



Observer
Mission
Report

April 22

2009

**National and Provincial Elections of
South Africa**

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ELECTORAL COMMISSIONS FORUM OF SADC COUNTRIES

Ref: ECF-SADC

1st August 2009

The Chairperson,
Independent Electoral Commission
Pretoria
South Africa

Dear Dr Bam,

The Electoral Commissions Forum of SADC Countries (ECF-SADC) has honored the invitation to observe the National and Provincial Elections in South Africa held on the 22nd April 2009.

The Observer Mission hereby forwards its Report to the host Commission, the Independent Electoral Commission of South Africa. The Mission believes that this Report will assist your Commission in addressing areas requiring improvement and that other sister Commissions in the SADC region will also learn some lessons from the South African electoral processes.

The Mission is grateful to all stakeholders in South Africa for their availability and for sharing their perspectives on the South African electoral process.

Thank you.

Yours faithfully,


B. Tsie
COMMISSIONER, IEC

Prof Balefi Tsie
Mission Leader
ECF-SADC Observer Mission to South African National and Provincial elections,
19th April 2009.
cc. *ECF President*
ECF Chairperson
All SADC Electoral Commissions

CHAPTER ONE

Introduction

1.1 About the ECF-SADC

The Electoral Commissions Forum of SADC Countries (ECF-SADC) was launched in Cape Town in July 1998 and is governed by a Constitution which mandates it to perform the following:

- Strengthen co-operation amongst Electoral Commissions in the Southern African Development Community,
- Promote conditions conducive to free, fair and transparent elections in countries in the Southern African Development Community, and

The Principles of Electoral Management, Monitoring and Observation (PEMMO) are the major observation tool used by ECF missions. PEMMO is a joint project between ECF and Electoral Institute of Southern Africa (EISA). These guidelines continue to be resourceful to ECF missions whenever observers are deployed to SADC countries. Through election observation, the Electoral Commissions members are able to identify potential areas of support for one another.

1.2 General Terms of Reference

The general terms of reference for the Mission were to observe the pre-election environment, the conditions in which the election would take place, the conduct of election and whether the results reflect the participation of the people and the conditions observed in the electoral process, evaluate and assess these processes, reflect on them and make recommendations that will contribute to the improvement of the electoral process in South Africa.

1.3 About the Mission

There is now a strong consensus that the holding of regular, free and fair elections is very important in a democratic political system. As such, free and fair elections have now been accepted as the only legitimate method of choosing political leaders. Any other method of transfer of power outside elections is regarded as unacceptable. This is indeed a great achievement in a continent where military coups were once the order of the day. It is also widely accepted that genuinely democratic elections should be transparent. In order to ensure transparency and openness, election observation has now become standard practice, especially in Africa and the developing world in general. The ECF has since its inception embraced this practice.

It is in this context that the ECF of SADC Countries decided to send an Observer Mission to the April 2009 National and Provincial Elections in South Africa. The ECF Observer Mission main objective was to assist the IEC of South Africa to deliver credible democratic elections both Nationally and Provincially.

The Electoral Commissions represented in the Observer Mission were Angola (3) Botswana (3), Democratic Republic of Congo (2) Lesotho (3), Mozambique (2) ,Namibia (4), Swaziland (1), Tanzania (2), Zambia (2) and Zimbabwe (4), with the first delegates arriving in Pretoria on the 14th April 2009. (See Annex A for list of Mission Members.) The Mission was led by Prof Balefi Tsie, a Commissioner of the Independent Electoral Commission of Botswana.

The election period focused on the historical and political context of 2009, pre-poll Readiness, the actual polling day itself, counting and the announcement of results as they came in. Recommendations and conclusions from the ECF Observer Mission were also made and submitted to the IEC-RSA. For the sake of clarity, it should be pointed out that these elections are National Assembly and Provincial elections.

1.4 Deployment

The Mission divided itself into eight teams to cover five of the nine provinces of South Africa namely: North West, Kwa-Zulu Natal, Mpumalanga, Limpopo and Gauteng.

All the teams managed to make pre-poll visits in their assigned Provinces to familiarize themselves with the location of the Polling Stations and to observe the pre- election activities.

1.5 Mission Activities

The Mission met with the following stakeholders:

- (a) the IEC-RSA which provided the Mission with a comprehensive brief on their preparedness and readiness to conduct the election;
- (b) the SADC Secretariat and SADC Parliamentary Forum Observer Missions which briefed the ECF on the purpose of their Missions including their activities.
- (c) the political parties representatives, media institutions, civil society organizations and Non Governmental Organizations who briefed the Mission on how the preparations regarding elections were conducted. The stakeholders generally expressed satisfaction on the level of their involvement at all stages by the IEC. The seminar with critical stakeholders proved very informative in understanding the various perspectives on the 2009 elections.
- (d) The African Union which organized a meeting for Heads of Missions and facilitated notes sharing by the missions.

The Mission observed that the state of preparedness of the IEC of South Africa was very impressive. There was hardly any aspect of the electoral process that was not attended to meticulously and in detail in both National and provincial elections.

The elections were observed in three phases: pre-election phase lasting slightly over a week, Election Day and post-election period. In the pre-election phase the ECF Observer Mission familiarized themselves with South African politics, political

history and electoral system with special emphasis on the political context of the 2009 elections. In addition to this, the Mission explored in some detail the legal framework governing the elections, pre-election activities of key stakeholders – the political parties contesting the elections.

1.6 Observations on Polling

- Voting went smoothly despite long queues in some polling stations.
- The voting stations were adequately staffed with efficiently trained personnel.
- The voters were able to cast their ballots without difficulty.
- The secrecy of the ballot was safe guarded.
- The campaign material was still visible and paraded around.
- In most voting stations visited, International observers were present when voting started at 7am.
- Party Agents were present in the voting stations visited.
- The signage regarding voting streams was visibly displayed
- The police (security forces) were visibly present but not intimidatory.
- The conduct of the elections was orderly and peaceful.
- Some polling stations opened late due to delays in the dispatch of election material.
- A majority of polling stations had an overflow of voters from other provinces/voting stations, resulting in slowing down the voting process and shortage of voting material.
- There was a high turn-out of youth in the early hours of the polling.
- There was adequate media coverage of the polling day, including a number of press reports by the IEC.
- The counting process was transparent and counting procedures were adhered to.

CHAPTER TWO

The Historical and Political Context of 2009 Elections in South Africa

The South African elections of April 2009 were the fourth national assembly and provincial elections since the first democratic elections of 1994. As in the previous elections, there were many political parties contesting the elections, a total of forty one parties (41) in 2009. Out of the 41 contesting parties, twenty six (26) contested both National Assembly and Provincial elections. The remaining fifteen (15) concentrated their efforts in the various provinces. Notwithstanding the proliferation of political parties, South Africa – just like Botswana, Lesotho and Namibia – remains a dominant party system. The dominant party is the ANC followed by the DA, COPE, IFP, FF, ACDP, ID and PAC – in that descending order. The rest are very small political parties with two or three seats in the National Assembly.

In 1994 the ANC won the elections with 63% of the popular vote followed by the National Party (now defunct) with 20% and the IFP with 11%. In the 1999 elections the ANC increased its share of the popular vote from 63% to 66% followed by the DA with approximately 10% and IFP trailing behind with 9%. In the 2004 elections the ANC further consolidated its hold on power by obtaining nearly 70% of the popular vote. The DA emerged as the official opposition with 12% of the popular vote. The IFP maintained its third position with about 7% of the popular vote.

The dominance of the ANC in South African politics is not surprising. Firstly, it is the oldest political party in Africa having been founded in 1912. Secondly, the ANC was the main liberation movement during the struggle against apartheid. Many of the icons of the South African liberation struggle occupy important leadership positions in the ANC itself and in the government. The ANC is widely regarded as the party of liberation; the party that finally delivered the new democratic dispensation in South Africa and correctly so by and large. It, more than any other political party, has strong representation in all the nine provinces.

What is clear, however, is that the ANC remains immensely popular, especially amongst the general populace. It was widely expected to win the 2009 elections with a landslide majority. Dissatisfaction with 'poor service delivery' has not necessarily translated into electoral support for the opposition. However, its support base amongst the middle class has declined, ironically the class that has benefited most from the policies of the ANC government. The new break away party from the ANC known as COPE appears to have taken a considerable chunk of ANC support base more than any other opposition party.

Having said that, the 2009 elections in South Africa were historically unique in the following senses. First of all, a record 23.1 million eligible voters had registered to vote. This number makes approximately 92% of eligible voters in South Africa. What is even more fascinating is the fact that roughly 30% of this record number is constituted by the youth, those between 18 and 30 years of age. Nearly 80% of registered voters turned out to vote on polling day. We commend the IEC of South Africa and its partners in civil society, especially SABC, for having conducted a rigorous voter education campaign. The second peculiar feature of the 2009 elections was the emergence of break-away political party from the ANC, part of

the fallout from the ANC Polokwane Conference and the subsequent sacking of Thabo Mbeki as President. COPE has reconfigured the political landscape in South Africa.

Thirdly, the 2009 elections were also hotly contested elections in the electoral history of South Africa. There was a tough contest between the DA and COPE for the position of official opposition. There was also a tough contest between the ANC and DA in the Western Cape Province.

CHAPTER THREE

The Constitution and Electoral Legal Framework

3.0 LEGAL FRAMEWORK

South Africa uses the proportional representation model as its electoral system. The Constitution prescribes this model for all three spheres of government. This was chosen as the most inclusive way of ensuring the wide variety of political beliefs and cultures in South Africa would be represented in Parliament.

3.1 THE CONSTITUTION

The Constitution of the Republic of South Africa is the supreme law of the country. The Constitution binds and protects all legislatures, governmental institutions and civil institutions and every person living under its jurisdiction. All other laws, be they acts of Parliament or other legislatures or be they parts of South African common law or traditional law are invalid in so far as they may contradict provisions of the constitution.

It enshrines the rights of the voters, establishes the Electoral Commission as one of the pillars of democracy, requires the establishment of a national common voters' roll, prescribes the use of an electoral system based on proportional representation in all spheres of government, and provides the foundation for the elections of members of the National Assembly, provincial legislatures and municipal councils.

The Constitutional Mandate of the IEC is to:

- Manage elections of National, Provincial and Municipal Legislative bodies including referenda in accordance with National Legislation
- Ensure that these elections are free and fair
- Declare the results within seven days
- Compile and maintain the voters' roll

Article 21 of the 1948 Universal declaration of Human Rights argues that everyone has the right to take part in the government of his country, directly or through freely chosen representatives. In the same vein, African Charter on Democracy, Elections and Governance, mainly Chapter Seven, which focuses on democratic elections in Articles 7 discusses the centrality of election as a cornerstone in forming a democratic government. It was in this context that electoral rights are entrenched in

the constitution of the Republic of South Africa. Every citizen has the right to free, fair and regular elections for any legislative body established in terms of the constitution.

- To vote in elections for any legislative body established in terms of the Constitution, and to do so in secret and
- To stand for public office and, if elected, to hold office

The importance of democratic elections is evident in the very first founding provision of the Constitution:

- The Republic of South Africa is one sovereign, democratic state founded on the following values
- Human dignity, the achievement of equality and the advancement of human rights and freedoms
- Non-racism and non-sexism
- Supremacy of the constitution and the rule of law
- Universal adult suffrage, a national common voters' roll, regular elections and a multi-party system of democratic government, to ensure accountability, responsiveness and openness.

The Bill of Rights, which is part of the constitution, guarantees the political rights of South African citizens:

Every citizen is free to make political choices, which includes the right to –

- Form a political party
- Participate in the activities of, or recruit members for, a political party and
- Campaign for a political party or cause

3.2 ELECTORAL COMMISSION ACT, 1996

The Electoral Commission Act, 51 of 1996, expands on the constitution provision for the establishment of an Electoral Commission to manage national, provincial and municipal elections. It details the composition of the IEC, the creation of an administrative structure, and the powers, duties and functions of the Commission.

3.3 ELECTORAL ACT

The Electoral Act, 73 of 1998, can be described as an instruction manual for elections. It deals inter alia with the requirements for registration as a voter and the sealing of ballot boxes. It provides for the administration of elections, election timetables, procedures for voting, counting and determining results, the accreditation of observers, and voter education. A host of regulations have been published in terms of the Electoral Act.

Duties and functions of the IEC are to:

- Promote conditions conducive to free and fair elections, manage elections, ensure that they are free and fair, adjudicate disputes arising from the conducting of elections
- Compile and maintain National Common Voters' Roll
- Undertake and promote research into electoral matters, promote knowledge of sound democratic electoral processes and promote the development of electoral expertise and technology
- Promote voter education
- Promote co-operation with and between persons, institutions, governments and administration for the achievement of its objectives
- Declare results within seven days
- Compile and maintain a register of political parties and to maintain liaison and co-operation with political parties
- Continuously review electoral legislation and proposed legislation and to make recommendations respectively.

3.4 ELECTORAL CODE OF CONDUCT

The purpose of the electoral code of conduct is to promote conditions that are conducive to free and fair elections. These conditions include tolerance of democratic political activity, free political campaigning and open public debate.

Every registered political party, together with those who hold office in the party, its representatives, candidates, members and supporters, has to comply with the electoral code of conduct and the applicable electoral laws.

Every registered party and every candidate must publicly state that all clients have the right to:

- Freely express their political beliefs and opinions
- Challenge and debate the political beliefs and opinions of others
- Publish and distribute election and campaign materials, including notices and advertisements
- Lawfully erect banners, billboards and posters
- Canvass support for a party or a candidate
- Recruit members for a party
- Hold public meetings
- Travel to and attend public meetings

3.5 POLITICAL PARTY FUNDING

Political parties are funded by the state and the private sector.

With respect to state funding, The Public Funding of Represented Political Parties Act, 103 of 1997, governs the eligibility of parties and the allocations they receive from the relevant fund. A political party is entitled to an allocation for a financial year in which it is represented either on the National Assembly or in a provincial legislature or in both. The funds may be used for any purpose that is compatible with the party's functioning as a political party in a modern democracy e.g. bringing the party's influence to bear on the shaping of public opinion and furthering political education. The Chief Electoral Officer is responsible for the administration of the funds.

Political parties are recipients of financial and material resources from the private sector. Private firms, individuals and other non-state organizations may align themselves with a party of their choice and provide financial support to it.

3.5 POLITICAL PARTIES AND CANDIDATES

The law requires the Electoral Commission to "compile and maintain a register of parties". A political party must have been registered by the IEC to contest an election.

The law also requires the Electoral Commission to establish and maintain liaison and co-operation with parties. The IEC therefore keeps in close touch with all parties and fosters mutual cooperation through party liaison committees at the national, provincial and municipal levels. The involvement of political parties in the electoral process enhances transparency and credibility.

In order to vote, a South African citizen must be registered as a voter on the voters' roll. In order to register, the applicant must be a south African citizen, be at least 16 years old (but the person may vote only when 18 or older) and in possession of a green bar-coded Identity Card (ID) or a valid Temporary Identity Certificate (TIC).

3.6 ELECTORAL COURT

The Act establishes an Electoral Court with powers of review and appeal in respect of decisions of the Commission, more particularly in respect of elections. The court is required to conduct reviews urgently and as expeditiously as possible and to hear, consider and summarily determine appeals upon written submissions.

CHAPTER FOUR

THE MEDIA AND ELECTION CAMPAIGN

The Mission recognizes the importance of a free and independent media as an indispensable principle in securing credible, democratic elections. In this context, the mission took a special interest in assessing the access of political parties and candidates to the public media. Similarly, the mission has also expended time on monitoring the extent to which the various media has complied with the guidelines and regulations set by the relevant regulatory bodies.

The Mission observed that media reportage of all aspects of the elections including activities of the political parties was generally done in a fair, balanced and equitable manner. The mission further noted that there have very comprehensive coverage of the election activities by most if not all the TV, radio and newspapers outlets in the build-up to polling day as part of its pre-poll observation activities. The mission noticed that all the major local TV stations have deployed correspondents to all the various provinces including the remotest corners of the country in order to maximize their coverage of the elections.

Furthermore, the mission has noted with appreciation that the IEC of South Africa has made provision for Results Operations Center, otherwise known as the 'ROC', to accommodate several media representatives including radio stations, TV broadcasters and newspapers. The IEC has given special consideration to the SABC as a partner and the official public broadcaster to bring in hundreds of staff to the ROC to enable the broadcaster to provide comprehensive coverage of the elections. In addition to the SABC, the IEC has given a sizable presence to E-TV and other international TV broadcasters to beam election images around the globe and for several radio stations to transmit live from the ROC.

The Mission further noted that in promoting objective reporting and rooting out bias, the IEC has issued a number of guidelines to all journalists covering the elections. For instance, journalists were not allowed to conduct interviews within the boundaries of the voting station except with the Presiding Officer. Journalists were also prohibited from wearing any political apparel or paraphernalia inside the boundaries of the voting station.

Another encouraging point worthy of note is the fact that media representatives did not need any formal accreditation by the IEC or any other authority but were merely required to identify themselves clearly as members of the media by presenting a valid press card or letter from their editor (on the organizations letterhead) in addition to an Identity Document or Passport.

It is nonetheless important to mention the general dissatisfaction expressed by ANC representatives regarding purported bias and unfairness on the part of some media with respect to criticism and ridiculing of its leaders during the campaign period. Lastly, the Mission has not noted any formal complaints from the political parties or other stakeholders in the election process concerning abuse by the media or unprofessional conduct. It thus emerged quite clearly that the media has

done well in terms of objective reporting and compliance with the Electoral Code of Conduct and guidelines for elections reporting.

Election Campaign

The Mission has further paid particular attention to the prevailing political climate in the country with respect to political campaigns on the eve of Election Day. It is fair to conclude that the political campaign and vote canvassing period by political parties and candidates was done in an atmosphere characterized by peace and tranquility which was conducive for holding credible elections. The mission took special note of the different political rallies held by the contesting parties on the last weekend before the elections were held. No major reports of political violence, incitement or intimidation were noted.

Overall, the election was orderly and peaceful.

CHAPTER FIVE

Pre- Election Phase

PRE POLL: PREPAREDNESS BY IEC-RSA

5.0 REGISTRATION PHASE and Voter Education

IN preparing for the 4th democratic elections, IE/C-RSA engaged in the process of voter registration and education mainly targeting those new registrants and those who had not registered but wanted to amend their details. However, note should be taken that registration is continuous in RSA and the law provides for citizens to register at the age of 16 after which they can be added to the voters roll when they attain 18 years. However, there is a cut-off point for registration for a particular election.

To achieve this (registration) the IEC of SA put in place 3 mechanisms namely: a free call centre, cell phone messages and website/internet. All these strategies seemed a success because a total number of 23 181 977 million South Africans were registered with an increase being observed among young people at the closure of the voter registration process.

5.1 Certification of the Voters' Roll (*as supplied by IEC-RSA*)

The Chief Electoral Officer certified the 2009 NPE voters' roll on the 20 February 2009, as per the date set in the Election Timetable. A record number of voters applied for registration, resulting in a total of **23 181 997** voters being verified on the Voters' Roll.

This is in contrast to the **20 674 926** voters on the certified Voters' Roll for the NPE 2004 election and **18 172 751** for NPE 1999. This meant that there were more than 5 million voters added to the Voter's Roll over the 10 year period between the two National and Provincial Elections. This represented an increase of 27 %.

5.2 VOTER EDUCATION

As mentioned earlier a call centre was used to provide information and answers pertaining to the voters' questions on electoral issues among which they determined the polling stations. Other strategies used to bring voter education to the people were print media, electronic media, drama, and mass education. Distribution of information material such as pamphlets and booklets was also of great importance in impacting information to potential voters.

One notable fact of which the IEC-RSA is commendable is going an extra mile in using Braille and sign language in the voter education materials. This was to accommodate people with hearing and visual impairment.

The mission met with IEC of South Africa to establish its readiness to conduct the 2009 elections. The Mission learnt that the IEC works in close collaboration with Political Parties at every stage of election preparations hence the political parties who gave presentations to the ECF-SADC mission expressed satisfaction in the electoral process and that they were looking forward to free and fair elections.

Secondly, the IEC has shifted from using mobile units but rather have opted to use the schools as voting stations as a result headmasters are hired as Presiding officers. Take note that the Political Parties are given an opportunity to agree or disagree with the recruited individuals to serve as presiding officers.

The mission can therefore conclude that the IEC was well prepared well in advance to conduct free and fair 2009 elections for the South African nation. These observations were shared by other observer missions namely: SADC, SADC-PF, EISA and African Union.

CHAPTER SIX

THE POLL, COUNT AND RESULTS

The poll was conducted on 22nd April 2009 commencing from 7am till 9pm. The Mission observed the start of polling day in selected polling stations in the provinces

The Mission observed the following on polling day:

- Voting went smoothly despite long queues in some polling stations.
- The voting stations were adequately staffed with efficiently trained personnel.
- The voters were able to cast their ballots without difficulty.
- The secrecy of the ballot was safe guarded.
- The campaign material was still visible and paraded around.

- In most voting stations visited, International observers were present when voting started at 7am.
- Party Agents were present in the voting stations visited.
- The signage regarding voting streams was visibly displayed
- The police (security forces) were visibly present but not intimidatory.
- The conduct of the elections was orderly and peaceful.
- Some polling stations opened late due to delays in the dispatch of election material.
- A majority of polling stations had an overflow of voters from other provinces/voting stations, resulting in slowing down the voting process and shortage of voting material.
- There was a high turn-out of youth in the early hours of the polling.
- There was adequate media coverage of the polling day, including a number of press reports by the IEC.
- The counting process was transparent and counting procedures were adhered to.

CHAPTER SEVEN

CONCLUSION AND RECOMMENDATIONS

- The Mission observed that generally the preparations for the conduct of elections were in place and this assisted the people of South Africa to exercise their Constitutional Right to vote.
- The Mission is of the view that the conduct of the elections were in compliance with the recommended Principles for Election Management, Monitoring and Observation in the SADC region (PEMMO, 2003).
- In relation to the above observations, the Mission wishes to submit the following recommendations to the Independent Electoral Commission for consideration.
- That ballot papers should be distinguishable, the national ballot paper and the Provincial one even when they are folded. In addition, transparent ballot boxes should be used, as it is a general practice in the SADC region.
- That there should be consistency and standard practice in all voting stations. e.g use of two ballot boxes.

- That the number of polling booths should be proportionate to the number of registered voters per voting station.
- That the new innovation where voters are allowed to vote anywhere within the province be revisited. This arrangement caused shortage of materials including ballot papers, ballot boxes and VEC 4 forms.
- The political parties should guard against displaying campaign material very close to voting stations as this has the risk of interfering with voters in one way or the other.

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ELECTORAL COMMISSIONS FORUM OF SADC COUNTRIES

THE OBSERVATION STATEMENT SUBMITTED TO THE INDEPENDENT ELECTORAL COMMISSION OF SOUTH AFRICA

INTRODUCTION

The Electoral Commissions Forum (ECF) of the SADC countries received an invitation letter from the Independent Electoral Commission of South Africa dated 17th February 2009 to observe the National Assembly and Provincial elections to be held on the 22nd April 2009 in the Republic of South Africa.

In response to this invitation, the ECF duly deployed to South Africa a 27 Member Observer Mission.

The Mission hereby presents this statement on its observations. A full report will be availed at a later stage.

The ECF Mandate

The ECF, comprising all 14 SADC member states' Electoral Commissions, was launched in July 1998 and is governed by a Constitution. Among its various functions and activities, the ECF's mandate includes the following:

- To strengthen co-operation amongst Electoral Commissions in the SADC region;
- To promote conditions conducive to free, fair and transparent elections in the SADC region;

.....
Forum Presidency: Rev A. Malumalu - President (DRC), Justice A. Msosa -Vice President (Malawi)
EXCO: Chairperson: Justice F. Mumba (Zambia), - **Vice Chairperson:** Chief S.G Dlamini (Swaziland), Justice A.C P C. de Sousa (Angola) Justice S. Gaongalelwe (Botswana) Mr A Rahman (Mauritius) M.K. Mwinyichande (Zanzibar) Justice G. Chiweshe (Zimbabwe)

The ECF views election observation as an important component of promoting democratic elections and consolidating democracy in the SADC Region. The rationale behind the Forum observing elections, therefore, is to assist fellow Election Management Bodies identify areas of improvement in elections administration.

Mission Composition and Structure

The Electoral Commissions represented in the Observer Mission were Angola (3) Botswana (3), Democratic Republic of Congo (2) Lesotho (3), Mozambique (2) ,Namibia (4), Swaziland (1), Tanzania (2), Zambia (2) and Zimbabwe (4), with the first delegates arriving in Pretoria on the 14th April 2009. (See *Annex A for list of Mission Members.*)

The Mission was led by Prof Balefi Tsie, a Commissioner of the Independent Electoral Commission of Botswana.

Pre-Poll Mission activities

The Mission met with the following stakeholders:

- (e) the IEC-RSA which provided the Mission with a comprehensive brief on their preparedness and readiness to conduct the election;
- (f) the SADC Secretariat and SADC Parliamentary Forum Observer Missions which briefed the ECF on the purpose of their Missions including their activities.
- (g) the political parties representatives, media institutions, civil society organizations and Non Governmental Organizations who briefed the Mission on how the preparations regarding elections were conducted. The stakeholders generally expressed satisfaction on the level of their involvement at all stages by the IEC. The seminar with critical stakeholders proved very informative in understanding the various perspectives on the 2009 elections.
- (h) The African Union which organized a meeting for Heads of Missions and facilitated notes sharing by the missions.

Deployment

The Mission divided itself into eight teams to cover five of the nine provinces of South Africa namely: North West, Kwa-Zulu Natal, Mpumalanga, Limpopo and Gauteng.

All the teams managed to make pre-poll visits in their assigned Provinces to familiarize themselves with the location of the Polling Stations and to observe the pre- election activities.

Overview on the Poll

The Mission observed the following on polling day:

- Voting went smoothly despite long queues in some polling stations.
- The voting stations were adequately staffed with efficiently trained personnel.
- The voters were able to cast their ballots without difficulty.
- The secrecy of the ballot was safe guarded.
- The campaign material was still visible and paraded around.
- In most voting stations visited, International observers were present when voting started at 7am.
- Party Agents were present in the voting stations visited.
- The signage regarding voting streams was visibly displayed
- The police (security forces) were visibly present but not intimidatory.
- The conduct of the elections was orderly and peaceful.
- Some polling stations opened late due to delays in the dispatch of election material.
- A majority of polling stations had an overflow of voters from other provinces/voting stations, resulting in slowing down the voting process and shortage of voting material.
- There was a high turn-out of youth in the early hours of the polling.
- There was adequate media coverage of the polling day, including a number of press reports by the IEC.
- The counting process was transparent and counting procedures were adhered to.

In relation to the above observations, the Mission wishes to submit the following recommendations to the Independent Electoral Commission for consideration:

- That ballot papers should be distinguishable, the national ballot paper and the Provincial one even when they are folded. In addition, transparent ballot boxes should be used, as it is a general practice in the SADC region
- That there should be consistency and standard practice in all voting stations. e.g use of two ballot boxes.
- That the number of polling booths should be proportionate to the number of registered voters per voting station.
- That the new innovation where voters are allowed to vote anywhere within the province be revisited. This arrangement caused shortage of materials including ballot papers, ballot boxes and VEC 4 forms.
- The political parties should guard against displaying campaign material very close to voting stations as this has the risk of interfering with voters in one way or the other.

Conclusion

The Mission observed that generally the preparations for the conduct of elections were in place and this assisted the people of South Africa to exercise their Constitutional Right to vote.

The Mission is of the view that the conduct of the elections were in compliance with the recommended Principles for Election Management, Monitoring and Observation in the SADC region (PEMMO, 2003)

.....
Prof Balefi Tsie
Mission Leader
Electoral Commission Forum of SADC countries

24th April 2009, Pretoria South Africa

Annex 2: List of ECF-SADC Delegates

Country/ Electoral Commission	Delegate	Designation
Angola	Jose Coelho dos Passos	Chairperson – Province
	Cristina Dembi	Chairperson- Province
	Antonio de Jesus Baptista	Chairperson- Province
Botswana	Prof B. Tsie	Commissioner
	A.T Yalala	Commissioner
	O.K Maroba	Principal PRO
DRC	Mrs. Rose- Marie Mika	Commissioner
	Mrs. Prosperine Malele	Commissioner
Lesotho	Dr Fako Likoti	Commissioner
	Pontso Mamatlere Matete	Director- Voter Education
	Maseara Fosa	Senior Elections Officer
Mozambique	Leonardo Massango	Commissioner
	Jeremias Timana	Commissioner
Namibia	Theofilus Mujoro	Deputy Director- Registration and Planning
	Marilyn Katjitundu	Control Information Officer
	Seuua Jahanika	Private Secretary
	S. Ueitele	Commissioner
Swaziland	Chief Gija S.G. Dlamini	Chairperson

Tanzania	Prof. Amon E. Chaligha	Commissioner
	George Kashura	Election Officer
Zambia	J.I. Jalasi	Commissioner
	D. Kasonde	I.T Manager
Zimbabwe	J.L Kazembe	Deputy Chairperson
	L.C .Sekeremayi	Director of Elections
	S. Sibanda	Protocol& Liaison Officer
	N.Chikumbu	Protocol& Liaison Officer
ECF Secretariat	Hilda Modisane	Programme Officer

Annex 3: DEPLOYMENT PLAN- ECF MISSION IN RSA 2009

Province	Name	DESIGNATION	ECF CONTACT NUMBERS	ACCOMODATION	CAR DETAILS	CONTACT NUMBERS (Drivers)
North West*	Commissioner		0712516573	Roadlodge Hotel - Rustenburg	Corolla (Pietros)	0734135317
	Jeremius Timana					
	Leonardo Massango	Commissioner				
	George Kashura	Secretariat- NEC	0			
Kwa Zulu Natal*	J.L Kazembe	Deputy Chairperson	0760189090	TBC	c/o Zim	
	S. Sibanda	Protocol& Liaison Officer				
	N.Chikumbu	Protocol& Liaison Officer				
Mpumalanga*	Jose Coelho dos Passos	Chairperson – Province	0792938132	Nelspruit Lodge - Nelspruit	Corolla (Johannes)	0716963931
	Cristina Dembi	Chairperson- Province	0792938121			
	Antonio de Jesus Baptista	Chairperson- Province	0792938121			
Gauteng	Chief Gija S.G. Dlamini	Chairperson	0794272814	Manhattan - Pretoria	Corolla (Pat)	0791375832
	Dylan Kasonde	Operation Manager - IT	0736280130			
	L.C .Sekeremayi	Director of Elections	0786682246			
Pretoria Central	Fako Likoti	Commissioner	+26658463099	Manhattan - Pretoria	Corolla (David)	0839236308
	Theofilus Mujoro	Deputy Director-	+264811284799			

		Registration and Planning				
	Marlyn Katjitundu	Senior Control Officer	0727227709			
Limpopo*	A.T Yalala	Commissioner		Ananza Guest House - Mokopane	Avanza(Tlhomelang)	0739901233
	S. Ueitele	Commissioner	+26772178222			
	Maseara Fosa	Senior Elections Officer	+264811275852			
			0766610469			
Pretoria West	J.I. Jalasi	Commissioner		Manhattan - Pretoria	Polo (Boinelo)	0836182121
	Mrs. Prosperine Malele		+260978776765			
	Mrs. Rose- Marie Mika		0			
Pretoria North	Prof. Amon E. Chaligha	Commissioner		Manhattan - Pretoria	Corolla (Bandile)	0766089689
	Seuua Jahanika	Private Secretary	0731378632			
			+264812976665			
SECRETARIAT	Hilda Modisane	ECF-SADC		Manhattan - Pretoria	Quatum (Tumelo)	0837509683
	Osupile Maroba	IEC-Botswana	0735384257	Oregon Suite- 3rd Floor		
	Pontso Matete	IEC-lesotho	0782150304			
		Mission Leader	0732833639		Corolla	
		Prof Balefi Tsie				
			+26772109326			

Annex 4: National and Provincial Elections results: 2009

Source: Report by IEC-South Africa, 11th ECF-SADC AGC, Kinshasa, DRC- 16th July 2009

The results of the national elections held on 22 April 2009 with their associated seat allocations are shown in the tables below. The ANC won 8 out of 9 provinces and is currently the official opposition in the Western Cape provincial legislature.

NATIONAL ASSEMBLY

Party Name	Abbr	Valid Votes National	% of Vote	TOTAL National Seats
MOVEMENT DEMOCRATIC PARTY	MDP	29,747	0.17%	0
NATIONAL DEMOCRATIC CONVENTION	NADECO	10,830	0.06%	0
NEW VISION PARTY	NVP	9,296	0.05%	0
PAN AFRICANIST CONGRESS OF AZANIA	PAC	48,530	0.27%	1
PAN AFRICANIST MOVEMENT	PAM	5,426	0.03%	0
SOUTH AFRICAN DEMOCRATIC CONGRESS	SADECO	6,035	0.03%	0
UNITED CHRISTIAN DEMOCRATIC PARTY	UCDP	66,086	0.37%	2
UNITED DEMOCRATIC MOVEMENT	UDM	149,680	0.85%	4
UNITED INDEPENDENT FRONT	UIF	8,872	0.05%	0
VRYHEIDSFRONT PLUS	VF PLUS	146,796	0.83%	4
WOMEN FORWARD	WF	5,087	0.03%	0
A PARTY	A PARTY	2,847	0.02%	0
AFRICAN CHRISTIAN DEMOCRATIC PARTY	ACDP	142,658	0.81%	3
AFRICAN NATIONAL CONGRESS	ANC	11,650,748	65.90%	264
AFRICAN PEOPLE'S CONVENTION	APC	35,867	0.20%	1
AL JAMA-AH	AL JAMA-AH	25,947	0.15%	0
ALLIANCE OF FREE DEMOCRATS	AFD	5,178	0.03%	0
AZANIAN PEOPLE'S ORGANISATION	AZAPO	38,245	0.22%	1
CHRISTIAN DEMOCRATIC ALLIANCE	CDA	11,638	0.07%	0
CONGRESS OF THE PEOPLE	COPE	1,311,027	7.42%	30

DEMOCRATIC ALLIANCE/DEMOKRATIESE ALLIANSIE	DA	2,945,829	16.66%	67
GREAT KONGRESS OF SOUTH AFRICA	GKSA	8,271	0.05%	0
INDEPENDENT DEMOCRATS	ID	162,915	0.92%	4
INKATHA FREEDOM PARTY	IFP	804,260	4.55%	18
KEEP IT STRAIGHT AND SIMPLE	KISS	5,440	0.03%	0
MINORITY FRONT	MF	43,474	0.25%	1
		17,680,729	100.00%	400