

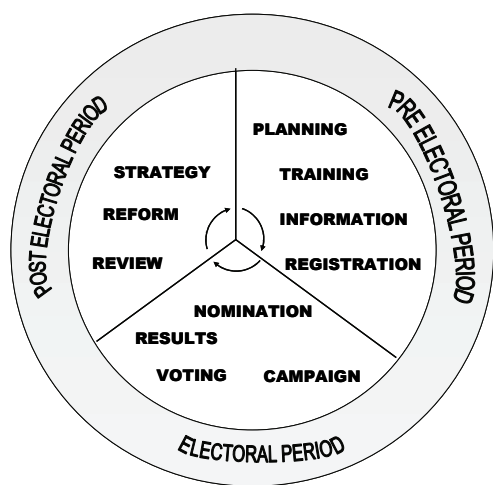


جمهورية السودان المفوضية القومية للانتخابات NATIONAL ELECTIONS COMMISSION



FACTSHEET: THE ELECTORAL PROCESS IN GENERAL

The holding of free and fair elections is a key provision of the Comprehensive Peace Agreement. Both the CPA and the Interim National Constitution confirm the right to vote as a fundamental right of Sudanese citizens. Sudanese citizens will have the opportunity and the responsibility to exercise that right when elections are held under the terms of the CPA for executive and legislative offices at the national, Southern Sudan, and state levels. This Factsheet is one of a series to provide basic factual information about the electoral process in the Sudan.



The Electoral Cycle

There are many phases to the electoral process. In an election, for example, these include the writing of laws and procedures, the recruitment and training of staff, voter registration, registration of political parties, nomination of candidates, the electoral campaign, polling, counting, the declaration of results, and the resolution of electoral disputes. After the end of one electoral process, work on the next one begins. The whole process can be described as the electoral cycle. This factsheet highlights the most important components of this cycle.

Pre- electoral period

Writing laws. Election legislation may exist as a set of separate laws or as a single electoral code. Legislation in this area addresses the electoral system, voting rights, the establishment and functioning of the election authority, voter registration, election preparations, and campaign financing. The Sudan National Assembly enacted "**The National Elections Act 2008**" in July 2008 as the legal framework for elections in the Sudan.

Recruitment and Training of staff. Election management is a very complex activity and requires a large number of staff. Before staff can be recruited and trained, a clear description of what each job requires and what sort of person will fill it needs to be prepared. Such preparation normally puts together some form of overall structure of staff and responsibilities. The National Elections Commission (NEC) is the Election Management Body (EMB) responsible for planning, organizing and managing elections in the Sudan.

Voter registration is the process in which citizens prove they are eligible to vote. As one of the more costly, time-consuming and complex aspects of the electoral process, it often accounts for a considerable portion of the budget, staff time and resources of an election authority. If conducted properly, voter registration ensures that all eligible voters--and only eligible voters--are able to vote. In the Sudan, NEC is responsible for the final electoral register which it has to publish at least 3 months before the date of polling.

Registration of political parties. In most electoral systems, political parties, candidates and interest groups are required to register. Registration helps make the electoral process more transparent by requiring those seeking citizens' votes to provide information on their activities and funding. In the Sudan, political parties must be registered with the Political Parties Affairs Council in order to engage in political activity and compete in the elections.

***Voter education programs** are important components of the entire electoral cycle because they help ensure that everyone understands why, how and when to vote. **Election monitoring and observation** throughout the election cycle aims to ensure the integrity of the process and add credibility. Sudan's electoral law provides for monitoring by party and candidate agents and observation by both national and international observers, as well as by the media.*

Electoral period

Political parties and/or individuals submit to the EMB names of candidates for the elections. This is done through a formal procedure called **Nomination of Candidates**. The EMB verifies that the candidates meet the criteria specified in the Electoral Law and that there are no public objections to their nomination before placing their names on the ballot. In party list proportional representation systems, each party puts forward a list of candidates selected from within the party. In constituency systems, individuals are nominated by political parties or run as independent candidates to represent a geographical area (constituency). The Sudan uses both the proportional representation and geographical constituency systems. There are also specific requirements to ensure women's representation in the Sudan by guaranteeing women 25% of the seats in the legislative assemblies.

During the **electoral campaign**, candidates and political parties seek to convince voters to vote for them. The EMB sets the dates for the official campaign. This is usually a period of around a month leading up to Election Day. The campaign often ends a day or two before Election Day to give voters time to consider their choices in private. Informal campaigning may start much earlier, but benefits (such as guaranteed media access) may only be available to political parties and candidates during the campaign period specified in the electoral calendar. For example, in the Sudan all parties and candidates are assured of access to media during the official campaign period.

The highlight of most elections is when people go to the polls to cast their votes. For an election to be free and fair, **the polling** must follow democratic principles (freedom of expression and movement, secrecy of the vote, etc.). Polling sites should be safe, accessible and neutral. The ballots used should reinforce the integrity of the process by providing safeguards against fraud. At polling stations, trained workers are present to ensure that voting takes place in compliance with the electoral law. Party agents and independent observers can help detect potential problems, such as discrimination, intimidation and fraud.

Vote counting is one of the most crucial stages in the election process. Failure to complete the count and transmit results in a transparent and accurate manner can jeopardize public confidence in the elections and will directly affect whether candidates and political parties accept the final results. In the Sudan, party/candidate agents and observers are entitled to watch the counting process. Rules established by NEC will also provide for the recording of any complaints about the counting process.

The responsibility and authority **to announce election results** rests with the EMB. When counting has been completed, NEC will declare preliminary results of the election. Candidates or political parties participating in Sudan's elections have the right to appeal those results to the Court. According to Sudan's electoral law, NEC shall "immediately" after the appeals process, prepare and declare final election results within 30 days of polling. The results will be published in the official Gazette and in the media.

Post-electoral period: After the end of one electoral process, it is desirable that the EMB evaluate and review the entire process and start preparing for the next electoral event, by proposing necessary changes in the laws and procedures.