

Electoral Commissions Forum of SADC Countries

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**PRELIMINARY STATEMENT OF THE ELECTORAL
COMMISSIONS FORUM OF SADC COUNTRIES (ECF-SADC)
ON THE NATIONAL & PROVINCIAL ELECTIONS OF THE
REPUBLIC OF SOUTH AFRICA
8TH MAY 2019**

1. Introduction and Background

The Electoral Commissions Forum of SADC (ECF – SADC) Countries received an invitation from the Independent Electoral Commission of South Africa (IEC-SA) dated 25th March 2019 to observe the National and Provincial Elections of the Republic of South Africa scheduled for 8th May 2019. In line with its mandate of strengthening co-operation amongst Electoral Commissions in the SADC region, the ECF-SADC fielded an Observer Mission for this election.

The ECF-SADC Election Observer Mission was led by Honourable Justice Esau Elliot Chulu, the Chairperson of the Electoral Commission of Zambia. The Mission comprised twenty-five (25) observers from the Electoral Commissions of Angola, Botswana, Eswatini, Malawi, Tanzania, Namibia, Zambia, and Zimbabwe. The Mission commenced its work on the 28th of April 2019.

2. General Terms of Reference for the Mission

The ECF-SADC observer mission operates under the following Terms of Reference:

- 2.1** To assess the preparedness of the Electoral Commission to conduct elections.
- 2.2** To observe the pre-election environment and to examine the conditions in which the election was taking place;
- 2.3** To observe the conduct of the election, to evaluate the electoral process and to make recommendations that will contribute to the improvement of this process in the Republic of South Africa.

3. Election Observation Instruments and Values

ECF-SADC election observation missions are guided by the Principles for Election Management, Monitoring and Observation in the SADC Region (PEMMO) (2003), the Revised SADC Principles and Guidelines for Governing Democratic Elections in the SADC Region (2015) and the African Charter on Democracy, Elections and Governance (2004).

Consistent with the above mentioned Instruments, ECF-SADC Election Observer Missions are guided by the values of impartiality, neutrality, transparency and objectivity.

4. Observation Methodology and Activities undertaken

The Observation Mission employed the following complementary data collection methods (i) documentary review (ii) electronic and print media (iii) paying courtesy visits to the host Commission (iv) conducting refresher training for the members of the Mission (vi) hosting a seminar with local stakeholders (vii) the polling and (viii) counting processes.

5. The Mission also interacted with other international Observer Missions in order to exchange information. The various activities undertaken enabled the Mission to gather strategic and comprehensive information so as to assess the administration and management of the 2019 National and Provincial Elections of the Republic of South Africa.

6. Deployment

The Mission's deployment began on the 6th May 2019 and six (6) teams were deployed to Gauteng, Northwest, Free State, Mpumalanga and Limpopo provinces.

7. The Mission was unable to attend the final rallies of political parties as scheduled. However the Mission received reports that the rallies were generally peaceful and orderly.

8. Pre-election Phase

This section of the Statement shall cover the pre-election activities of the Mission.

8.1 Pre-Assessment Mission

A Pre-assessment Mission to the Republic of South Africa, comprising three electoral commissions, was undertaken from 7th to 10th April 2019. This was a solidarity visit to the Independent Electoral Commission of South Africa, as a member Commission, to establish its preparedness for the election. The Mission also took the opportunity to meet with other key electoral stakeholders, including the Electoral Institute of Sustainable Democracy in Africa (EISA) and University of South Africa (UNISA).

The Mission noted that the stakeholders were complimentary to the Independent Electoral Commission on its readiness for elections.

8.2 State of Preparedness by the Independent Electoral Commission of South Africa.

The Mission interacted with the Independent Electoral Commission of South Africa to gather information related to the 2019 National and Provincial elections and assessed its state of preparedness. The Commission confirmed its readiness to conduct these elections, highlighting challenges they faced in the build up to the elections, including;

- Poor Youth Voter Registration (18 to 19 years) registered only 18.5% of total registered voters.
- Incomplete compliance with Court directive on the capturing of physical addresses on the Voters Roll.
- Increased number of political parties on ballot papers and attendant logistics (cost of printing, procurement of additional ballot boxes and redesigning of ballot papers)
- Logistical arrangements related to the need to accommodate 2 party agents per participating political party at a voting station which translates to 96 party agents per station.

8.3 Consultation with Stakeholders

The Mission held a stakeholder seminar at Irene Country Lodge on the 3rd May 2019 with stakeholders representing different sectors of society. These included, but were not limited to, the Electoral Commission of South Africa, the legal fraternity, the media, academia, political parties and non-state actors. This accorded the Mission an opportunity to understand the conditions in which the elections would take place.

8.4 The Mission participated at an election seminar organized by the University of South Africa on the 3rd May 2019 at the main UNISA campus. The seminar comprised a six-member panel discussion analyzing different aspect of South Africa's May 8 elections. The audience included academics, students, diplomats, political party candidates, civil society, election officials, government officials and the media.

8.5 The Mission participated at the training of observers organized by the IEC for the Gauteng Provincial Office on the 3rd May 2019.

9. Issues raised by stakeholders

The stakeholders raised a number of cross cutting issues which they believed would have an effect on voter behaviour, voter turnout and political campaigns. These concerns included the following:

- a) Lack of service delivery and consequent public protests.

- b) Politically motivated killings which took place ahead of elections during the nomination period specifically in KwaZulu Natal and Mpumalanga provinces.
- c) Xenophobic attacks on foreign nationals.
- d) Corruption scandals.
- e) Late enactment of legislation on political party funding.
- f) Low voter registration among the youths which translates to 18.5% of the total registered voters.

On the positive side, stakeholders highlighted the following:

- a) Adequate preparedness by IEC to conduct forthcoming elections.
- b) Stakeholder confidence in the IEC.
- c) Measures undertaken by IEC on disinformation.

10. The Mission paid a courtesy visit on the IEC on the 5th of May 2019. This visit was undertaken in the spirit of collaboration and co-operation with the Commission as a member of the Forum. It was at this meeting that the Mission gave a feedback to the Commission on the issues raised by stakeholders including positive views on the readiness of IEC South Africa.

11. The IEC organized a briefing for International Observer Missions on the 5th May 2019 at the Sheraton Hotel in Pretoria. The purpose of the briefing was to provide international observers with a report on the state of preparedness of the Commission to hold the National and Provincial Elections. Observers were accorded an opportunity to engage the Commission.

12. The Mission held bilateral meetings with the SADC Election Observation Mission (SEOM). The Mission also participated in the Heads of International Observation Missions meeting organised by the SEOM and the African Union (AU) Election Observation Missions on 7th and 9th May 2019 respectively. Missions were able to share their observations on the pre-polling, polling, and post-polling phases.

13. The Elections

13.1 Voting By South Africans Living Abroad

The Mission was informed that the voting that took place on the 27th April 2019 by South Africans living abroad had gone smoothly at the designated voting stations.

13.2 The Special Vote

Provision was made for the Special Vote on the 6th and 7th of May 2019 between 0900 hours and 1700 hours for those who had applied for it. Applicants included expectant mothers, the elderly, people with disabilities, members of the Security Forces, IEC electoral officials and those providing key services. There were two categories, those that came to the Voting Station and those that were visited in their homes. The general observation was that the process was carried in a credible manner. The Mission also appreciates that the applicants who failed to vote during Special Votes were given an opportunity to vote on the normal Voting day.

13.3 Ordinary Polling Day

In general, the Mission observed the following:

- i. Most voting stations visited opened on time and opening procedures were followed.
- ii. Some voting Stations opened late due to problems with Scanners (Zip-Zip).
- iii. The layout in voting stations allowed for smooth flow of voters.
- iv. There were inconsistencies in the positioning of ballot booths which had the potential to compromise the secrecy of the vote.
- v. Signage to voting stations was visible.
- vi. Voters with special needs were given priority to vote. Persons with disabilities were assisted. It was further noted that a number of voting stations (mostly schools and churches) had ramps which facilitated access for persons with disabilities
- vii. Voting sub-stations (streams) were available and well managed.
- viii. International and domestic observers were visible at most voting stations visited.
- ix. Most political parties were not represented by party agents at voting stations.

- x. Political campaign materials were visible at voting stations and some voters wore party regalia.
- xi. Voters' roll was efficiently managed.
- xii. Voters appearing on the Voters rolls without addresses were allowed to complete forms to enable them to Vote. Similarly it was observed that other voters who filled in forms for various queries caused delays.
- xiii. Some voting stations had only one ballot box for both National and Provincial elections while others had separate ballot boxes.
- xiv. Women were well represented in the complement of polling staff. In general, staff seemed adequately trained to perform their duties.
- xv. A number of voting stations visited comprised young polling staff and Party Agents.
- xvi. Security personnel were visible, and did not interfere with the voting process.
- xvii. Generally, polling took place in a peaceful and secure environment.

14 Lessons Learnt

The following lessons were drawn from the 2019 National & Provincial Elections of the Republic of South Africa to be adopted as best practices in the SADC region:

- i. The provision of adjustable polling booths used by voters with disabilities.(PWDs)
- ii. Professionalism of the IEC Commissioners and Senior Officials in the handling of electoral matters at both National and Provincial levels.
- iii. The innovative and effective facilities applied in the Results Operation Centre (ROC) and in the Provincial Results Operation Centres were impressive.
- iv. Regular live television and radio updates by IEC to the public were noted as a good practice.
- v. Initiative by the IEC to timeously deal with election related disinformation.
- vi. The creation of voting sub-stations (streams) was an ideal practice to address congestion.
- vii. The 2019 (**Xse**) Election slogan by IEC was innovative.
- viii. IEC's use of various social media platforms was commendable.

- ix. The use of technology e.g. scanner (zip-zip) to verify and identify voters was commendable.

15. Recommendations

The ECF-SADC Mission makes the following recommendations for consideration;

- i. There is a need for consistency in the administration of some of the election processes at voting stations; for example, inking before issuance of ballot papers, identification of polling staff, positioning of polling booths and labelling of ballot boxes.
- ii. The law that allows voters to wear political party colours during voting should be revisited.
- iii. That the use of mobile phones inside voting stations should be prohibited.
- iv. That political parties should be encouraged to observe gender parity - in line with the SADC Gender Protocol.
- v. Research should be undertaken to identify causes of low voter registration by the youths.

Conclusion

- i. The ECF- SADC Mission commends the Independent Electoral Commission of South Africa (IEC) for efficiently managing the 2019 National and Provincial Elections.
- ii. The Mission also congratulates the people of South Africa on the peaceful manner in which they conducted themselves during the electoral period.
- iii. The contesting political parties are commended for their role in the electoral period, they showed a spirit of tolerance and remained calm and restrained throughout the process.
- iv. The ECF-SADC encourages the people of South Africa to remain tolerant and peaceful ahead of the announcement of election results.

Signed on this 10th day of May 2019 in Pretoria, South Africa

Justice Esau Elliot Chulu
Mission leader
Electoral Commissions Forum of SADC Countries