



The Sudanese Network for Democratic Elections (SuNDE) and the Sudanese Group for Democracy and Elections (SuGDE)

Preliminary Statement on the 2011 Southern Sudan Referendum Processes January 20 2011

EXECUTIVE SUMMARY

The Southern Sudan referendum allowed the free expression of the will of the people for self-determination. Turnout was massive, in a peaceful environment, and administrative procedures met national legal requirements in an atmosphere of respect and cooperation.

Though the counting and tabulation stages of the referendum have yet to be completed and the final results are still awaited, our observation showed that voter participation far exceeded the required 60 percent threshold and indicated that the final official referendum results will show that people chose a peaceful secession.

While there were important shortcomings, noted below, none of the shortcomings undermine the credibility of the referendum process.

SuNDE and SuGDE congratulate our fellow citizens in the South and North for this historic accomplishment. We express our appreciation to the referendum officials and government and political leaders of Sudan and acknowledge the support of the international community. We hope and expect that in the immediate period ahead in completing the CPA's agreements, throughout the transition process and beyond that the peoples of Sudan will continue to cooperate peacefully.

Several recommendations concerning improving electoral, referendum and political processes are offered at the conclusion of this preliminary statement, following a factually based report of our observations.

INTRODUCTION

The Sudanese Network for Democratic Elections (SuNDE) is a coalition of over 75 civil society organizations based in all ten States of Southern Sudan whose objective is to promote and protect citizens' participation in electoral and democratic processes. The Sudanese Group for Democracy and Elections (SuGDE) is a joint effort of six independent, non-partisan organizations working with civil society organizations (CSOs) across the North of Sudan to encourage free, fair and non-violent elections

and democracy in Sudan. SuNDE partnered with SuGDE to assist with SuNDE’s observation in Northern Sudan. Together, SuNDE and SuGDE organized the largest and only Sudan-wide domestic monitoring effort.

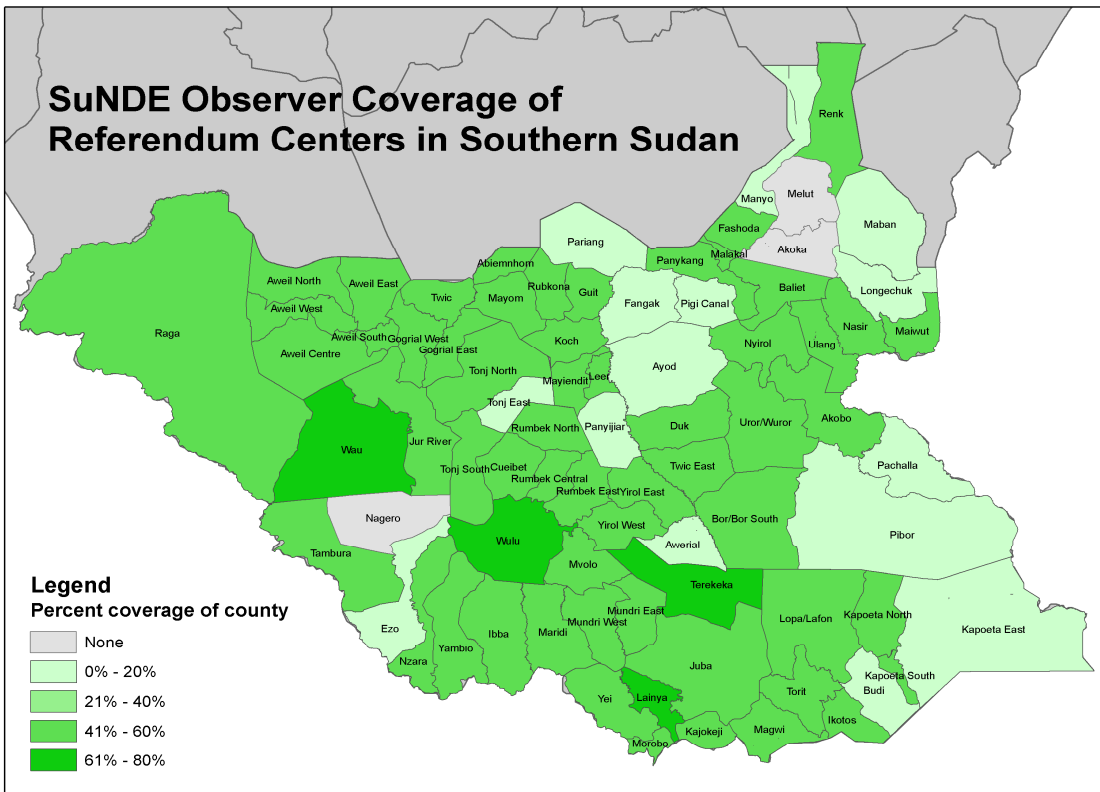
SuNDE and SuGDE deployed over 3,000 trained and accredited observers in all 25 states of Sudan and in 6 out of the 8 out-of-country voting locations. This statement is based in part on the 11,000 reports observers submitted during the polling, counting, and tabulation processes.

SuGDE and SuNDE also conducted voter information campaigns in all 25 states of Sudan in the weeks prior to registration and polling. Together they reached over 100,000 people throughout Sudan.

Both SuNDE and SuGDE are committed to the principles of non-partisanship. All observers sign a pledge of non-partisanship, which commits them to not promote or actively support either Referendum option. SuNDE and SuGDE jointly observed the 2010 General Elections and are proud members of the Global Network for Domestic Monitors (GNDEM).

METHODOLOGY

SuNDE and SuGDE deployed 3,244 observers in 1,622 Referendum Centers in all 25 states of Sudan.



SuNDE deployed more than 2,700 observers in all ten states of Southern Sudan and covered 76 out of 79 counties. In the 61 counties where SuNDE had previously observed the 2010 General Elections and voter

registration, SuNDE observers were deployed proportionally to the number of Referendum Centers, thus allowing SuNDE to acquire more representative data on the referendum process. Observers were deployed to both rural and urban areas in these counties.

In 15 counties where SuNDE had not previously observed due to logistical and financial constraints, SuNDE deployed between 1 to 3 teams of observers, allowing SuNDE to collect information from some of the more remote and difficult to reach counties in Southern Sudan.

SuNDE also deployed observers to a statistically representative sample of Southern Sudan Referendum Centers, which allowed SuNDE to verify voter turnout rates and voting outcomes in addition to its general observation of voting, counting and results tabulation.

In the North, SuGDE and SuNDE deployed 338 observers to 169 Referendum Centers allowing SuNDE and SuGDE to cover 97% of the Referendum Centers in Northern Sudan.

SuNDE also deployed one team of observers in 6 out of the 8 out-of-country voting locations, including Kenya, Uganda, Egypt, Australia, the United Kingdom, and the United States.

Observers deployed in teams of two and observed at one Referendum Center for the entire 7 day polling and counting process. SuNDE and SuGDE conducted over 100 trainings for observers between January 2 and January 8 to ensure that observers thoroughly understood their roles and responsibilities during observation. SuNDE and SuGDE observers were also trained on the principles described in the Southern Sudan Referendum Center (SSRC) Code of Conduct for Observers.

Observers used three standardized forms to record their observations - a polling day checklist, a counting checklist, and a critical incident form. Teams completed one polling day checklist for each of the 7 polling days and one counting checklist after the counting of ballots was complete. Critical incident forms were used to record any incidents that may have significantly impacted the quality of the voting process at the observed Center. Critical incidents from both the North and the South were immediately called into a Communication Center in Juba by observer teams.

Checklists were collected from observers and transferred by hand to the Communication Center, where they were checked for accuracy and completeness before being entered into a database. The database allowed SuNDE and SuGDE to easily aggregate and analyze data and compare information between states and regions.

GENERAL CONTEXT

Sudan's 21-year civil war between Northern and Southern Sudan ended with the signing of the 2005 Comprehensive Peace Agreement (CPA) between the Sudan's Peoples Liberation Movement and the Government of Sudan. One of the cornerstones of the peace agreement was the right of Southern Sudanese to hold a vote for self-determination on January 9, 2011. The final results of the referendum would determine whether Sudan remained unified or separated into two independent countries.

The CPA's Abyei protocol provided for a referendum for the people of Abyei to be held at the same time as the Southern Sudan Referendum. The Abyei Referendum allows residents of the Abyei Area to choose

to maintain their special administrative status in northern Sudan or join the southern region of Bahr el Ghazal. Political disagreements have prevented the Abyei Referendum process from moving forward, thus far leaving this critical CPA requirement unfulfilled.

The CPA also provides for a six month interim period after the referendum vote when post-referendum arrangements are to be negotiated and finalized between Northern and Southern Sudan.

Legal Framework

The 2005 Comprehensive Peace Agreement (CPA) in chapter one part A under the agreed principles (1.3) states that “the people of south Sudan have the right to self-determination inter-alia through a referendum to determine their future status.” The legal framework for the 2011 Referendum is further determined by the Interim Constitutions of Sudan and Southern Sudan, the Southern Sudan Referendum Act of 2009, and the rules, procedures, and guidelines published by the Southern Sudan Referendum Commission (SSRC).

Obligations under the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples’ Rights are also applicable within Sudan’s legal framework. Sudan is a party to those treaties, and article 27(3) of the Interim National Constitution (INC) incorporates them into national law.

The SSRC was established on June 30, 2010, six months after the Referendum Act was signed into law. The SSRC, is headquartered in Khartoum, and is made up of seven members. It is responsible for the overall management of the referendum. This includes developing all of the rules, regulations and other policies regarding the conduct of the referendum and managing the referendum in the North and in out-of-country voting locations. The Southern Sudan Referendum Bureau (SSRB) is headquartered in Southern Sudan’s capital of Juba and is responsible for the management of the referendum in the South.

Polling was held for seven days from January 9 to January 15 in Northern Sudan, Southern Sudan, and 8 out-of-country voting locations. Counting began after Referendum Centers closed on January 15.

Although the late formation of the SSRC hampered the timely implementation of many of the provisions of the Referendum Act, SuNDE and SuGDE noted some positive improvements in the legal and administrative framework for the 2011 Referendum compared to the 2010 national elections. These included the provision that all voters vote at the place they registered, which removed confusion for voters on the polling days. The Referendum Act also provided a clearer division of responsibilities between the various referendum bodies than the Election Act of 2008, which contributed to more efficient management of the referendum.

Referendum officials should be commended for completing all of the necessary arrangements to begin polling on January 9, since preparations for the referendum began very late. SuNDE and SuGDE recognize that some of the provisions of the Referendum Act, such as the Final Referendum Register having to be published 3 months prior to the start of polling, were not met in order to ensure polling could commence on January 9. SuNDE and SuGDE note that none of the milestones which were not met in the Referendum Act cast doubt on the credibility of the referendum.

Eligibility

SuNDE and SuGDE recommended that the SSRC clarify the eligibility requirements for voters, specifically how referendum officials would determine whether an applicant met the three definitions of a Southern Sudanese outlined in the Southern Sudan Referendum Act. Unfortunately, the SSRC did not provide any additional guidelines for officials on how they would determine a voter's eligibility during the registration process. The lack of clarification on eligibility requirements raised concerns among stakeholders that eligible voters would be denied registration or that ineligible voters would be registered during the process.

Late and Contradictory Release of Rules and Procedures

The Southern Sudan Referendum Commission consistently released official rules and procedures late during the referendum process. Official voter registration rules were released on November 14, one day before the voter registration process started. Rules governing the polling and counting processes were not released until December 19. A comprehensive list of Referendum Centers was also never publicized widely. The late release of rules and procedures and other key information delayed the start of important voter information activities and could have impacted citizen's ability to effectively participate in the referendum. It also hindered the ability of groups wishing to observe the process to properly plan their observation activities, including training and deployment of observers.

The SSRC published training manuals for the voter registration and polling and counting prior to the release of the official rules and procedures. However, in some instances the official rules and procedures that were eventually approved contradicted the procedures outlined in the manuals published by the SSRC. For instance, the official rules for the polling and counting process listed different opening and closing times for Referendum Centers and different instructions for what constituted an invalid ballot. The SSRC did release amended polling and counting rules on December 30, which corrected many of these discrepancies; however, the release of conflicting sets of rules and procedures may have caused confusion among voters, referendum officials and observers, which eventually led to the inconsistent application of procedures at some Referendum Centers.

The SSRC also extended the closing of polling times after the first day of polling from 5:00 pm to 6:00 pm so voters who worked would have a greater opportunity to vote. SuNDE and SuGDE welcomed the extension of the hours and appreciate the SSRC's commitment to ensuring everyone can participate in the referendum process. However, altering rules in the middle of voting created some confusion about whether the extension applied to Centers in both the South and the North or just in the North.

Another source of confusion was the late directive issued by the SSRC that Consideration Committees should be established at each Referendum Center during polling to deal with objections submitted by voters. The SSRC created this new provision when they released the official rules and procedures on December 19, leaving referendum officials little time to organize or secure the necessary resources for the committees to be formed. SuNDE and SuGDE note that this may have led to some Centers having Consideration Committees while others did not, making the process for resolving voter complaints inconsistent from Center to Center.

Distribution and Location of Referendum Centers

States not being allocated enough Referendum Centers or Centers not being distributed evenly within states was a concern, particularly since there were some reports of voters having to travel long distances to register. SuNDE did an analysis which compared the percentage of Referendum Centers allocated to counties and states with the percentage of estimated eligible voters for that county or state. SuNDE found that, for the most part, the SSRC and SSRB distributed Referendum Centers in a relatively proportional manner in the majority of states and counties in the South. However, in Jonglei and Upper Nile there was evidence that these states may have been allocated fewer Centers than the number of eligible voters would have indicated. This suggests that some voters in these states may have had to travel farther to access Centers than voters in other states, which could have impeded the participation of some prospective voters. SuNDE did not find evidence that the uneven distribution of Centers was due to political or ethnic discrimination, and more likely it was due to the challenging logistical environments in these states.

In the North, some Centers moved midway through the process, which may have led to confusion for voters in the North on where to vote on polling day.

Accreditation

Accreditation procedures were not released until November 1, giving organizations little time to submit the necessary documentation for accreditation. The SSRC and SSRB were also slow in setting up accreditation committees, which prevented organizations such as SuNDE and SuGDE from receiving accreditation badges for their observers prior to the start of the voter registration period. The SSRB did issue a letter to SuNDE that instructed Center officials to allow SuNDE observers into Centers until accreditation badges could be issued. In the North, the SSRC issued verbal instructions to referendum officials to allow observers into Centers without accreditation badges. These actions by the SSRB and SSRC were helpful in accrediting the vast majority of SuNDE and SuGDE observers; however, despite these instructions, some SuNDE and SuGDE observers in the North experienced difficulty accessing some Centers during the first two days of voter registration.

SuNDE observers in out-of-country (OCV) locations did not receive accreditation badges during the voter registration process due to confusion on where accreditation should occur. At the beginning of the voter registration period, accreditation badges for OCV observers could only be given in Khartoum making it difficult for observers in out-of-country locations to receive accreditation. Eventually, OCV Country Offices were given authority to issue accreditation badges which eased the accreditation process for OCV observers. SuNDE observers were allowed to observe the registration in Centers in Uganda and Kenya without accreditation and eventually were given access to Centers in the United States, the United Kingdom, and Australia but not until several weeks into the registration process.

The accreditation process improved as the referendum moved forward, and SuNDE and SuGDE did not experience problems accrediting observers for the polling, counting, and tabulation period. Accreditation was given quickly with little administrative hassle. SuNDE and SuGDE would like to thank

the SSRC, the SSRB, and members of the State High Committees for their willingness to work with SuNDE and SuGDE to expedite accreditation for their observers.

SuNDE and SuGDE urged the SSRC to simplify accreditation procedures for domestic observers, including removing the requirement that observers submit two passport photos to receive accreditation. Requiring observers to submit photos presents a significant burden to organizations wishing to observe the process, particularly in Southern Sudan where access to photo studios and photography equipment is limited. This provision should be eliminated in future electoral exercises to ensure all organizations wishing to observe have the opportunity to do so.

SuNDE and SuGDE recommended that separate accreditation procedures for political parties and advocates of either succession or unity be developed. Instead, all parties and advocates were registered as domestic observers and issued the same color accreditation badges as non-partisan domestic observers. The lack of unique accreditation badges or other visible identification documents made it difficult for referendum officials, observers, the public and other stakeholders to distinguish party agents from non-partisan observers and determine who is actually present in Referendum Centers. This affected the overall transparency of the process in Referendum Centers.

Voter Registration

Voter registration for the referendum was conducted from November 15 to December 1, 2010. The registration period was extended by a week to December 8. The voter registration was conducted in 174 Referendum Centers in the North, 2,638 Referendum Centers in the South and in 40 Referendum Centers in 8 out-of-country locations. SuNDE and SuGDE observed the voter registration process for six days – the first two days, two days in the middle and the last two days as well as one day during the exhibition and objections period.

SuNDE and SuGDE observed the voter registration process and released a statement on December 14. It found that the registration process for the 2011 Southern Sudan Referendum was conducted free from violations that could significantly impact the integrity of the process, despite some noted shortcomings in the preparations and planning. SuNDE and SuGDE acknowledged that the process as a whole showed noticeable improvement from the voter registration process of the 2010 General Elections in Sudan.

Determining an applicant's eligibility during the voter registration process, particularly whether the applicant met the definition of a Southern Sudanese in the 2009 Referendum Act, was a concern during the registration process. However, SuNDE and SuGDE observers did not notice significant problems or confusion regarding eligibility requirements at the Centers observed.

SuNDE and the SuGDE also deployed observers to observe the Exhibition and Objections period on December 15, 2010. SuNDE observers reported a large number of administrative problems, including missing or non-displayed Registers, in the ten Southern states during the Exhibition and Objections process. These problems made the Provisional Referendum Register largely inaccessible on the day of observation to voters in the Centers observed. However, SuNDE and SuGDE observers reported that the Exhibition and Objections process in the North did not see the same degree of administrative problems.

On the day of observation, few voters in both North and South came to check their details in the Register, possibly indicating voters did not understand the purpose of the period. It was not possible to assess the impact of the administrative problems observed in the Exhibition and Objections period under these conditions; however, SuNDE and SuGDE believe that improvements in the procedures, including greater voter education, will be needed in the future.

The SSRC announced on January 8 that 3,755,512 citizens registered in the South, while 116,857 citizens registered in the North, and 60,129 registered in out-of-country voting locations. During the voter registration process, Southern political leaders made statements discouraging eligible voters from registering to vote in the North and in out-of-country locations, which may have been a contributing factor to the low voter registration turnout in these areas. Given the importance of the referendum vote, SuNDE and SuGDE believe all eligible voters should have been encouraged to participate in the referendum process.

Campaign Environment

SuNDE observed a very active campaign for secession in the South with advocates using a variety of campaign techniques. Although the campaign period was largely free from reports of referendum-related violence or intimidation in both the North and the South, which contributed to a more open campaign environment, there was not an active campaign for unity observed in the South. In the North, SuNDE and SuGDE did not observe a very active campaign for succession, suggesting that eligible voters in the North also may not have been presented with adequate information on the two choices. There was little evidence of violence or voter intimidation; however, campaigning continued past the end of the campaign period, which ended 24 hours prior to the start of polling.

Isolated instances of violence in Abyei, which may have been aggravated by failure to hold the Abyei Referendum on January 9 as stipulated under the CPA's Abyei Protocol, and in Southern Kordofan and Unity states were lamentable. They were contained, however, and did not undermine the referendum process.

SuNDE observed the use of state resources for pro-secession campaigning in the South, such as posters present in airports and other government buildings. While not explicitly illegal, such practices are inconsistent with the principle that state resources should not be used to favour any candidate, political party or referendum position over others, because the state should be neutral in political matters. This principle is internationally recognized and helps to ensure a level playing field for all electoral contestants.

SuNDE and SuGDE believe that the regulations concerning campaigning should be applied more strictly and that the legal framework for elections and referenda should prohibit the use of government resources in the future for the benefit of any particular electoral contestant or referendum position.

Voter education activities started late in both the North and the South due in part to the late release of the rules and regulations. This could have limited the number of citizens reached by voter education activities. In the South, voter information messages were given broad coverage in media including in

newspapers and on the radio, and they concentrated on encouraging voter turnout. Voter information messages in the media were not as prevalent in the North. The limited voter information campaign in the North might have impacted some citizens' ability to participate in the referendum.

Uncertainty regarding the citizenship status of Southerners in the North and Northerners in the South increased tensions during the referendum process. SuNDE and SuGDE noted with concern statements made by some government officials regarding the status of Southerners living in Northern Sudan after the Referendum. These statements included proclamations that Southerners living in the North would be removed from positions in the civil service and that Southerners would immediately lose their status as citizens and access to some basic social services. Such statements in the immediate referendum period did not support an open and conducive voting environment and could have unduly influenced some voters. To date there is no resolution on these issues, and public speculation may increase fears among citizens in both Northern and Southern Sudan concerning the status and protection of rights.

SuGDE and SuNDE also noted with concern the provocative language and tone of some newspapers and campaign groups in the North and South and urge them to support the implementation of the referendum and the peaceful resolution of post-referendum issues.

SuNDE and SuGDE recognize the significance of statements confirming the Government of National Unity's support for the decision of the Southern Sudanese people. SuNDE and SuGDE urge leaders in both the North and the South to continue to support the rights and freedoms of all populations in Northern and Southern Sudan and to make concerted efforts, including public statements, to ensure this.

SuNDE and SuGDE OBSERVATION FINDINGS

Election Administration

SuNDE and SuGDE observed few administrative problems that could have impacted the quality of the process at the Centers observed, marking a major improvement over the previous elections in Sudan. The large majority of Centers observed in both the North and the South opened on time during the first day and on each subsequent day. SuNDE and SuGDE observers noted that polling materials were delivered on time and in sufficient quantities, and Centers were able to remain open for the entire 7 day polling process, giving citizens ample opportunity to cast their ballots in the Centers observed.

SuNDE and SuGDE strongly commend the dedication, commitment, and professionalism shown by Referendum Center officials throughout the 7 day polling process. Observers reported that Referendum Center officials largely understood polling procedures and acted capably. Officials properly followed procedures and guidelines, such as inking voter's fingers, hole-punching registration cards, and stamping ballots before they were cast. Observers reported only a few instances of voters being allowed to vote for others or voters being allowed to vote without a registration card or without their name being on the Final Referendum Register. In the South, SuNDE observers did report some cases of voters with registration cards not finding their name on the Final Referendum Register. This may have resulted from

some voters not understanding that they needed to vote where they registered, or there could have been limited problems of eligible voters not being included in the register.

SuNDE received a few troubling reports of officials misunderstanding the rights of observers in the South. This included the questioning of observers by security in a small number of Centers, and one observer in Tambura being arrested and held overnight for lack a signature on their SRRC accreditation badge. Some observers were denied access to information, such as the number of registered voters at a Center. In Malakal, Referendum Center officials claimed they were told not to give observers the final number of voters who voted during the day. These isolated problems limited observers' ability to perform their duty in a few Centers.

SuNDE and SuGDE observers also reported some incidents of referendum officials pressuring them to sign the Final Results Form during the counting of the ballots, including threatening to remove observers who did not sign. There is no provision in the Referendum Act or Polling Officials Rules and Procedures requiring observers to sign any official forms confirming results information. This may demonstrate a lack of knowledge concerning the rights of domestic observers by some Referendum officials at the Referendum Center level.

SuNDE would like to thank members of the State High Committees and the SSRB who quickly intervened to correct many of these issues.

Campaigning In and Around Centers

Campaigning in and around Referendum Centers was the most common incident reported by SuNDE and SuGDE observers. This included observers or voters wearing campaign paraphernalia or chanting or singing immediately outside centers. There were also some instances of party supporters, local officials and other stakeholders actively campaigning in Centers.

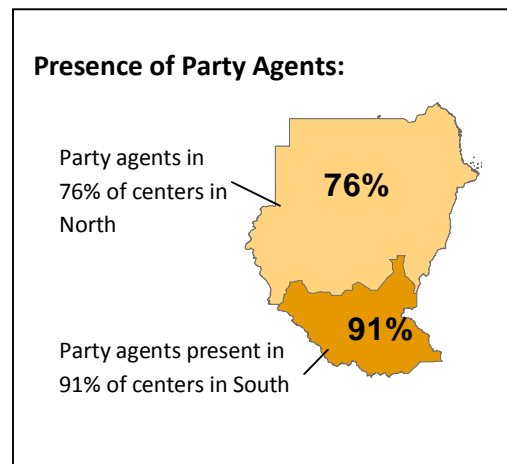
Authorized and Unauthorized Personnel

SuNDE and SuGDE observers reported the presence of authorized security personnel at 98 percent of the Centers in the South, and 95 percent in the North. Observers reported that the majority of personnel performed the duties responsibly and in accordance with the rules and regulations of the referendum.

SuNDE and SuGDE also received a number of reports of unauthorized security and other personnel present during the voting and counting process, particularly in White Nile, Southern Kordofan and Upper Nile. In some cases, unauthorized individuals were reported to be loitering in Centers, checking final voters lists, or checking voters' registration cards. In a few circumstances, unauthorized or unidentified security personnel were linked to threats and intimidation. However, there were many cases where unaccredited individuals ultimately did not disrupt the process. Polling officials and authorized security personnel should be more vigilant to ensure that all personnel in the polling station are duly accredited by the SSRC.

Observers and Party Agents

SuNDE noticed the presence of party agents in 91 percent of Centers observed in the South. The presence of party agents was observed less in the North, with only 76 percent of observers reporting the presence of party agents. The lack of visible identification documents, such as unique accreditation badges for party agents, created some confusion as to who accredited observers represented in the Referendum Centers.



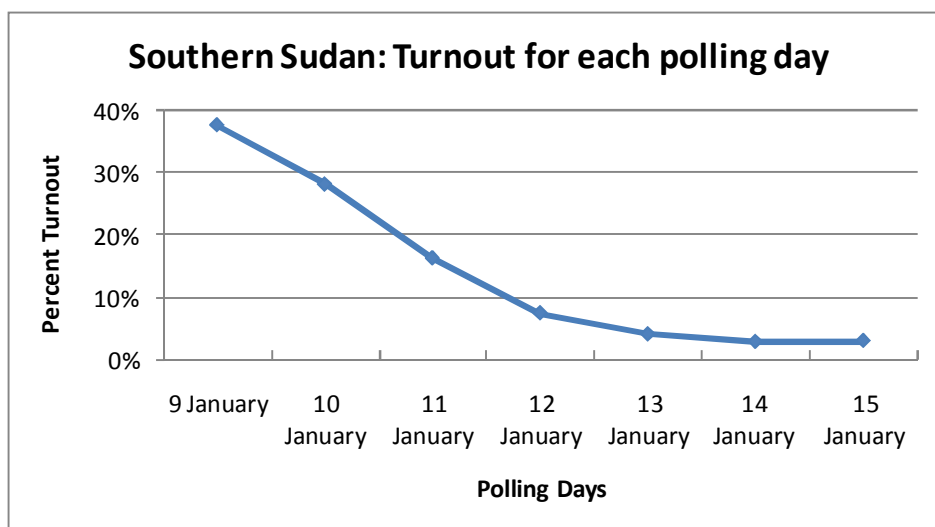
SuNDE and SuGDE note a significant improvement in the conduct of party agents at the Referendum Centers observed when compared to the 2010 General Elections. Party agents generally understood their roles in the process and refrained from interfering or disrupting the process.

SuNDE and SuGDE were encouraged by the robust efforts of other domestic observation groups, such as the Sudanese Domestic Observation and Monitoring Program (SuDEMOP) and local observation groups in the North, whose efforts contributed to a more open and transparent referendum process.

SuNDE and SuGDE appreciate the constructive contribution of the various international election observation missions to the referendum process and appreciate their cooperation with our organizations and other non-partisan citizen election observers.

Voter Turnout

SuNDE and SuGDE are pleased to note that voters turned out in massive numbers in the South and remained patient and orderly even though some voters had to wait in long lines on the first day of voting. SuNDE and SuGDE observers reported a lower voter turnout in the North at the Centers observed. In both the South and the North, the majority of voters turned out to vote on the first three days, but voter turnout dropped off significantly for the remaining five days. This demonstrates that the additional days of voting had a diminishing impact on the overall voter turnout. According to SuNDE and SuGDE data, the threshold was likely met after the second day of voting in most places. The chart below, which is based on SuNDE's observation data from the South, demonstrates the diminishing impact of the last four days of polling.



SuNDE and SuGDE believe that this voting pattern suggest that a shorter voting period may be advantageous for future elections and referendums.

Out-Of-Country Voting

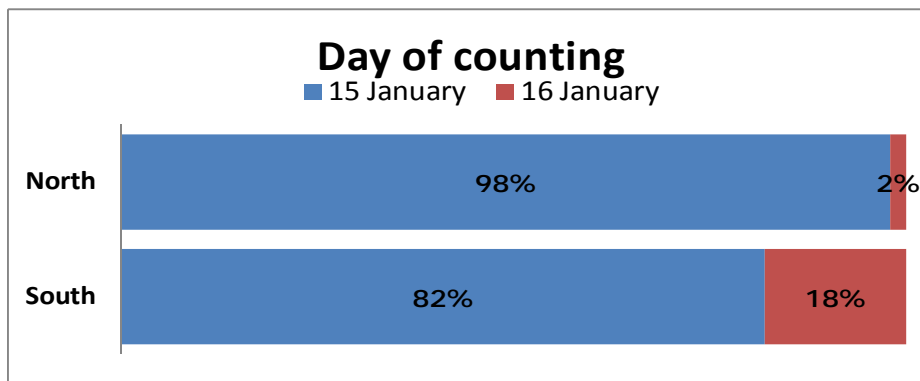
Like in Sudan, OCV Centers opened on-time and had all of the necessary materials to start the polling process. SuNDE observers reported impressive turnout during the first days of the process in all observed OCV Centers. In the six countries observed, 37 percent of stations lacked party agents or accredited advocates. OCV observers reported a number of instances of campaigning in Centers and a few minor incidents of disruption or procedural errors in some centers during the process. Accreditation and other organizational aspects of the OCV process were more timely and efficient than during the voter registration period.

Counting Process

SuNDE and SuGDE observers reported that the counting went smoothly in the majority of Centers observed. SuNDE and SuGDE observers reported that ballots were counted fairly and accurately and that few complaints were filed during the counting process. Observers did not report any incidents of violence or intimidation during the counting process.

Analysis of SuNDE and SuGDE's observer data indicate that the referendum exceeded the 60 percent voter turnout requirement and that Southerners voted overwhelmingly in favor of secession.

SuGDE and SuNDE observers reported that in 98 percent of the Centers observed in the North counting started immediately after polling finished on January 15. However in the South, 82 percent of the Centers started counting on the first day, while in 18 percent of the Centers counting started on January 16. In Unity State, some Referendum Center officials reported that they had received official instructions from the SSRB to wait until the morning to begin counting ballots for security reasons.



While counting ballots a day later had no apparent impact on the quality of the counting process, SuNDE and SuGDE note that the Referendum Act states that counting should have started immediately after polling closed.

In the Centers in the South, less than 1 percent of the ballots cast were considered invalid. In the North only around 2 percent of the ballots cast were considered invalid at the Centers observed. The low number of invalid ballots is an indication that voters were able to cast their ballots effectively, even though there was not saturated voter education over an extended period.

SuNDE and SuGDE noted a significant number of stations reporting both 100 percent turnout and 100 percent votes for secession in the South. Nearly 24 percent of the Referendum Centers observed reported this trend. Given the high voter turnout throughout Southern Sudan and the popularity of the referendum, these numbers are not automatically an indication of irregularities. However, the SSRB and SSRC should examine any counting anomalies, such as Centers reporting over 100 percent turnout and 100 percent votes for secession.

Tabulation

Preliminary reports from SuNDE and SuGDE tabulation observers at the county and state level have indicated that, thus far, the tabulation process has gone smoothly in the observed Centers. Tabulation centers were open, were staffed during the day after the counting process finished and were ready to receive and process results information. SuNDE and SuGDE commend referendum administration officials for the significant improvement of the tabulation process over the tabulation process of the 2010 elections, which was marred by administrative problems and incidents of intimidation and harassment. SuNDE encountered issues in Wau, Malakal and Renk where tabulation officials would not allow accredited SuNDE observers into the Centers. These issues were eventually resolved through the intervention of the SSRB.

SuNDE and SuGDE will continue to observe county and state tabulation centers as well as at the SSRB and SSRC until the final results are announced.

RECOMMENDATIONS

SuNDE and SuGDE will continue to promote and protect citizens' participation in democratic processes and to encourage free, fair and non-violent elections in Northern and Southern Sudan after the referendum. SuGDE and SuNDE respectfully offer the following recommendations to contribute to the full and peaceful implementation of the CPA and to further improve the legal framework and conduct of future elections and referenda in Sudan.

For the Continuing -Referendum Period:

- Any electoral complaints should be dealt with expeditiously and fairly by the appropriate electoral authority or court;
- Results should be tallied accurately and announced publicly as soon as possible;
- Citizens should remain patient and act peacefully throughout the tabulation period and announcement of the final official referendum results; and
- Leaders from both the South and the North should refrain from the use of inflammatory statements which could raise tensions or fears among the public during the tabulation of results and after the results have been announced.

For the Post-Referendum Period:

- The two parties should fulfill their remaining commitments within the CPA and dedicate themselves to the peaceful negotiation of all outstanding issues – including the resolution of all issues surrounding Abyei;
- Both the Government of Sudan and Government of Southern Sudan should commit themselves to fully informing the public regarding post-referendum negotiations, engaging civil society in those processes, and taking into account citizen views on important post-referendum issues, such as the upcoming constitutional review process;
- Reforms in the electoral framework should include provisions to encourage a robust multi-party democracy – embracing the principles of inclusiveness, transparency and accountability – and provide for the establishment of permanent, impartial, effective and independent National Elections Commissions;
- Provisions to encourage full women's political participation should be included in the electoral framework;
- The Governments should abide by the requirement of the African Charter on Democracy, Elections, and Governance (Signed June 30, 2007) Article 12(4) requiring signatories to implement programs and carry out activities designed to promote democratic principles and practices and consolidate a culture of democracy; and
- Citizens should remain actively engaged in and informed about the post-referendum processes.

For Future Elections and Referenda:

- An adequate number of polling centers should be allocated to each state and distributed evenly within the state to ensure that all citizens have an equal and genuine opportunity to participate in electoral processes;
- Polling and registration center locations should be clearly identified and publicized widely and well in advance to ensure that all voters are aware of where they need to register and vote;
- Elections authorities should be provided with adequate and ongoing funding, and polling stations and officials should be sufficiently equipped to start the counting process immediately following voting;
- More financial resources should be committed to voter education in future elections so that citizens can get the knowledge they need to participate effectively;
- Reasonable timeframes should be set so that rules and procedures can be developed well in advance of key processes and adequate time is given to complete all necessary electoral or referendum preparations;
- The number of polling days should be shortened because storing ballots and other sensitive election materials overnight can harm transparency, undermining the credibility of the process, and is contrary to accepted international standards for elections;
- Election authorities should provide non-partisan citizen (domestic) observers with the necessary information and access to ensure that observers can fulfill their responsibilities;
- Communication between election officials at the national and state levels should be improved to ensure that information is received by authorities at all levels in an accurate and timely manner;
- Electoral authorities should designate a specific office, with powers to act to remediate problems, as the point of contact for non-partisan citizen observers, political parties and international observers to report problems, irregularities or administrative difficulties, and that office should function at the national and sub-national levels;
- Election officials should receive specific and thorough training on the rights of non-partisan citizen observers;
- All security services and personnel should receive thorough training on their roles and responsibilities in elections to ensure they understand their proper roles in electoral processes;
- Political party agents and representatives of other stakeholders should be accredited distinctly and separately from non-partisan observers, and their rights and responsibilities should be clarified; and
- Accreditation procedures should be simplified for organizations wishing to observe, and provisions requiring observers to submit photographs should be removed.