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ELECTORAL DISTRICT DELIMITATION: EXPLORING ALTERNATIVE POPULATION DATA FOR SOUTH SUDAN

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Electoral District Delimitation: Exploring Alternative Population Data for South Sudan

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INTRODUCTION

The mixed electoral system adopted by South Sudan includes a component for electoral districts that will require boundary delimitation prior to the 2015 general elections. The Transitional Constitution of the Republic of South Sudan (TCRSS) 2011 stipulates in Article 194 that a population census conducted by the National Government during the Transitional Period shall be used to "determine the number of electoral constituencies for the next general elections." This requirement is elaborated upon in Part IV of the National Elections Act (NEA) 2012, which indicates that census data is to be used to apportion legislative seats to the states and delimit electoral district boundaries within the states. The population census referred to in the TCRSS 2011 is unlikely to occur in 2014 due to lack of funding, but even if the census is conducted, the population data will be unavailable before the delimitation exercise must commence. As a result, a valid alternative source for population data may be required in South Sudan to ensure timely constituency delimitation prior to the next elections.

This paper explores population data alternatives for allocating legislative seats and delimiting electoral district boundaries. The advantages and disadvantages of using electoral districts are discussed along with the relative merits of census data and voter registration data—the two most common sources of population data for countries that must delimit electoral districts. In addition, two brief case studies of Iraq and Liberia are offered to provide examples of post-conflict countries that are constitutionally required to use census data for delimitation purposes but used other population data because reliable census data was unavailable.

THE ROLE OF DISTRICTS IN ELECTORAL SYSTEM DESIGN

An electoral district is a geographically-defined area from which representatives to the legislature are elected. They can be either single-member (a district that elects only one member to parliament) or multimember, where the number of legislative seats assigned to a specific district can vary anywhere from two to one hundred or more. Countries have adopted electoral rules that range from the exclusive use of single-member districts to a system where the entire country, in effect, functions as a single district. In the United Kingdom and the United States, for example, every legislator represents a single district. At the other end of the spectrum are countries such as the Netherlands and Israel, in which the district magnitude is equal to the total number of members of the legislature. Most countries are somewhere in the middle of this range, and within any given country there is often a wide deviation in the number of seats assigned to the multimember districts.

Incorporating districts into the electoral system offers some advantages:

- Districts provide voters with an identifiable representative. This allows voters to hold their Members of Parliament (MPs) accountable—voting them out of office if they do not perform in accordance with the desires of a majority of voters in the constituency.
- Districts ensure geographical representation for regions across the country, assuming there is a requirement that representatives be residents of the district they represent. In other words, rather than electing a legislature in which the vast majority of MPs come from one or two of the major cities, geographically-based districts guarantee a geographically diverse mixture of MPs. This feature of electoral districts is particularly important if ethnic and other minority groups are geographically concentrated in specific areas across the country.
- Districts can compensate for low voter turnout of specific groups if these groups are geographically concentrated in specific areas.

The smaller the multimember district, the stronger the link between voters and their representatives and the more accountable representatives are to these constituents. Single-member districts, of course, provide the most direct link and offer voters the most accountability.

Districts are associated with some disadvantages as well, however:

- Even if the boundaries of the electoral districts do not need to be redrawn (single-member and small multimember electoral districts must be redrawn at regular intervals to ensure relatively equal populations), the number of representatives assigned to each multimember district must be adjusted periodically to ensure compliance with equal population standards. This necessitates some form of up-to-date population data, which is commonly either census or voter registration data.
- Districts introduce a tendency to over-represent some political parties and under-represent other parties if compensatory seats or other measures are not introduced.

The electoral system adopted in South Sudan provides for legislators to be elected from both single-member electoral districts and a national party list. This system offers the advantages of both a districted system—a direct link between the representative and those represented and geographic diversity in the legislature—and a proportional system that does not produce dramatic distortion of the ratio of political party votes to party seats won. However, electoral districts will require delimitation to identify the geographical constituencies.

DELIMITING ELECTORAL DISTRICTS

The mixed electoral system adopted by South Sudan includes an electoral district component that requires delimitation for both national and state legislative elections. It is important that the process for undertaking delimitation be designed well in advance of the next election and that the process employed meets international standards.

INTERNATIONAL STANDARDS FOR DELIMITING CONSTITUENCIES

Although there is no single best model for delimiting constituency boundaries, it is essential to design a process that meets international standards for political impartiality, equality of voting strength, representativeness, non-discrimination, and transparency.

Impartial Boundary Authority: Because the political ramifications of delimiting electoral boundaries can be considerable, the delimitation process must be carried out by an impartial boundary authority, one that is clearly perceived of as independent, professional and not aligned with a particular political party. A boundary authority that is closely aligned with the ruling party, for example, may be viewed as committed to a specific election result.

Equality of Voting Strength: The concept of "equal" suffrage applied to constituency delimitation means that all voters should be granted a vote of equal weight in the election of representatives. This principle translates into a requirement of equal populations across constituencies in an electoral system dependent on single-member districts to elect representatives to the legislature. And it requires accurate population data to accomplish.

Representativeness: Maintaining Communities of Interest: If electoral districts bring together cohesive communities of voters (rather than arbitrary groups of individuals), they are easier to represent. One means of ensuring that the boundary authority recognizes and takes into account such communities is to specify a set of criteria related to these communal interests and obligate the boundary authority to consider these criteria when drawing constituency boundaries. Typically these criteria are relevant to the administrative, geographic, and social milieu of the country and may include such factors as pre-existing administrative boundaries, geographic features, and communities of interest.

Non-discrimination to Safeguard Minorities: Constituencies should not be drawn in a manner which discriminates against disadvantaged minorities. Electoral district boundary configurations can be discriminatory by fragmenting geographically concentrated minority groups across constituencies to dilute or discount their votes. This practice should be prohibited. By the same token, however, it must be recognized that in the context of electoral district drawing, only minority groups that are sufficiently large and geographically compact can be affected by the

placement of constituency boundaries. Some traditionally disadvantaged minorities, such as women, will not be impacted one way or another by a given set of constituency boundaries.

Transparency: Constituency boundaries should be drawn in a transparent manner and the procedure should be accessible to the public through a consultative process. Transparency is important for maintaining public confidence in the integrity of the delimitation process. Stakeholders are more likely to accept the outcome of the process—including the election results—if they are able to scrutinize the process. To do this, they must have access to information on, and input into, the decisions of the boundary authority.

The electoral law adopted in South Sudan complies with international standards in several important respects: electoral districts of equal population are required (and the degree to which constituencies can deviate from equality is clearly defined), additional criteria such as taking account of geographical features and local administrative boundaries are identified, and a public consultation and objection process is outlined in detail. However, if the delimitation exercise does not commence in a timely manner, many of these best practices will suffer and the legitimacy and integrity of the 2015 elections could be threatened.

DESIGNING AND IMPLEMENTING A DELIMITATION EXERCISE

The delimitation of constituencies for the purposes of electing representatives to a legislature or parliament can be an enormous undertaking, both in terms of the time needed and the technical and material resources required. The process involves a number of steps, including (1) the establishment of a structure and set of rules to carry out the delimitation exercise; (2) the construction of a delimitation database minimally composed of population data and accurate maps; (3) the creation of constituencies by assigning all pieces of territory to one and only one constituency; (4) the evaluation of provisional delimitation plans by stakeholders; and (5) the adoption and implementation of a final delimitation plan.

Currently, a major obstacle to conducting a timely constituency delimitation exercise is the lack of acceptable census data in South Sudan. The electoral law is clear that the census is to be the source of the data required to ensure electoral districts of equal population. However, the 2008 census data for South Sudan has been rejected by South Sudanese leaders as inaccurate and is, in any case, out-of-date (especially given the massive influx of population over the last few years). And, although a new census exercise is currently being planned, the results of this census are very unlikely to be available by the time the delimitation exercise must commence. For this reason, identifying and considering valid alternative population data sources must occur well before the next elections.

POPULATION DATA FOR ELECTORAL DISTRICT DELIMITATION

Delimitation requires the collection of several different types of information. The two essential pieces of information are population data and maps. Population data—usually census data or voter registration data – provides the only means of creating constituencies that are relatively equal in population or, in the case of multimember districts, that the ratio of constituents to representatives is relatively equal across all districts. In a 2004 survey of delimitation practices, every country that delimited districts indicated that population equality was a criterion considered, and most indicated that it was the single most important delimitation requirement.[1]

The population data that is used to determine equality differs across countries. A majority (53 percent) of the countries surveyed indicated that "total population" was the population base used for determining equality across constituencies. Another 34 percent reported registered voters as the population base. Six countries (almost all European) stated that citizen population was the relevant base for determining population equality. The voting age population was mentioned as the base by one country (Lesotho), and the number of voters in the previous election by another country (Belarus). The table below lists some examples of countries that use total population, registered voters, and citizen population to apportion legislative seats and/or delimit electoral constituency boundaries.

Table 1: Data Used to Apportion Legislative Seats and Delimit Electoral Districts[2]

Total Population		Registered Voters	
Botswana	Japan	Albania	Macedonia
Bulgaria	Kenya	Armenia	Malaysia
Cameroon	Lithuania	Bahamas	Namibia
Canada	Mexico	Belize	Ukraine
Czech Republic	New Zealand	Croatia	United Kingdom
Finland	Nigeria	Iceland	Zimbabwe
France	Pakistan	Jamaica	
India	Poland		
Indonesia	Uganda	**Citizen Population**	

[1] Lisa Handley, "Introduction: Towards Developing International Standards," *Delimitation Equity Project: Resource Guide*, IFES Center for Transitional and Post-Conflict Governance and USAID, 2006, Chapter 1.

[2] Lisa Handley, "Appendix C: Criteria Considered in the Delimitation Process," *Delimitation Equity Project: Resource Guide*, IFES Center for Transitional and Post-Conflict Governance and USAID, 2006, Chapter 1, pages 61-74.

Table 1: Data Used to Apportion Legislative Seats and Delimit Electoral Districts[2]

Ireland	United States	Belgium	Sweden
Italy		Germany	Turkey
		Hungary	

The source of the population data used—if total population or voting age population was identified as the relevant population base—was usually a national census, although some countries that keep a civil registry and issue national identification cards indicated that this registry served as the basis of the population data (as well as functioning as a continuous voter registry).[3]

CENSUS ENUMERATION DATA

In countries that use total population data for delimitation, a national census is almost always the source of this data. In the United States (US), for example, the reapportionment of congressional seats to each of the 50 states and the redrawing of congressional district boundaries within the states (referred to as redistricting in the US) have always been based on a census count of the entire population. The US Constitution requires a census be conducted every ten years. The Census Bureau must report the state population totals to the president by December 31 of the census year for reapportionment purposes – that is, the allocation of congressional seats to each of the states. Then more detailed census information is released on a rolling basis to the states for the redistricting of legislative district boundaries within the state. If a US state decides to use some population base other than census data for redistricting (this is very rare), such as registered voters, it must demonstrate that the alternative population data is "substantially equivalent" to the census population, according to the US Supreme Court in a 1966 decision (*Burns v. Richardson*).

There are three potential drawbacks to using census data, assuming it exists:

- **Census Data may be Inaccurate:** The census enumeration process may, for example, result in an undercount of certain groups. Nomadic groups, for example, are difficult to count. In the US, although the overall census undercount in 2010 was estimated to be about 1.6 percent of the population, some minority groups were estimated to be undercounted at a higher rate – black people, for instance, were undercounted at an estimated 2.1 percent.
- **Census Data can become Obsolete:** Even if it is accurate at the time of the enumeration, census data can rapidly become obsolete due to growth rates and population

[3] In one instance, population projections are used for delimitation. Australian election law requires that electoral districts deviate in population by no more than 3.5 percent, three years and six months after the expected completion of the delimitation, referred to as redistribution in Australia. (This criterion was adopted to avoid wide population discrepancies at the end of the seven-year delimitation cycle.)

movements. Unanticipated population movements and higher than average mortality rates as a result of war can result in population data that is especially outdated.

- **Population Equality does not Necessarily Produce an Equal Electorate:** If all districts are drawn such that they have the exact same population, the number of voters per district would still not necessarily be equal. This is because the proportion of non-voters—that is, non-citizens, those too young to vote, and even registered voters who choose not to cast a ballot—is not uniform across districts. Therefore, if the intention is to produce electoral districts that are relatively equal in the number of voters, as compared to the number of inhabitants, the use of census data is problematic.

VOTER REGISTRATION DATA

In a number of countries, the delimitation database is registered voters rather than census data. In the United Kingdom (UK), for example, the delimitation database is the number of qualified voters at the start of the delimitation exercise (referred to as redistribution in the UK). The use of the registered electorate is beneficial because the electorate in the UK is enumerated annually. However, as many as 2 to 3 million people may not be included in the count since not all potential voters are actually registered to vote. If the under-enrolment is concentrated in specific geographic regions, as it tends to be in the UK (inner cities are particularly affected by under-enrolment), these areas will be disadvantaged when parliamentary seats are apportioned and constituency boundaries are drawn.

The same potential drawbacks affect the use of voter registration data as census data, though not to the same degree:

- **Inaccurate Register:** Unless the voter registration system is highly accurate, the voter list could be incorrect. For example, the registration rolls could be inflated due to failure to remove from the list persons who are deceased or have moved from the district. Alternatively, the registration rolls may be missing some potential voters if the registration is not compulsory or registration lists are not updated frequently.
- **Unequal Electorate:** Unless voting is compulsory, some registered voters may neglect to cast ballots on Election Day, making the number of voters unequal across districts even if the number of registered voters is equal.

SELECTING A POPULATION DATA SOURCE

The choice of whether to use census data or voter registration data may be guided by either practical or theoretical concerns. Practically, it may be the case that either census or voter registration data is simply not available or is inadequate for delimitation purposes. For example, if no relatively up-to-date voter registration list exists and a full voter registration exercise is to take place only a month or two prior to Election Day, voter registration data cannot be used because

delimitation can be a lengthy process and must commence well before Election Day. Of course, a census exercise is a much lengthier undertaking than a voter registration exercise, so depending on census data that has not yet been collected is even more problematic.

Another practical concern is the availability and accuracy of the data at lower levels of geography. Because delimitation requires small territorial units to be used as building blocks to create constituencies, up-to-date and accurate population data must be available at the level of the chosen geographic building block. If recognized administrative divisions are used as the building block, it is more likely that census data will be available. If registration areas are used as the building block, voter registration is more likely to be available.

With regard to democratic theory, delimitation on the basis of voter registration data is likely to produce districts that are more equal with regard to the number of voters (or at least potential voters) contained in them. But an argument could certainly be made that all persons, and not simply voters, should be represented. If the broader definition of "representation" is adopted—one that views representatives as acting on behalf of all of his or her constituents, non-voters as well as voters—then the justification for the use of total population is that it produces more equal representation in the more expansive sense.

POPULATION DATA IN SOUTH SUDAN

Although the electoral law is clear that the population data to be used to apportion legislative seats and delimit electoral districts is census data, no acceptable and up-to-date census data exists, nor will it exist in any useable form prior to the need to begin the delimitation exercise.

The results of the 2008 census, conducted under the auspices of the Government of the Sudan in Khartoum, have been rejected by South Sudanese leadership as inaccurate (e.g., officials contend that many areas in South Sudan were not visited by census enumerators).4 Moreover, substantial shifts in the population have occurred since the 2008 census, including an influx of over 2 million South Sudanese from the North. Accurately locating this population cannot be done without an updated census.

The TCRSS stipulates that a census be conducted during the Transition Period. However, while the Government of South Sudan has approved some funds to facilitate the 2014 population census, it remains unclear whether the Government will obtain a sufficient amount of money to support a

[4] The results of the 2008 census, while flawed (the Southern Sudan Centre for Census, Statistics and Evaluation released the counts acknowledging the many challenges it faced in conducting the census in South Sudan, including security issues, an early rainy season, transportation and communication problems, a shortage of questionnaires, and maps that did not include a significant number of villages), is generally recognized by the international community and the Director of the South Sudan Bureau of Statistics as the best available data for South Sudan.

full population census. Even if the necessary funds are found soon, the census will not be completed in time to use the data for delimitation purposes.[5]

Conducting a population census is a complex, time-consuming, and labor-intensive undertaking that is carried out in several phases:

- **First Phase:** A census begins with a lengthy planning stage that typically includes 1) the identification and mapping of census enumeration areas (EAs) and all the housing units located within each EA, 2) a pilot census to test the methodology adopted and survey questionnaire designed, 3) a publicity campaign to enlist the cooperation of the public, and 4) the training of field operators.
- **Second Phase:** The collection phase is the most intensive stage (requiring complex logistical preparations for field operations) but also the shortest phase in terms of the time required—though it usually takes several months to conclude.
- **Third Phase:** The final phase is the production of the results, including the receipt, processing, estimation, analysis, and publication of the census data. This stage alone can require several months to a year to complete because the preparation of the final file of the census data usually incorporates not only receipt of the information, but the identification and correction of errors, the imputation of missing data, and the calculation of corrected estimates.

The extremely optimistic timeline proposed by UNFPA in 2012 and reproduced in the table below is already behind by several months (and will continue falling behind until the necessary funds have been secured) and this proposal indicates that the census data will be released in December of 2014 – too late to be employed for delimitation. Moreover, changes in scheduling are more complicated than simply moving tasks back in time by an allotted period of time because at least the EA mapping phase, the pilot census exercise, and the actual population count will have to take into account and work around the rainy season, when much of the country is inaccessible.

CENSUS WORK PLAN[6]

2012

Final budget approved	July
Census project document prepared	July
Procurement of vehicles, GIS and cartographic equipment	August
Census office in place	September
Various census committees formed	September
Field mapping commences	October
Procurement of DP equipment and software	October

[5] Per public statements made by Ms. Labanya Margaret, Director of Operations at the National Bureau for Statistics and Census at a meeting convened on 8 August 2013 by the National Elections Commission with prospective international partners.

[6] This information was derived from a slideshow presented by UNFPA to stakeholders in Juba, South Sudan on 25 July 2012.

2013	
Census questionnaire and tools for the pilot printed	January
Pilot survey undertaken	February
Finalization of census tools and instruments	September-December
Final census questionnaire and census tools printed	October-December
EA and SA maps printed	October-December
Census enumeration staff identified and recruited	December
2014	
Training at all levels completed	January
Census enumeration undertaken	February
Data processing staff trained	February
Post Enumeration Survey (PES)	March
Data processing commences	April
Preliminary report released	June
Tabulations and Analysis commences	September
Preparation and release of final census results by state	December

The electoral district boundary delimitation process is also a substantial undertaking that requires operational planning, technical and material resources, and field logistics, all of which must take place well in advance of the projected election date in April 2015. Assuming candidates and voters must be informed of their constituency assignments no later than January of 2015, delimitation would have to commence by September of 2014. The exact timeline for delimitation, however, is hard to predict with any precision without more information on what form the data (either voter registration or census data) and maps will be in, whether GIS technology will be employed, and what the provision for public consultation will be.

Given the current set of circumstances, consideration of an alternative population data source by South Sudanese leadership is essential for national and state legislative constituency delimitation. As demonstrated by the discussion above, voter registration data is commonly used for delimitation purposes and may serve as an accurate, reliable, and up-to-date substitute for census data for the 2015 general elections.

RESOLVING POPULATION DATA ISSUES IN IRAQ AND LIBERIA

Similar population data issues have presented themselves in other countries. Iraq and Liberia are discussed here because both countries faced the question of what data to use to allocate legislative seats and/or delimit electoral district boundaries. The two countries faced tight election time

frames, both had constitutional provisions requiring the use of population data, and neither country had access to adequate census data for the undertaking. Ultimately, Iraq changed its electoral law to use Ministry of Trade (MoT) food ration card data in place of outdated census data and Liberia changed its electoral law to allow the use of voter registration data rather than constitutionally-mandated census data for its first post-conflict election.

CASE STUDY 1: REPUBLIC OF IRAQ

The electoral system in Iraq for both the 2005 and 2010 elections for the national legislature, known as the Council of Representatives (CoR), was a proportional system with large multimember districts, with the 18 existing governorates serving as the electoral districts. The 2005 apportionment of CoR seats to the governorates was performed on the basis of the January 2005 voter registration totals for each governorate. However, the Federal Supreme Court (FSC) later held that voter registration data could not serve as the basis for the allocation of parliamentary seats.

The FSC was asked to review the constitutionality of Article 15 of the Election Law, which stated that each governorate "shall be allotted a number of seats proportional to the number of registered voters in the governorate." Opponents of this law contended that this provision violated the Constitution's requirement that parliamentary seats be allotted on the basis of "one seat per every 100,000 Iraqi persons representing the entire Iraqi people." The Court agreed, and in 2006 held Article 15 to be unconstitutional.

In late 2009, the CoR proposed new electoral legislation, in part to answer the question of how to allocate future CoR seats to the governorates left open by the 2006 FSC opinion. According to the FSC, voter registration data could not be used. The last census dated back to 1997 and did not include data for three Kurdish governorates, and therefore, could not be used. And a new census was not scheduled to be conducted.

The CoR finally approved an amendment to the 2005 Election Law on November 8, 2009 that established that the formula for distributing seats to the governorates was to be based on 2009 MoT food ration card lists rather than the number of registered voters in each governorate. Although the MoT statistics did not include Iraqis who did not receive food rations (such as those living overseas), it was determined that the ration card registry provided a better, or at least less controversial, approximation of the Iraqi population than the outdated census.

Further amendments were made to the election law on November 23, 2009, including the provisions relating to allocating legislative seats to the governorates. These modifications increased the number of CoR seats and changed the population base to the 2005 MoT population statistics (rather than the 2009 MoT data), but increased this base by 2.8 percent for all governorates to

account for population growth between 2005 and 2009. These amendments were ultimately signed into law and CoR seats for the 2010 legislative elections were allocated to the governorates on the basis of 2005 MoT ration card lists, adjusted for population growth.[7]

CASE STUDY 2: REPUBLIC OF LIBERIA

The electoral system of Liberia is dependent on single-member constituencies to elect all members of its House of Representatives. The Constitution requires the Election Commission to delimit legislative constituencies "following a national census and before the next election." Constituencies are to have "as close to the same population as possible."[8]

Because electoral districts had not been delimited in the country for many decades, constituencies had to be redrawn prior to the 2005 elections. The information available for delimitation purposes, however, was exceptionally limited. There had been no census in Liberia since 1984—a period prior to the civil war and the upheaval it brought. In addition, maps for the country were insufficiently detailed and simply inaccurate in many areas.

The approach adopted for delimiting districts, given these constraints, was unique: rather than drawing constituency boundaries, voting registration centers were amalgamated or combined to create electoral districts. Thus the allocation of constituency seats to each of the counties, as well as the delimitation constituencies within counties, was based on voter registration rather than the constitutionally-required population data. In fact, the registration data used was the provisional voter registration list since an update of the registration list was conducted just a few weeks before Election Day—too late in the election process to be used for delimitation purposes.

In order to substitute voter registration data for census data, an Electoral Reform Law was passed that (1) suspended the requirement that census enumeration data be used and indicated that voter registration data would be employed instead; and (2) stipulated that the National Election Commission was to establish electoral districts "by the amalgamation of voting precincts" rather than by drawing constituency boundaries.

Although it is not usually the case that electoral law can be used to circumvent the requirements of a constitution, in this instance all of the major stakeholders in the election process (including

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[7] The electoral law, as amended in December 2009, repealed Elections Law No. 16 (2005) and Article 15 stipulated: *The Council of Representatives shall consist of a number of seats at a ratio of one for each 100,000 individuals based on the 2005 Ministry of Trade statistics for the governorates, provided that an annual population growth percentage of 2.8 for each governorate is added.*

[8] Article 80, provisions (d) and (e) of the Liberian Constitution (1986) state:

(d) Each constituency shall have an approximately equal population of 20,000 or such number of citizens as the legislature shall prescribe in keeping with population growth and movements as revealed by a national census; provided that the total number of electoral constituencies in the Republic shall not exceed one hundred.

(e) Immediately following a national census and before the next election, the Elections Commission shall reapportion the constituencies in accordance with the new population figures so that every constituency shall have as close to the same population as possible; provided, however, that a constituency must be solely within a county.

the international community) recognized the need to find a substitute for required census data and no group challenged the law.

In 2008, Liberia conducted its first census in 23 years and the final numbers were released in May 2009. This data was used to reallocate parliamentary seats and redraw constituency boundaries prior to the 2011 national elections.

CONCLUSION: SUBSTITUTING CENSUS DATA WITH VOTER REGISTRATION DATA

South Sudan has adopted a mixed electoral system that includes an electoral district component for national and state legislative assemblies. As a result, electoral constituencies will require delimitation prior to the 2015 national elections. Although the TCRSS 2011 and the NEA 2012 require the use of census data to apportion legislative seats to the states and delimit electoral district boundaries within these states, accurate and up-to-date census data will be unavailable prior to the delimitation exercise. A valid alternative population data source for delimitation must be given serious consideration in order to conduct legislative elections in 2015.

One viable and internationally acceptable option is voter registration data. Many countries use this data for allocating legislative seats and delimiting electoral district boundaries (e.g., United Kingdom and Namibia). There are also cases where post-conflict countries that are constitutionally required to use census data have resorted to using other population data when reliable census data was unavailable (i.e., Iraq and Liberia).

In South Sudan, if voter registration data is to provide a substitute for census data, conducting a voter registration exercise early in the electoral calendar is essential to provide the population data for proper constituency delimitation. An extensive voter registration exercise—incorporating mobile registration teams and conducted over a sufficient period of time—will provide provisional registration data early enough in the election process to form the basis for the delimitation exercise. A comprehensive approach will also contribute to a voter registry that reflects the entire South Sudan population, including nomadic, disadvantaged, and minority groups.

Substituting census data with voter registration data in South Sudan will require amendments to the TCRSS 2011 and the NEA 2012. The amendments will ensure that constituency delimitation takes place within a formal legal framework and in a timely fashion that avoids the risk of any delays in the electoral process.