Democratic Transition." *Making Sense of Sudan*. <http://blogs.ssrc.org/sudan/2009/04/08/the-2010-elections-in-the-sudan-landmines-on-the-road-to-democratic-transition/> (Date Accessed: 14 February 2010)

<sup>26</sup> "Statement on Sudan's Voter Registration, Nov. 1 – Dec. 7, 2009." *The Carter Centre*. 17 December 2009. <http://www.cartercentre.org/resources/pdfs/news/pr/sudan-voter-reg-121709.pdf> (Date Accessed: 15 February 2010) p6

<sup>27</sup> "Sudan should lift Darfur security constraints – UN." *Reuters*. [http://uk.reuters.com/article/idUKN11137775.\\_CH\\_.2420](http://uk.reuters.com/article/idUKN11137775._CH_.2420) (Date Accessed: 16 February 2010)

emergency laws have been lifted elsewhere in Sudan, their continued invocation in Darfur limits party campaigning to the detriment of voter awareness. The power of “detention without cause” poses another potentially severe threat to free elections.<sup>28</sup> During the voter registration period the SPLM reported the random detention and arrest of its members by various state authorities in Darfur.<sup>29</sup> Dmitry Titov, assistant Secretary-General for UN Peacekeeping advised the Security Council that the National Security Law must be “revised or suspended before the elections begin.”<sup>30</sup>

Darfur’s strongest rebel movements have met the April elections with heavy criticism. “On 9 November 2009, Khalil Ibrahim, Chairman of JEM, and Ibrahim al-Helwu, spokesperson of the Sudan Liberation Army (SLA) – Abdul Wahid, called on the people of Darfur to boycott the electoral process on the grounds that a comprehensive peace for Darfur had not been achieved.”<sup>31</sup> “Helwu said his group saw the poll as a propaganda exercise, covering for continuing atrocities in the western region, where more than six years of conflict has forced millions to flee.”<sup>32</sup> UNAMID reported that “in other areas of Darfur, groups sympathetic to SLA-Abdul Wahid and JEM [have] also boycotted the process.”<sup>33</sup> Amongst them is the SLA-Unity who, in 2008, detained government workers collecting census data.<sup>34</sup>

While invitations extended to both Carter Center (2009) and European Union (March 2010) Election Observers were initially greeted as a positive step towards the provision of free democratic elections, such invitations have recently been put into question. Canada has, so far, made honourable commitments to both multilateral missions. Although the Carter Center and E.U. missions have chosen to coordinate much of their work, they have affirmed that “[their] conclusions will remain independent.”<sup>35</sup> Unlike Carter Center observers, present since mid 2009, to report upon Sudan’s election preparedness, as well as the election process in April of this year, the European Union Observer Mission (inaugurated on 8 March 2010) – the largest observer mission in Sudan - has been mandated to publish assessments of Sudan’s electoral process following election day, and not prior.<sup>36</sup>

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<sup>28</sup> “Sudan should lift Darfur security constraints – UN.” *Reuters*.

[http://uk.reuters.com/article/idUKN11137775.\\_CH\\_.2420](http://uk.reuters.com/article/idUKN11137775._CH_.2420) (Date Accessed: 16 February 2010)

<sup>29</sup> “Statement on Sudan’s Voter Registration, Nov. 1 – Dec. 7, 2009.” *The Carter Centre*. 17 December 2009.

<http://www.cartercentre.org/resources/pdfs/news/pr/sudan-voter-reg-121709.pdf> (Date Accessed: 15 February 2010)  
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<sup>30</sup> “Sudan should lift Darfur security constraints – UN.” *Reuters*.

[http://uk.reuters.com/article/idUKN11137775.\\_CH\\_.2420](http://uk.reuters.com/article/idUKN11137775._CH_.2420) (Date Accessed: 16 February 2010)

<sup>31</sup> “Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur.” *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010)  
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<sup>32</sup> “Darfur Rebels Threaten Sudan Election Workers.” *Reuters*. 9 November 2009

<http://www.reuters.com/article/idUSHEA939236> (Date Accessed: 15 February 2010).

<sup>33</sup> “Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur.” *UNAMID*. 29 January 2010. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/50](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/50) (Date Accessed: 16 February 2010)  
s13p71 s4p20

<sup>34</sup> “Darfur Rebels Threaten Sudan Election Workers.” *Reuters*. 9 November 2009

<http://www.reuters.com/article/idUSHEA939236> (Date Accessed: 15 February 2010).

<sup>35</sup> “EU Kicks off its Sudan Election Monitoring Mission.” *Sudan Tribune*. 11 March 2010.

<http://www.sudantribune.com/spip.php?article34397> (Date Accessed: 20 March 2010)

<sup>36</sup> “EU Election Observation Mission to Sudan 2010.” *European Union Election Observation*. 8 March 2010.

[http://www.eucom.eu/sudan2010/index\\_en.html](http://www.eucom.eu/sudan2010/index_en.html) (Date Accessed: 20 March 2010)

Nevertheless, reacting to the Carter Center's call for a "minor delay" in the elections, owed largely to the NEC's "lagging" preparations, on the 21 March 2010, both missions came under threat when President Bashir threatened to expel all international observers if there are any further demands for delays.<sup>37</sup> If, as President Bashir has suggested, Sudan's elections are to continue unabated, such calls, the presence of international observers is of fundamental importance in overseeing a free and fair polling process, and the role of the EU mission, in particular, cannot be underestimated.

### **What can Canada do?**

Firstly, with the National Security Law remaining one of the greatest impediments to the democratic process, Canada must work with its international allies to pressure the GoNU to immediately suspend the law, and allow for free campaigning by parties and groups in Darfur.

Secondly, if election results are to be given popular legitimacy, Canada must lend support to the voter education process by coordinating efforts and resources with the National Democratic Institute (NDI) of Washington DC; assigned by UNDP to coordinate electoral support by Sudanese Civil Society movements. By working with the NDI, Canada can help support both, the "Sudanese Network for Democratic Elections" (SuNDE), and the "Sudanese Group for Democracy and Elections" (SuGDE), umbrella organizations representing over 80 over 80 non-partisan civil society groups, presently heavily engaged in voter education campaigns in Darfur's three provinces, as well as nationwide.<sup>38</sup> Financial and material support offered by Canada could supplement NDI resources, and help increase the scope and effectiveness of voter training programs.

Lastly, in response to President Bashir's threats to expel all international observer missions, Canada must, alongside its allies in the EU, Switzerland and Norway, pressure President Omar Bashir, not to revoke the mandate of International Observer Missions, and particularly not that of the EU mission. In doing so, Canada should be prepared to react to President Bashir's concerns by stressing the EU Mission's specific and primary mandate to observe the April elections and publish a comprehensive report of the electoral process, following, and not prior to, national elections.

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<sup>37</sup> "Carter Center Welcomes Sudan's Election Campaign, Urges Steps to Ensure Open and Inclusive Process." *Carter Center*. 18 March 2010. <http://www.cartercenter.org/news/pr/sudan-031810.html>. (Date Accessed: 21 March 2010)

<sup>38</sup> "Sudanese Civic Organisations Prepare to Observe April Elections." *The National Democratic Institute*. 25 March 2010. [www.ndi.org/node/16133](http://www.ndi.org/node/16133) (Date Accessed: 25 March 2010)