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International Foundation  
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# **Election FAQs: Senegal**

## *2022 Legislative Elections*

*July 31, 2022*

Africa

International Foundation for Electoral Systems

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## Election Snapshot

- Election Day: July 31, 2022
- Registered voters: 7,036,466 (6,727,759 in Senegal and 308,707 abroad)
- Polling stations: 15,954 across 7,013 polling centers (15,196 in Senegal and 758 abroad)
- Senegalese voters will elect 165 members of the National Assembly to five-year terms

## When is Election Day?

Senegal's 2022 legislative elections will take place July 31, 2022.

Polls will be open from 8 a.m. to 6 p.m. To facilitate the right to vote, a governor, prefect or sub-prefect may issue an order extending the closing time of one or more polls in all or part of an electoral district. Abroad, the head of diplomatic or consular representation may advance the opening time or extend the closing time for polling, depending on local circumstances. These decisions must be displayed immediately at the entrance to the affected polling stations.<sup>1</sup>

## Why are these elections important?

The 2022 legislative elections follow a national dialogue that began in 2019 among political forces to defuse tensions that were particularly pronounced following Senegal's 2019 presidential election. The intervening years have seen updates to the electoral legal framework; however, concerns about the influence of the ruling party over the electoral process remain. The upcoming legislative elections will test public trust in Senegal's electoral institutions and measure the midterm popularity of the administration of President Macky Sall.

These elections will come shortly after an amendment to the Electoral Code that shifts the distribution of seats within the National Assembly. This change is due to two main factors: 1) the establishment, in 2021, of Keur Massar as the 46th and newest department in Senegal; and 2) increased population in four departments, requiring the allocation of additional seats as prescribed in the Electoral Code.

As a result, between March and April 2022, the Ministry of Interior, electoral authorities and political representatives met several times to discuss the need for an electoral amendment and to find a consensual solution. The discussions led to an amendment of the Electoral Code that revised the distribution of seats. According to the new article of the Electoral Code, seven seats that were previously allocated through the national list (via the proportional system) will now be allocated to the departments (via the majoritarian system). The amendment entered into force after final approval of the president of the Republic on May 3, 2022, approximately three months before the election.

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<sup>1</sup> Décret n° 2022-868 du 19 avril 2022 portant convocation du corps électoral pour les élections législatives du 31 juillet 2022. <https://sec.gouv.sn/publications/lois-et-reglements/decret-ndeq-2022-868-du-19-avril-2022-portant-convocation-du-corps>

## How is the Senegalese National Assembly structured?

The National Assembly in Senegal constitutes the legislative branch of the government. The National Assembly controls the actions of the government and sets public policy. Members of the National Assembly, called *députés*, are elected to five-year terms through a mixed electoral system that includes both majoritarian and proportional formulas.

## What is the electoral system?

The 165 members of the National Assembly will be elected through a parallel voting system, with 112 seats allocated through a majoritarian system and 53 seats through a multi-member proportional system based on the total number of votes for each party at the national level. Under the majoritarian system, citizens will elect candidates in multi-member electoral districts based on a first-past-the-post. Under the proportional system, members are elected based on citizens' votes for national lists, with seats allocated to parties proportionally, based on the percentage of votes received.

The electorate is divided into 54 constituencies: one for each of the 46 departments of Senegal and eight diaspora constituencies.<sup>2</sup> Each department is directly represented by between one and seven members, depending on the population, for a total of 112 members. This includes 15 seats for diaspora constituencies, each represented by one to three members. The remaining 53 seats are allocated according to the simple quotient system, based on the share of the national vote that each party receives.<sup>3</sup> The distribution of the last seats uses the largest remainder method.

## What is the legal framework for conducting the elections?

The primary documents that constitute the legal framework that governs Senegal's elections are the Constitution, the Electoral Code and several decrees that determine, for example, the date of the elections. The Gender Parity Law (2010) establishes equal representation of men and women in elected positions and, more specifically, on party lists.

On April 15, 2022, the National Assembly voted to amend the Electoral Code to account for the establishment of one new administrative department and increases in the populations of four other departments. The National Assembly maintained the number of seats at 165, choosing to offset the seven new seats allocated by majoritarian vote with a commensurate reduction in the number of seats allocated by proportional representation.<sup>4</sup> Following a challenge to the amended Electoral Code, the Constitutional Council upheld the revised law on April 29.<sup>5</sup>

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<sup>2</sup> North Africa; West Africa; Central Africa; Southern Africa; Northern, Central and Western Europe; Southern Europe; America-Oceania; Asia-Middle East.

<sup>3</sup> Elections législatives sénégalaises de 2022, Secrétariat général du Gouvernement. *Op. cit.*

<sup>4</sup> "Législatives au Sénégal: pourquoi le nombre de députés n'augmentera pas," Jeune Afrique. April 28, 2022. <https://www.jeuneafrique.com/1342477/politique/legislatives-au-senegal-pourquoi-le-nombre-de-deputes-naugmentera-pas/>

<sup>5</sup> Decision no. 2-C-2022, Affair no. 3-C-22, 29 April 2022 Session, Constitutional Council. <https://conseilconstitutionnel.sn/decision-n-2-c-2022-affaire-n-3-c-22/>

## Who is eligible to run as a candidate?

Senegalese law allows any registered voter to run as a candidate in legislative elections, subject to certain conditions and requirements. These include Senegalese nationality (following a period of 10 years since naturalization for non-native citizens), a minimum age of 25 years, lack of a criminal record and the absence of any appointments that are incompatible with candidacy. Candidates are submitted as part of a legally constituted political party, a coalition of legally constituted political parties or an entity grouping independent candidates.

As of the enactment of the 2021 amendment to the Electoral Code, for legislative elections political parties, coalitions of political parties and groupings of independent candidates must collect signatures from between 0.5 percent and 0.8 percent of registered voters to legally submit a list of candidates. All collected signatures must be from voters who reside in each of the seven regions, and there must be at least 1,000 signatures from each region.<sup>6</sup>

## What candidate lists are registered for the parliamentary election?

Eight candidate lists are registered for the legislative elections. Political parties, coalitions or independent candidates may register lists. They are (in alphabetical order):

- *Coalition Alternance pour une Assemblée de rupture/AAR Senegal;*
- *Coalition Benno Bokk Yaakaar;*
- *Coalition Bokk Gis-Gis/Liggey;*
- *Coalition Bunt Bi;*
- *Coalition Les Serviteurs/MPR;*
- *Coalition Naataangue Askan Wy;*
- *Coalition Yewwi Askan Wi;* and
- *Grande coalition Wallu Senegal.*

Following a review of candidates' registration applications, the Ministry of Interior only partially approved the national lists for the ruling party coalition, *Benno Bokk Yaakaar*, and the main opposition coalition, *Yewwi Askan Wi*. Based on violations within the submitted lists, the ministry of Interior determined that the secondary list (backups or suppleants) of *Benno Bokk Yaakaar* was ineligible; the coalition was approved to run only its primary list (*titulaires*). The ministry also ruled that the primary list of *Yewwi Askan Wi* violated legal provisions and is ineligible; the coalition will be able to run only its secondary list. Both parties lodged complaints with the Constitutional Council on this decision, but the council upheld the decision of the Ministry of Interior.

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<sup>6</sup> Sénégal Code électoral 2021 Loi n°2021-35 du 23 juillet 2021. <https://www.droit-afrique.com/uploads/Senegal-Code-2021-electoral.pdf>

## **Are there reserved seats for women? What is the gender balance within the candidate list?**

The 2010 Gender Parity Law established equal representation of men and women in elected positions. For legislative elections, Article 149 of the Electoral Code states that each list of candidates should respect parity between women and men. Moreover, the vertical rank-order rule (zebra system) for the distribution of female and male candidates and alternates applies: female and male candidates appear in alternating order throughout the list. For single-member departments, the candidate and opponent must be of different sexes.

While the Gender Parity Law does not reserve seats for women, it increases women's chances of being elected.

## **What is the election management body? What are its powers?**

Senegal has a dual structure for election management and oversight. The election management body is the Ministry of Interior, which organizes national and local elections and referenda through the Directorate-General for Elections (*Direction Générale des Élections*).

Moreover, the Electoral Code defines the Autonomous National Electoral Commission (*Commission Électorale Nationale Autonome*, CENA) as a permanent and autonomous body responsible for monitoring Senegal's elections. The CENA is composed of 12 neutral and independent members appointed by presidential decree after consultation with various institutions. Members hold six-year terms, and one-third of the membership is renewed every three years. The CENA has additional representatives at all levels, and its members are present in every polling station on voting days.

## **Who can vote in these elections?**

Registered voters throughout the national territory and living overseas are called to vote in the legislative elections.

According to the Electoral Code, the following are eligible to vote: Senegalese people of both sexes, aged 18 years or over, who enjoy their full civil and political rights and are not otherwise ineligible as provided by law; naturalized citizens who do not hold any other nationality; and foreigners who have acquired Senegalese citizenship by marriage, unless opposed by government decree for a period of one year. Each Senegalese citizen who wishes to vote in the local elections must have a voter identification card.

## **How many registered voters are there?**

As of July 1, there were 7,036,466 voters eligible to vote in the elections. Of these, 6,727,759 reside in Senegal and 308,707 reside abroad.

## **What provisions are in place that support the rights of persons with disabilities?**

The Electoral Code addresses accessibility for voters with disabilities, and local government authorities take measures to ensure compliance with this part of the code. Article 80 allows any voter with disabilities to request the assistance of a voter of her or his choice or a polling staff member to cast a ballot. Moreover, Article 69 allows disabled voters who are unable to access their regular polling stations to vote at the closest accessible polling station in their voting location. This new article of the Electoral Code is a significant reform to make the elections more accessible to people with disabilities.<sup>7</sup>

## **What are the dates of the campaign period?**

The campaign for the election of members of the National Assembly opens 21 days before Election Day and ends at midnight on the day before the election.<sup>8</sup>

## **Who can observe during Election Day? How can they get accreditation?**

According to Article 25 of the Electoral Code, the application of any national or international organization or individual that the government of Senegal accepts can observe legislative elections in the country and abroad. The terms and conditions for carrying out the observation missions are specified by decree.

The Collective of Civil Society Organizations for Elections (*Collectif des Organisations de la Société Civile pour les Élections*), an association of civil society organizations in Senegal, will field 46 long-term observers and 391 short-term observers for the legislative elections.

## **How are vote counting and tabulation conducted?**

Article 83 of the Electoral Code states that vote counting takes place in polling stations after the polls close. The polling staff open the ballot box and check the number of envelopes. If the number of ballots is greater than the number of signatures on the signature sheet, this is noted in the minutes. Members of the polling station then appoint, from among the voters present, a group of at least four vote counters capable of reading and writing French, the official language.

One of the vote counters from this group extracts the ballot from each envelope and passes it to another vote counter, who reads it aloud. At least two vote counters record the names on the ballots, using sheets prepared for this purpose. All ballots are counted twice: once for the department election (majoritarian vote) and then for the national election (proportional vote).

According to Articles 85 and 86 of the Electoral Code, the president of the polling station reads the results aloud, and they are immediately displayed on the door of the station. The results are recorded in the minutes.

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<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

All members of the polling station must sign the minutes and note, where appropriate, their observations, complaints and disputes. Each member of the polling station must receive a copy of the minutes. The original minutes and any annexed documents are sent to the chairperson of the Departmental Committee for the Counting of Votes (*Commissions Départementales des Recensement des Votes*, CDRV). Transport of the documents is carried out under seal in the presence of the members of the polling station. The *Commission Électorale Nationale Autonome* also receives a copy of the minutes under seal.

Article 88 of the Electoral Code states that the CDRV is to tabulate the votes of the department as it receives them and must publish the results no later than midnight on the Tuesday following balloting (in this case, by Aug. 2, 2022).<sup>9</sup> The National Committee for the Counting of Votes (*Commission Nationale des Recensement des Votes*, CNRV) receives results coming from all CDRV in-country and abroad and run another tabulation. The CNRV announce the provisional results, while the Constitutional Council, after completing the EDR, announce the definitive results.

### **How will election disputes be adjudicated?**

The Constitutional Council is the judicial body responsible for adjudicating election disputes for legislative elections.

Candidates may challenge electoral operations within five days of the provisional proclamation of results by the *Commissions Départementales des Recensement des Votes*. When a candidate files a complaint about the results, the legal representatives of the other involved candidate lists receive a communication from the head clerk of the Constitutional Council. They then have up to three days to file a response. Applications that are inadmissible or contain complaints that have no definitive effect on the result of the election are rejected by reasoned decision, without a preliminary hearing.

The Constitutional Council must rule on complaints within five days of their filing. Its decision either proclaims definitive results or cancels the election. In the event of cancellation, a new election must be held within 21 days.<sup>10</sup>

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<sup>9</sup> Sénégal Code électoral 2021 Loi n°2021-35 du 23 juillet 2021. <https://www.droit-afrique.com/uploads/Senegal-Code-2021-electoral.pdf>

<sup>10</sup> *Ibid.*

## Resources

- [Electoral Code](#)
- 2022 Amendment to the Electoral Code ([information available here](#))
- [Direction Général des Élections](#)
- [Secrétariat general du Gouvernement](#)
- [Electoral Process Assessment Report \(2021\)](#)
- [Senegal Election Guide](#)

## About IFES in Senegal

The United States Agency for International Development ([USAID](#)) Elections Support Program in Senegal aims to help civil society organizations facilitate dialogue, monitor elections and conduct civic and voter education and to support election management bodies to reinforce specific aspects of election administration to promote a fair and credible democratic process.

As part of the Consortium for Elections and Political Process Strengthening (CEPPS), IFES is working to build the capacity, inclusiveness and independence of Senegal's electoral institutions — the General Directorate for Elections (*Direction Générale des Élections*), under the Ministry of Interior, and the Autonomous National Electoral Commission (*Commission Électorale Nationale Autonome*).

## Disclosure

These FAQs reflect decisions made by the Ministry of Interior and the Autonomous National Electoral Commission as of July 19, 2022, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.

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