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**IFES Election Assessment Report
South Africa - Election Institution Report**

October 23, 1998

Team members:

**Joe Baxter
Laurie Cooper
Carlottia Scott**

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I. EXECUTIVE SUMMARY

This report shall serve as an account of a pre-election assessment conducted by the International Foundation for Election Systems (IFES) in South Africa from August 24 through September 11, 1998. IFES was requested by the Independent Electoral Commission (IEC) to provide guidance on current election preparations, and to assist the IEC in identifying services which could be provided by the international community. Funding for this assessment has been provided through the Consortium for Elections and Political Process Support (CEPPS) from the US Agency for International Development.

Over the three week time period, two members of the IFES team met with members of the IEC, its staff in Pretoria, and traveled to five provinces to discuss the status of election preparations with local and provincial-level election officers. In addition, the IEC generously made a number of documents available to the IFES team, including copies of relevant legislation, business plans, and financial support information. This report is based on the team's interviews, and their review of IEC documents and analysis of relevant South African media reports performed from August 24-September 11. A draft of this report was presented to the IEC and USAID on September 12, 1998. IFES received comments from the IEC on October 5, which have been addressed in this final report. Finally, the report has been updated in selected areas to reflect recent events.

At the time of the team's arrival, the processes of electoral district delimitation and voter registration site identification were underway. Many of this report's recommendations address these activities, and offer suggestions for future efforts in these areas.

Following the Introduction (Chapter II), Chapter III reviews the constitutional, legal and regulatory framework of the IEC for the 1999 elections. In addition, the chapter provides an overview of the structure, functions and current operation levels of the Commission and its staff, and the IFES team's observations in Pretoria and five provinces over three weeks. South Africa's Constitution establishes the Independent Electoral Commission, charging it with the technical implementation of the voter registration and election processes. More broadly, the Constitution mandates the IEC as an agent of the institutionalization of a democratic culture in South Africa.

Today, the Commission's focus is on the 1999 elections. South Africa's Electoral Act, which frames the responsibilities of the IEC in organizing and managing elections, must be supported by cogent, publicly disseminated regulations generated by the Commission. Once voter registration and national, provincial and local planning for the 1999 election are completed, the Commission will be better positioned to seriously consider its post-1999 existence.

Chapter IV identifies guidelines for avoiding potential pitfalls in the activities of delimitation and voter registration. The integration of a geographic information system (GIS) in the establishment of electoral areas and registration sites is unique among African countries.

Chapter V addresses Election Day logistics and operations, staff training, and equipment issues. The recruitment and training of 60,000 persons to staff 14,500 registration and polling stations is an endeavor for which the IEC has begun to prepare. The IFES team offers recommendations in staffing and logistics, as well as cost-saving measures, for the IEC's consideration.

Chapter VI describes the IFES team's observations and recommendations in the area of voter and civic education, and democracy development as well as current issues that South Africa's political parties are confronting. As a relatively new component of the IEC, successful initiatives in areas call for careful planning and proactive coordination among government representatives, political parties, national and international nongovernmental organizations and other engaged national and international entities.

Chapter VII provides an overview of international assistance which the IEC may receive throughout the preparation and election periods, with guidelines for seeking technical support abroad. Finally, Chapter VIII summarizes the recommendations provided at the conclusion of each chapter.

II. INTRODUCTION

South Africa's Independent Electoral Commission carries a dual mandate. Constitutionally, it is the institution responsible for the successful organization and implementation of the 1999 general elections. In addition, the IEC is designated as a permanent institution of democratic governance in South Africa, a catalyst of democratic transformation and consolidation beyond the 1999 election event. Clearly, the IEC has been conceived of not only as a South African institution for South Africans, but as an institution that stands to influence election administration and democratization throughout southern Africa, if not across the African continent and beyond.

New institutions experience growing pains. The IEC is no exception. Institutional roles and responsibilities on numerous levels must be established and clarified, and professional relationships developed. What appears workable in planning may prove not to be so in practice. The findings and recommendations presented in this report are designed as guidelines; primarily to draw the reader's attention to the areas that IFES feels deserve immediate attention in preparation for the 1999 elections, and also highlight some significant issues to be considered by the IEC in its post-election evaluation and planning. For example, the nature of the voter register--whether it will be a permanent regularly-updated database, or regenerated from scratch nationwide for each election--will have a significant effect on the IEC's post-1999 administrative structure and its human, material, and financial resource requirements.

Once in country, IFES discovered that the IEC's interest in fulfilling its secondary role as an agent of the consolidation of South Africa's democratic culture beyond the 1999 elections was more immediate than anticipated. The team adjusted its information-gathering strategy accordingly to investigate both of the IEC's legally mandated roles. This report addresses post-1999 issues to the best of its ability, given the material and information available in early September. In emphasizing the regulatory, planning, logistics and implementation tasks for the 1999 elections, the IEC will prove itself and establish a sound track record. As pointed out earlier, current decision-making should take the future into account where time and energy allow. A successful performance in 1999 will position the IEC to most effectively address its permanent mission and

structure. IFES looks forward to exploring potential long-term scenarios with the IEC during the coming months.

The team expresses its sincere appreciation to Professor Mandla Mchunu, Chief Elections Officer, and his staff of the Democracy Development Directorate, including Adv. Peter Mothle, for facilitating the IFES mission. Tselane Mokuena, Director, International Liaison and Alex Msitshana, Assistant Director, International Liaison answered questions untiringly, responded to requests, scheduled meetings, and facilitated our travel to the provinces. The team also expresses its appreciation to the Provincial Electoral Officers who took time out of their busy schedules to arrange meetings and interviews and serve as outstanding hosts. The team also wishes to express its appreciation to the Democracy Strategic Objective team at USAID South Africa, and the US Embassy staff, for their information and support.

III. THE INDEPENDENT ELECTORAL COMMISSION

The first section of this chapter is based on materials, including the Constitution and draft Electoral Act, which were provided to the team upon its arrival in South Africa. At the time of the writing of the report, the Electoral Act had not yet been approved, and issues were coming up for debate throughout the team's visit. The second portion deals with the organizational structure of the IEC on the national level and recommendations regarding its communication with the provincial and local election officials.

A. Constitutional Framework

Following South Africa's first democratic elections in April 1994, a multi-party government was seated under an interim Constitution. This government was intended to remain in office until April 1999, when new elections were provisionally scheduled. On December 10, 1996, following a series of amendments adopted by the Constitutional Assembly after a judgment of the Constitutional Court, the current Constitution was signed into law.

The Constitution sets forth the general structure and parameters of elections for national, provincial and municipal governments. The government is to consist of three levels: a parliament, which includes a National Assembly and Council of Provinces, provincial legislatures and municipal governments. The Constitution also sets forth a number of important rights, such as the right of every citizen to free, fair and regular elections (Art. 19(2)), the right of every adult citizen to vote and to stand for public office (Art. 19(3)), and the right to reside anywhere in the Republic (Art. 21). The Constitution also mandates the establishment of an Electoral Commission. (Arts. 190-191).

Parliament

Parliament consists of a National Assembly and a Council of Provinces, which have somewhat overlapping jurisdictional responsibilities, but with primary legislative authority vested in the

National Assembly. Because the Council is composed of delegates from the provincial legislatures, discussion of elections is only relevant with regard to the National Assembly.

The Constitution provides that the National Assembly will consist of 350 to 400 men and women chosen through an electoral system which:

- is prescribed by national legislation;
- is based on the national common voters roll;
- provides for a minimum voting age of 18 years;
- and results, in general, in proportional representation.

(Art. 46). Terms are for five years, but the Assembly may be dissolved after three years upon resolution by a majority of the member (Arts. 49, 50). The President must call and set dates for a new election, which must be held within 90 days of the expiration or dissolution of the Assembly (Art. 49). The National Assembly elects the President from among its members (Art. 86). Members and office holders of the current National Assembly retain their current positions until their term expires on April 30, 1999 (Schedule 6, Transitional Arrangements).

Provincial and Municipal Governments

The structure of provincial legislatures mirrors that of the National Assembly, except that each legislature is to consist of 30-80 members and provincial premiers replace the office of President. Like with the National Assembly, the electoral system is prescribed by national legislation, is based on a common voters roll, provides for a minimum voting age of 18 years and is, "in general," proportional (Art. 105).

Local governments are governed by municipal councils. Elections of members of municipal councils take place under a system set forth in national legislation that provides for proportional representation based upon a preferential list system, or proportional representation combined with a system of ward representation (Art. 157). Only those persons registered in a municipality's segment of the national common voters' roll may vote in that municipality (Id).

Political Parties

The South African Constitution, Act 108 of 1996 provides a formula to determine party participation in Provincial Delegations to the National Council of Provinces. The Electoral Commission Act, 1996, (Art. 51), provides for the registration of parties and defines prohibition of registration of party under certain circumstances, as well as the revocation of a party's registration.Electoral Commission

The Constitution mandates the establishment of an Electoral Commission that is composed of at least three persons (Art. 191). The Commission is charged with managing elections at the national, provincial and municipal levels, ensuring that the elections are free and fair and declaring the results of the elections within the prescribed period (Art. 190). Further powers and functions are prescribed in the Electoral Commission Act of 1996 (No. 51 1996).

Electoral Law

At the time of the writing of this report, the electoral bill was still under consideration. Our review of the bill is based upon B.69-98, which was represented to us by the Commission as the final version of the bill. This bill sets forth a number of details of the elections process that were not set forth by the Constitution and leaves other details to be addressed in regulations promulgated by the Commission.

Note: The Electoral Act was signed into law on October 12, 1998, and the proclamation for commencement of the act signed on October 15.

Registration

The basic requirement is that any South African citizen in possession of an identification document may register to vote (Art. 6). The nature of this identification document has been the most controversial element of the bill, and has received broad media attention. The final bill limits acceptable identification to bar-coded ID cards issued by the Department of Home Affairs¹.

Critics of this requirement had argued that over two million people would be denied the right to vote because Home Affairs would be unable to issue the requisite number of cards before registration begins in October 1998¹. The Department of Home Affairs argues that it can produce enough identification cards and will issue replacement temporary certificates if necessary². The Department recently appropriated an additional R35.6 million (approx. \$5.8 million) to help fulfill this task³. The National Party (NP) and Democratic Party (DP) have both opposed the bar-coded card requirement on the ground that its voters will be disproportionately affected⁴. The Commission originally supported the requirement, which would facilitate the detection and elimination of duplicate registration, but later switched its position⁵. It is likely that the requirement will be the subject of a lawsuit challenging its constitutionality⁶.

A citizen must register where he or she is an "ordinary resident," a term which is not defined (Art. 7). Explanatory notes to the bill state, "A voter who lives in one district and works and lives in

¹ *Election Bill Passed*, Pretoria News, Sept. 2, 1998.

² *Get Your ID's Now*, The Star, Sept. 1, 1998; *Government and IEC in Dispute over New ID Books*, Sowetan, Sept. 2, 1998.

³ *ID Rule Will Hit Cape Voters*, Sunday Argus, Sept. 5-6, 1998.

⁴ *Row Over Poll ID Papers Rumbles On*, Pretoria News, Sept. 1, 1998; *Bar Coded IDS for Poll Fail*, Most in NP Areas, Citizen, Sept. 1, 1998.

⁵ *Govt. and IEC in Dispute over New ID Books*, Sowetan, Sept. 2, 1998.

⁶ *Electoral Bill Passed*, Pretoria News, Sept. 2, 1998.

another for long continuous periods will probably have a choice of registration in either of those districts." There is no other explanation of this provision. Ultimate registration authority rests with the Chief Electoral Officer (CEO) of the Commission, who must register a voter unless he or she fits within a list of certain specified exceptions, including fraud and mental incapacity (Art. 8).

The CEO is also given broad authority to register and deregister voters at his or her own insistence (Art. 11). A person who feels aggrieved by the elections process may appeal to the full Commission, but not beyond (Art. 13).

Proclamation and Preparations for Elections

The President calls for National Assembly elections and the President or provincial premier calls for provincial elections and, in either case, must give at least 60 days notice of the voting day (Arts. 14-15). The Commission must then announce a schedule that conforms to a formula set forth as an appendix in Schedule 1. The detailed schedule must set forth, inter alia, the following cutoff dates: various stages in the registration process, submission of lists of candidates and their certification, objections and appeals periods, and delimitation of boundaries and hours of voting stations². Broad authority is vested in the Commission to postpone voting or to order voting at particular polling stations (Arts. 19, 20). The Commission may also permit "special votes," which, according to the explanatory notes, means absentee votes (Art. 32 & notes). The notes explain that the Commission has a variety of options with regard to making provision for special votes, from "no special votes to special votes for everyone who happens to be away from their ordinary residence." The notes also state that in making this determination, the Commission should consider available resources and consult with political parties.

Elections

Each polling station will be staffed by a presiding officer and voting officers appointed by the CEO of the Commission (Art. 33). The Commission is vested with the authority to prescribe voting hours, to vary those hours according to the needs of each voting station, and to extend voting hours

to midnight if necessary to assure free and fair elections (Art. 34). Prior to voting, the presiding officer must publicly show the empty ballot box and seal (Art. 35). Voters must produce their identity document and may only vote at the station where they are registered (Art. 36). Assistance must be given to voters in need and spoiled ballots must be replaced (Arts. 37, 38). Objections must be made on the spot and are to be decided by the presiding officer (Art. 39). No appeals beyond this level are permitted. Full ballot boxes must be sealed and remained sealed until counting, which must be done at the station according to procedures promulgated by the Commission, unless it is a mobile station or it is necessary to count away from the station to ensure free and fair elections (Arts. 44, 45). A counting officer presides over the counting of votes and decides all objections. These decisions are not appealable (Arts. 45, 47). Provisional results must be announced at the polling station, sealed in separate containers and sent to the CEO (Art. 48). Similar alternative procedures are set forth for the counting that is not done at the station (Arts. 49-52).

Objections that are material to the final results may be made by any interested party through the second day after voting (Art. 53). Following the Commission's decision on the objection, appeal may be made to the Electoral Court, but results are not suspended pending the Court's decision. (Id). Remedies for serious irregularities include discounting the votes from a station, partially counting the votes at a station or deducting the votes cast in favor of a particular candidate or party at the station (Art. 54). Final results of the election must be declared after the second day after voting but before the expiration of seven days and may be declared even in the absence of receiving results from certain stations in order to avoid undue and unreasonable delay. (Art. 55). The Commission may apply to the Electoral Court for an extension for good cause (Id).

Administration

The Commission is charged with delineating voting districts pursuant to a number of factors, including suitable venue, number of voters, accessibility, municipal and provincial boundaries, and tribal and historic boundaries (Arts. 59-62). The Commission should use similar factors to

establish one voting station per district (Art. 63). Stations may be moved to accommodate emergencies and mobile stations may be established to ensure free and fair elections (Arts. 64-66). The Commission designs the ballot, the ballot boxes, voting compartments and other materials, as well as manner for which these materials are accounted (Arts. 67-70). The Commission is also responsible for appointing all voting station personnel, including presiding and counting officers, and for accrediting observers and persons providing voter education (Arts. 71-85).

General Provisions

The general provisions of the election bill set forth a number of prohibitions, such as unduly influencing the Commission, making intentional false statements, and infringing upon an individual's right of secrecy of the vote, and set forth accompanying civil and criminal remedies. (Arts. 86-97). The general provisions also empower the Commission with broad authority to make regulations regarding "any matter that it considers necessary and expedient to achieve the objects of this Act." (Art. 99).

The election bill is a comprehensive mechanism that provides the appropriate level of detail to fix the elections procedure into law, while providing enough regulatory flexibility to permit the Commission to develop, and eventually to adapt, procedures that are conducive to smooth operations at the voting station and beyond.

B. Personnel and Departmental Structure of the Electoral Commission

Structure

The Electoral Commission Act provides for an Independent Electoral Commission (IEC) possessing the authority to establish its own secretariat. The Commission is currently establishing the secretariat. Earlier this year, the IEC engaged a number of management consulting firms to assist in the development of an organizational structure and recruitment of staff. An organigram is attached as Appendix 1. The Chief Electoral Officer (CEO) serves as head of the secretariat.

The Electoral Operations Branch and the Administration and Support Branch, each headed by a Deputy Chief Electoral Officer, report directly to the CEO. These two branches comprise the major functions of the Commission³. 11 functional directorates are divided between the two branches. The Financial Manager, the Chief of the Directorate for Democracy Development and the nine Provincial Electoral Officers answer directly to the CEO. As of 6 September 1998, the Commission had contracted for 47% of its expected secretariat staff for the registration of voters and the 1999 elections.

The physical infrastructure for the lower level offices is already in the Commission asset inventory. The Commission is purchasing 1300 computers to be placed in provincial and local election offices with attendant furniture and peripherals.

At the provincial level, the Commission has established and named a Provincial Electoral Officer (PEO). Each PEO currently has a proposed staff of ten individuals⁷. The PEO offices will be the major field presence of the Commission at the provincial level and will be responsible for the major portion of the organization of election-related activities. No PEO office has a complete complement of staff as envisioned in the organizational plan.

At levels lower than the provincial, the Commission has no secretariat structures. It is in the process of identifying Local Election Officers (LEOs). It is at this level that registration and election staff will be recruited and registration and Election Day activities ultimately organized. The LEOs are to be recruited from among Municipal Town Clerks, Transitional Rural Councils and Transitional District Councils' CEOs. Where these individuals decline or are determined to be unacceptable, private individuals will be employed to organize the elections. Of particular concern of the team was that these individuals (whether public or private hires) must organize voter registration in their areas and engage staff to carry out the exercise less than two months after their appointment. Staff in the Pretoria office stated that potential LEOs were told that they

would receive contracts and instructions in March of 1998, yet by early September, all they had received were the delimitation maps and manuals.

C. Province Visits and Interviews

The IFES team traveled to five provinces outside Gauteng to conduct brief interviews with local officials. The team interviewed the provincial electoral officers and several of their staff where the IEC had appointed them. The interviews with the PEOs centered on their plans for managing the election process. The PEOs had been in their offices only a few days - insufficient time for them to have developed clear plans for their offices at the time of the team's visit. Following is a summary of the observations of the team in the provinces.

North West Province

Several important points which emerged from meetings in this province were the need for the IEC to work more closely with the traditional leaders in organizing motivational campaigns for getting eligible citizens to register; in identifying registration centers which serve the majority of the people in sparsely populated areas, and in distributing information about the new political system and the local person's role in it. In a province where very few local CSOs had the resources to conduct activities on the provincial level, the IEC's voter education efforts would be crucial.

In Mmabatho, the team met with members of the Central District Council staff, who discussed their experiences of dealing with the delimitation and registration center identification processes. While they had been able to complete part of the delimitation exercise, they felt that they did not have the resources to provide the IEC with all of the information it requested - since the province has more than 200 villages which would need to be visited. Furthermore, they did not understand

⁷ See "Organization and Establishment of the Electoral Commission", IEC.

whether and how mobile registration and polling stations would be established by them, although they agreed that the low population density in the province would lend itself to mobile stations.

KwaZulu-Natal Province

Meetings in this province were limited to the office of Local Government. Based on the experience of the 1994 and 1996 election processes, the Ministry of Local Government was of the opinion that the number of local citizens who would be qualified and able to organize the registration and election events was very low. Consultants, who were employed in KZN in 1994 and 1996, could be expected to return in 1999.

Free State

In the Free State, the team met with members of the Office of Local Government and the District Council. The issue of the IEC's imperative to increase their recruitment efforts and provide appropriate resources for the provinces to use was prevalent during these interviews. An additional area of concern was the attitude of many of the town clerks in the province, who are holdovers from the previous regime, toward black and Coloured citizens. They questioned whether such clerks would seriously and effectively encourage people to register and to vote in the upcoming elections or to participate in the political process after the elections. The IFES team also had the opportunity to meet one Free State town clerk, with whom they discussed a number of initiatives for voter education activities in the rural areas. Despite the lack of consistent communication from the IEC in Pretoria, the clerk was committed to assisting in all aspects of the election process and looking forward to learning more about it.

Northern Cape

The IFES team was only able to meet briefly with one local official, as a training session for local government was being conducted on the same day as the team's visit.

Eastern Cape

In the Eastern Cape, the team met with members of CSOs who were planning to form a consortium to obtain funds to conduct civic education activities prior to voter registration. At the beginning of September, the IEC issued a tender for CSOs to submit proposals and budgets. The groups expressed concern with the short amount of turnaround time between the issuance of the tender, the preparation of proposals and the development of programs by the grantee.

Similar to the other provinces, the town clerk's staff indicated a willingness to participate in the registration and election process, and to commit available resources, despite the continued delay in obtaining information about the registration process itself. After this meeting, the team traveled to Tsomo to view a typical town clerk's office. The very small office contained a fax machine, desk, file cabinet, a manual typewriter and little else. It did not appear to be particularly secure, which will become an issue as sensitive documents are delivered to and stored at the town clerk's office.

In the municipality of East London, the issue of communications between the IEC and the province was again raised, specifically with regard to the urgency for the IEC to get key personnel on contracts. Given that the recruitment and training of personnel could take up to a month, it is important that the contractual arrangements be worked out quickly.

D. General Observations - Constitutional and Organizational Framework of Elections

South Africa's Constitution and Electoral Commission Act provide the standard level of autonomy to the Commission. However, with regard to the self-sufficiency of the Election Commission as an institution, two questions must be asked. The first question concerns the viability of a staff of temporary employees who have none of the civil service protections that are normally accorded election commission secretariat staffs to shield them from political influences from both outside and inside a commission. With respect to the IEC, at the end of the employee contracts, the staff can simply be dismissed without explanation, when their contracts are not renewed. There is little

incentive in this "contract" employment scheme for employees to develop a long-term professional outlook with regard to the administration of elections or the ethical culture that professional election administration requires.

The second question concerns the employment of management consultants and their major role in the development (and in some cases administration) of election plans and programs. By early September, with almost all of the planning for voter registration, training, and voter education completed, the IEC had employed 47% of its staff. Most of that 47% had only recently been brought on board. As a result, the IEC staff may be restricted to implementing consultant-generated plans with few opportunities to provide their own input into the actual process. There is nothing basically wrong with consultants administering an election. Nevertheless, there promises to be deficit in skills transfer taking place in the organization and planning of elections at the national level when (1) the consultants have limited or no hands-on election administration experience, and (2) a main purpose of consulting firms is to turn a profit. For example, in Planning and Delimitation, consultants sit at computers working through the phases of the delimitation process. When asked how skills transfer was taking place so that future delimitation needs could be met by IEC employees when so few of the current computer operators were actual employees of the Commission, the response was that its salary scale -- based on that of the South African government -- is so low that the IEC cannot attract qualified personnel. This begs the question of how the IEC can contract with a consulting firm (with its attendant overhead costs) that is able to attract qualified personnel while facing financial constraints to attracting skilled in-house staff.

Communication with Provinces

Despite the fact that most headquarters and provincial staff do not have previous experience in election administration, they are dedicated and determined to deliver a quality election process to South Africa. At the local level, there appears to be organizational capacity and will to administer the election process. Many of the local election officials worked in the past two elections and have

at least as much election planning and organizational experience as individuals at the national and provincial levels. They have already demonstrated some of their skills through the local-level management of the delimitation process. This exercise alone provided many local officials with essential experience in reading the maps generated by the Commission, understanding and following the Local Agents' Manual, and seeking a consensus from the local political parties on the boundaries of voting districts and the locations of registration centers and polling stations.

Based on its interviews in the provinces, the IFES team concludes that at this point the organization and planning by the IEC in Pretoria for the voter registration exercise has been under-informed by those with first-hand knowledge of local conditions. IFES found little evidence of communication between the people who must organize and carry out the exercise at the local level and the IEC's Pretoria headquarters. Moreover, Pretoria has yet to develop a basic understanding and appreciation for the principal role that local officials play in administering an election, and by extension, the need for local officials to have a complete understanding of the process.

Future Development of the Commission

The IEC is in the process of establishing a permanent secretariat. Despite this stated goal, all employees have been offered three-year fixed-term contracts (rather than letters of employment). To avoid short-term labor law problems, the Commission is employing its entire staff on a contractual basis. After the 1999 general elections and the 2000 local government elections the Commission will, before the end of the contracts, decide which departments and people to retain.

The Director of Planning and Delimitation explained that the LEOs would be contracted for a period of two years. During that time, they would be required to continually update the voter roll, and conduct voter education and voter outreach exercises. Later, the team was briefed on the voter registration issues by the consultant in charge. IFES asked specifically about future plans of

the Commission in this regard, and was told that the only decision which had been so far was to input voters' addresses into the computerized database.

It is relatively easy to build capacity to manage polling stations through the hiring and training of the same local individuals to manage the polls election after election; many countries do this. The more difficult task is to develop the professionalism in election administration at the higher levels demanded by election management today. Several potential LEOs with whom the team spoke stated that they would assist in organizing the upcoming election; but in no way viewed the general management of elections, the conduct of ongoing registration, voter education, or voter outreach for the IEC as part of their permanent responsibility. The contracts of LEOs (Appendix 2) do not include duties and responsibilities between elections. Private persons hired on a temporary basis by the Commission to manage elections at the local level where town clerks are determined to be inappropriate for election administration, are unlikely to be available for future elections unless they are employed full time by the Commission. With the IEC for the next two to three years, these individuals -- working at the national, provincial and local levels -- will develop marketable skills. Thanks to the IEC's "investment," chances are good that these individuals will find permanent employment in the private or public sector over the next few years, removing them from the IEC resource pool. Long-term organizational capacity and professional election administration aptitude call for a clearly defined strategy on who and how future elections will be managed at all levels nationwide.

E. Recommendations

Electoral Law and Regulations

At the time of writing of this report no regulations had been promulgated by the Commission due to the fact that the Electoral Bill had not yet been passed. The team recommends that the following issues be addressed through regulations before the election process begins:

1. The Commission should adopt comprehensive implementing regulations as soon as practicable after the Elections Act is signed into law. Regulations should be detailed and written in plain language that is easy to understand; many of those who must read, interpret and implement the regulations have little understand of election law or practice and very few are attorneys.
2. The draft election bill provides that a person must register in the district where he or she is an "ordinary resident." Neither the law nor the notes provides a definition of this term. The Commission should define this term early in the process to avoid allegations of improper motive or influence and to provide the necessary guidance to voters before they arrive at the registration station.
3. The election bill provides that entries or amendments to the voter registration list may be made at the insistence of the CEO. To avoid allegations of bias, implementing regulations should spell out specific criteria for determining where such practice is appropriate and procedures for how it should occur.
4. Several decisions by officials in the voting process carry limited or no opportunity for appeal. That the Commission should be the final arbiter in instances when it is reviewing its own actions or those of its employee (who presumably are following its directives) is troubling. The Commission should request parliament to amend the law to provide for limited appeal outside the Commission to an independent arbiter, whether the Electoral Court or another body. Limiting appeal rights is egregious where the final decision rests with the presiding officer or counting officer at the station, as these tend to be lay people with limited elections or adjudicatory experience. This comment applies to the following:

Art. 13 - appeal of adverse registration decision to the Commission only. This requirement may prove difficult for the Commission. The Commission will need to establish a mechanism that facilitates the resolution of challenges to registrations and avoids the Commission rendering a decision in each case. There are likely to be challenges emanating from the registration process.

Art. 39 – objections to refusal of presiding officer to allow a person to vote are not appealable;

Art. 51 – objections to adverse counting decision by counting officer not appealable.

5. While clearly not required under the law, the Commission should promulgate regulations specifically allowing for absentee registration and voting in order to guarantee every citizen the right to vote, such as those in hospital, security personnel on duty on election day outside their “home” voting districts, persons held in prisons, or serving in the military.

Note: With the coming into force of the Electoral Act, the Commission is currently preparing regulations governing voter registration, voter education, political party conduct, and candidacies.

IEC Structure and Personnel

1. Management of voter registration and elections at the local level should be a simple process. The IEC's instructions to local election officials should be only as technical as the job requires.
2. In service of its goal to become a professional election institution, the IEC should begin now to rely more on its own employees to plan, organize, and administer the election process and less on outside consultants.
3. As the IEC takes steps toward addressing the post-election 1999 period, plans should include the formal establishment of PEO offices as permanent branches of the Commission.
4. There is a need for a level of IEC office below that of the PEO. Whether that level is at the municipal level or at a higher level that incorporates a number of municipalities, or a combination of both, depends on the activities envisioned for the office. Experiences from other countries demonstrate the advantage of establishing some sort of local office to carry out between-election activities such as voter roll maintenance, voter and civic education, local political party development, liaison with local political party organs, creating an understanding in the public of their relationship to government and vice versa, and creating an overall environment that is conducive to free and fair elections. These important undertakings cannot be effectively carried out from a provincial office.
5. **The IFES team's observation and recommendations are significantly limited. Key questions remain unanswered. Are the PEO offices to be made a permanent part of the Commission structure? Will local government officials continue to administer the election process at the local level, or will the Commission set up its own offices? Will the computers, copiers, printers and other equipment be left behind after 1999 for the use by local municipalities or removed and placed in storage by the Commission?**

IV. DELIMITATION AND VOTER REGISTRATION

A. Delimitation

The delimitation of voting districts is the most technically and operationally advanced of any of the functions the IEC is required to perform for the upcoming voter registration and election events. The process is almost complete. The delimitation of voting districts is being conducted as follows:

- A Geographic Information System (GIS) has been developed. The GIS contains digitized maps of all census enumeration areas (CA), the voting age population (VAP) of each CA based on the 1996 census, locations of land parcels, roads, highways, railways, etc. and topographical information. The GIS database contains a great deal of other information, but for the delimitation process the CA maps and the VAP are the most relevant aspects of the system.
- Using the computerized GIS maps and VAP data for each CA, the IEC's Pretoria office groups the CAs into voting districts that contain approximately 3000 persons of voting age in urban areas and 1200 in rural areas. Maps of the proposed voting areas are produced.
- The maps are sent to Town Clerks and District Council CEOs throughout the country along with an instruction manual. The manual provides the criteria by which voting districts and polling station locations should be established and instructions on how to adjust the boundaries of the voting districts to accommodate local conditions. The primary criteria are accessibility and potential availability of the proposed voting station for voter registration and on Election Day.
- Upon completion of the review and consultation process with local political parties, the maps are returned to the IEC Pretoria office, the changes reviewed for acceptability, and boundaries adjusted and final maps produced for use by the Commission.

As of 7 September 1998, 257 out of 848 municipalities had completed and returned the maps to the IEC. The stated deadline for the completion of the exercise was 16 September 1998. There is little the team can add to the explanation of the process that cannot be found in the manual. The GIS utilizes state-of-the-art technology to produce both the proposed voting district maps and final maps. Geographic Information Systems can graphically produce a wide variety of election-related information -- VAP statistics, registration rates, voter turnout, election results, etc.

B. Voter Registration

The Commission is legally charged with the responsibility of producing a common national voter roll for use in national, provincial and local government elections. The process for this will be established by the IEC regulations. The voting age population (VAP) in South Africa is about 25 million. On October 14, the IEC announced that voter registration would take place from November 27 - 29 in approximately 14,500 stations.

A basic plan for the process has been outlined by the IEC. Potential voters appear at their designated center and present an ID. The bar code of the ID is scanned using a bar code scanning device (commonly known as the "zip zip" machine). This machine will store the ID number of the voter, the voting district in which the voter registered and the census enumeration area in which the voter lives. The zip zip machine produces two bar coded labels, one of which is placed on a voter registration form, and the other in the ID document. The registrant is also given a small receipt as evidence of registration. The applicant is then asked to complete the voter registration form.

The zip zip machine and the voter registration forms are collected and taken to the appropriate local electoral office. The zip zip machine will be connected to a computer and the information downloaded on the IEC's wide area network to a national database. The national database will then match the ID numbers against the Ministry of Home Affairs' database of all those persons who have bar-coded national ID documents for verification of the ID number. The name of the voter will be copied from the Home Affairs database based on the ID number to the IEC's voter registration database. After the verification of all the data collected after the last day of registration, a provisional voter register will be produced and exhibited. There is no detail in the current registration plan about the exhibition process. The team assumes that these details will be included in the regulations that are adopted by the Commission. Following the exhibition and the resolution of all challenges, objections and disputes, the register will be reprinted for use on

Election Day. The plan of the Commission is to be ready for an election called anytime after 30 April 1999.

Mobile registration centers are planned for some areas; door-to-door registration is contemplated if the response to fixed-site centers is not enthusiastic. The registration plan, however, does not spell out these processes in any detail.

There is an enormous amount of work that must still be completed in preparation for the voter registration exercise. Local election officials have not been appointed; all registration sites have not been identified; materials have not been procured and distributed; registration officials have not been identified, employed or trained; voter education has not begun; and the election logistics plan does not specify in any detail how materials and people will arrive at the registration centers to begin work.

C. Observations

The boundaries of voting districts, the location of polling stations within those districts, the selection of buildings used for polling stations, the distance people must travel to register and vote, whether a mobile facility is used in one area but not an other, the location of party offices in proximity to the polling station are all flashpoints in political party battles. The production of statistically or scientifically sound electoral voting districts does not guarantee political party or voter acceptance of the boundaries. The IEC will need to reinforce this message constantly from the national through to the local election management levels.

D. Recommendations

Delimitation

Based on the team's short tour of the provinces and meetings with a few of the local officials involved in the process, there are a number of concerns to raise:

1. Despite plans by the IEC to establish mobile voter registration and mobile polling station units, these two terms do not appear in the manual provided to local officials. The local officials were required to establish fixed registration and polling station sites; the Pretoria staff has identified 1300 mobile sites. The local officials with whom the team spoke never realized that mobile facilities were an option which they could choose in addition to the fixed sites. This information should be communicated to the provincial level as soon as possible, to avoid the necessity of switching from fixed to mobile stations during the registration process.
2. In the instructions to the local officials, the IEC stated that polling station sites should be capable of processing 3000 voters in urban areas and 1200 voters in rural areas. It appears from our conversations with local officials that they are focusing on these numbers as the minimum number of voters that should be assigned to a voting district and polling station, whether or not these numbers meet the needs of the community. The IEC should consider local factors such as population density and the amount of time it usually takes voters to be processed in determining the number of polling stations. During an 8-hour period, approximately 1000 voters can be handled efficiently at most polling stations.
3. In addition, the registration and polling sites should be identified so as to minimize the distance that rural as well as urban voters must travel to get to them. Given the distances between remote villages all over South Africa, it is likely that some voters will have to walk up to 20 kilometers round trip to the stations.

Voter Registration

The planning for the voter registration process is essentially complete. What is needed now is effective implementation of the plan. The team, however, does feel that a number of concerns should be addressed as the Commission moves forward with voter registration.

1. Polling stations should be established to meet the needs and desires of the local community, even if this means increasing the number of polling stations and the collateral logistic headaches for the administrator. Whether a polling station has 1200 voters or 120 should depend on local community conditions.
2. The Commission should devolve significant authority to the Provincial Electoral Officers to manage the voter registration and election process at the local level. Election administration must be able to adapt to local conditions within certain boundaries if it is to be successful. The Provincial Officers are the persons best placed to manage the process with the confidence of the Commission and provide the necessary feedback to the Commission on conditions on the ground.
3. The Commission should provide for the registration of the elderly, the infirm, the disabled, prisoners, the military and all other classes of people who are unable to appear at a registration center in person. The Commission should also make provisions for these people to vote.

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4. The procedures of creating mobile registration centers and door-to-door registration need to be clarified with PEOs and LEOs.
5. The Commission should begin immediately to define the registration (and voter register maintenance) process after 1999. The voter registration system as currently designed is a stand-alone system useful for only the 1999 election. If the Commission wishes to avoid an expensive re-registration process each time there is an election, it must establish a process by which new registrations can be included on the voter roll as persons become of age, dead voters are removed, and people who move are registered at their new addresses.
6. The requirement that applicants for registration will be asked to complete the registration form should be abandoned. Recent newspaper reports state that up to 15 million South Africans are functionally illiterate. Experience from other countries demonstrates that registration will proceed much faster (and result in clear, consistently completed forms) if voter registrars fill out the forms for the applicant by interviewing him or her.
7. The Commission must decide whether the forms will be organized alphabetically, by address, or by ID number. The registration plan does not specify the method. One of the allegations made in 1994 which contributed to the consensus on the need for a detailed voter roll was that individuals were bussed into KwaZulu-Natal to affect the outcome of the election in that province. Parties need to be able to verify that supporters in a particular area are registered. This is almost impossible with a mere list of names. In addition, the electoral bill requires the Commission to provide copies of the voter roll to parties for a cost. Every person with whom the team spoke in the provinces was of the opinion that the political parties would, in the end and despite their current agreement with the IEC, demand that the addresses be included on the register.

V. ELECTION DAY PROCEDURE - OPERATIONS AND PERSONNEL

At the time of the team's visit, no date for the election had been set. By law, the election must be held within 90 days of the expiration or dissolution of the Assembly. The current term of the Assembly members expires on 30 April 1999 (although the Assembly remains competent to function until the day before polling day). It is therefore expected that the election will be called for sometime between 1 May and the end of July. The Commission plans to be ready for an election date anytime after 30 April 1999. While the main focus of planning at this stage in the process is focused on voter registration, the Commission has produced its basic plan for Election Day operations. The basic program as explained to the team is outlined below.

A. Voting, Counting and Results Announcement Procedures

The Commission will establish polling stations in those sites that were used for voter registration. A Presiding Officer and a Deputy Presiding Officer will supervise each station.

- The voter enters the polling station and presents his or her ID document to the door controller who will check the identity document of the voter.
- The voter will then hand the ID to the zip operator, who scans the bar-code of the ID and produces a name locator slip with the serial number of the voter's name as it appears on the register.
- The voter hands the slip to the voter roll checker, who locates the name of the voter on the register using the serial number provided on the slip. The voter roll checker crosses the voter's name from the voter roll.
- The ID and locator slip are then handed to the voter roll caller who calls out the name of the voter and the location of the name on the voter roll.
- The ballot issuer then issues the ballot papers (national Assembly and provincial) to the voter and instructs the voter in the casting of the ballot or ballots.
- The voter proceeds to the voting booth where a voting booth controller controls access.
- After marking the ballot the voter proceeds to the ballot box where a ballot box controller checks that the ballot is an authorized ballot before it is allowed to be put in the ballot box.
- The exit controller then directs the voter out of the station.
- At the end of the day, the polling station is closed, with only the election officials, party agents and observers allowed in the polling station to count the ballots. It is unclear at this time whether the press will be permitted to observe the count. No person will be allowed to enter or exit a polling station once counting has begun.
- At the completion of the count, the counting officer (most probably the presiding officer) must tally the results, complete the required forms, and call the Electoral Commission (a phone will be provided to each polling station) with the results. The doors are opened and the results of the polling station are announced to the agents and public present at the polling station. The counting officer is not permitted to reveal to the party agents, the

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observers, or the public the results of the election until the Commission has been informed of the provisional results (Section 48(3) of the Electoral Bill 1998).

- The election materials are then returned to the Municipal office for storage and compilation of the official count for the Municipality which is fed into the Commission's wide area computer network.
- National election results will be released at a media center in Pretoria.
- Certification of the results will take place within seven days of the election.

B. Logistics, Commodities and Security Issues

As with registration, to date there are no logistics plans that detail how the Commission will deliver the election materials to the polling stations on election day. There is no list of commodities or their specifications yet established. The team was told the Commission staff is working on all these issues. Neither is there a complete security plan for the process. The Commission has engaged a security expert to work on the security for registration centers and polling stations. The Chief Electoral Officer has expressed the hope that conditions will exist within the country that will make visible security forces at each polling station unnecessary.

C. Training

The Commission's current plan is to recruit and train 70,000 persons for voter registration and around 265,000 persons for Election Day. Presiding Officers, Deputy Presiding Officers (who also serve as registration officials), Counting Officers and Deputy Counting Officers will all have similar qualifications. These include:

- Matric with governmental administration/electoral experience or a Degree/ M+3 Diploma with a least 2 years work experience;
- Fluency in the predominant language of the area;
- Two years experience working in a management or supervisor position;
- Not a candidate or relative of a candidate (inclusive of relationships to the third order)
- Has not held political office with any political party in the past 2 years and has not been active in the process of recruiting voters during the election build up or elections;
- Has sufficient time available to perform the required duties prior to, during and after the elections;
- Is willing to sign the prescribed oath of office.

Registration and polling station staff qualifications include:

- Matric or a Std 8 (Grade 10) with at least 5 years work experience;
- Fluency in one or more of the languages of the area associated with the voting station(s);
- Functionally literate;
- Not a relative of the Local Electoral Officer or Presiding Officer of the applicable area or voting station (inclusive of relationships to the third order);
- Does not hold political office or is not active in the process of recruiting voters with any political party during the election build up or elections;
- Has sufficient time available to perform the required duties prior to, during, as well as after the elections (where applicable);
- Is willing to sign the prescribed oath of office.

The plan for training is the standard cascade system of key trainers, core trainers, and trainers. A unique feature of South Africa's training program is that it intends to co-operate with the South African Qualification Authority to ensure a

quality training program and that those trained meet the requirements of the South African Qualification Act. The training approach will be to utilize the South African training industry (including for-profit and nonprofit firms) to deliver the training based on standards developed with the assistance of the SA Qualification Authority. The team was not shown the materials that have been developed thus far. It is impossible, therefore, to comment on their completeness or quality.

D. Recommendations

Polling Station Personnel

With so few written documents about the actual plans for Election Day, IFES cannot present a comprehensive list of recommendations. However, a number of issues were identified during the team's visit that IFES believes the Commission should review as it makes its plans. With the election process still at least seven months away, time remains for the Commission to make improvements on its current plans. These issues include:

- I. *The number of polling stations and the number of polling station staff.* It may be too late in the process to materially improve this process since the voting district delimitation and polling station location processes are almost complete. However, the team does note that the number of people assigned to manage the polling stations ranges from 14 in rural areas to 25 in urban areas. This easily represents the largest size per station polling staff in the world. Most countries staff polling stations with 4 or 5 people. This includes a presiding officer, a person to check the name on the register, a person to apply electoral stain (if applicable) and a person to hand out the ballot and instruct the voter. Liberia recently conducted an election with only two people in each station. The reason so few staff are needed (in comparison to South Africa) is that the number of voters assigned to each polling station is much smaller than that in South Africa. In Ethiopia, for example, where the voting age population is comparable to South Africa's, the election authority establishes more than 30,000 polling stations. Ghana, with less than half the voting age population of South Africa, has more than 20,000 polling stations. Even if the Commission is unable to increase the number of polling stations and staff each with a smaller number of people, it should consider eliminating some of the positions in the current set up. These include:
 - a. *The voter roll caller.* The person who checks the name off the voter roll can call out the name of the voter as happens in other countries.
 2. *The statistician.* At the end of the day it should be possible to simply count the number of names crossed off the register to determine the number of voters who voted. According to what the team was told, the zip zip machine performs the same function; once its information is downloaded into the database, statistics can be produced on the gender and age of voters for research purposes.
 - b. *Special Assistants.* The Presiding Officer and the Deputy Presiding Officer have no other duties during the day than to supervise the process and assist disabled, illiterate and infirm voters in the voting process.

- c. *Voting Booth Controller.* If the door controller is doing a proper job of letting no more people in the polling station than can smoothly be processed, there should be no need for a voting booth controller.
- d. *Ballot Box Controller.* Only valid ballots count toward the final tally. At the time of the count, the counting officer sorts through the ballots in the box, discarding those which are invalid. This process eliminates the need for a person to ensure that only valid ballots are cast in the ballot box.
- e. *Exit Controller.* A well-organized polling station does not really need an exit controller. The flow of traffic through the station should guide the voter step by step through the process and out the door after dropping the ballot into the box.
- f. *Queue Walkers.* The door controller should be able to spot elderly people as they show up at the polling station. In other countries, where queue walkers do not exist, the public, as a matter of courtesy, ushers elderly and infirm voters to the front of the queue.

In addition to paying this amount of staff on Election Day, the IEC should consider the amount of money it must expend to train them to walk a queue, call out a name, count the number of voters or show someone out the door. Personnel costs are one of the major expenses in the election process.

2. **Election Day Security.** Given the desire of the Chief Electoral Officer that conditions exist such that the need for security at every polling station not be necessary, it is difficult to see how the goal will be accomplished with up to 3,000 people at a polling station. Security may be needed to assist with crowd control alone. Depending on the needs of a particular area, the Commission should consider working with the security agencies to establish discreet mobile security units on Election Day. Each polling station will have a telephone. The proper planning of mobile units and the use of the telephones in case of trouble should virtually eliminate the need for on-site security except in potentially volatile areas.

3. **Vote Count Security.** The plan to lock officials and party agents in the polling station for the counting of the votes should be reviewed. The team respects the Commission's desire that there be no premature release of election results. However, with the pervasive use of cellular telephones in South Africa, a simple call from the polling station will defeat the purpose of locking the door. It is also unclear how the plan will be enforced without security in each polling station and criminal penalties for violating the rule. The team also notes the language of Section 48 of the Electoral Bill. It states inter alia that "the counting officer must announce the provisional result at the voting station to members of the public and agents present at the voting station." (emphasis added). This phrase places the party agents on the same footing as the public for the receipt of the results and will apparently make it illegal for the counting officer to allow party agents, who presumably are locked in the polling station with the counting officer, to know the results of the count before releasing them to the public on the outside. The team is not sure that this is what the law implies.

Training

- 1. Given the short time remaining before the start of voter registration, the Commission needs to act quickly to get the recruitment and training process underway. In order to train the largest possible number of people, a training approach which integrates the skills of international and South African trainers/election administrators will result in an effective implementation of the program.

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2. The Commission should review the qualification requirements for registration and polling station staff. Given the remoteness of some areas, it may not be possible to recruit sufficient staff with the required qualifications. In most instances a teacher or a person who has similar qualifications as a teacher can be employed.
3. Training materials should be simple and written in plain language. They should not contain extra information that detracts from the duties of the individuals. Instructions should be short and to the point. Long manuals are unlikely to be read by the election staff. Materials should contain as many graphic depictions of the process as possible.
4. In view of the long-term objective of developing a curriculum to be used to prepare trainees for certification under the South African Qualification Act, the materials used for training in the registration period should be pilot-tested for further refinement during the 1999 election process. With the materials and a training program in hand, the IEC can approach the South African Qualification Board for certification, if not prior to then following the elections.

VI. VOTER EDUCATION, POLITICAL PARTIES AND DEMOCRACY DEVELOPMENT

A. Voter Education

The Voter Education Directorate (Voter Ed) manages the implementation of short-term voter education and motivation activities in preparation for the 1998 voter registration and 1999 election events. In addition, this Directorate has a longer-term mandate to provide South Africans with information regarding the consolidation of the democratic process.

Voter Ed has designed a four-phase plan for the implementation of its activities. Phase I is the planning process, which consisted of developing a strategic framework for the directorate's structure, conducting workshops with Voter Education Directorate and developing the project plan. The Director of Voter Education stated that Phase I of the directorate's plan had been 90% completed at the time of the team's visit.

Phase II consists of the preparatory work for voter education: the development of a voter education curriculum, accreditation of CSOs to implement programs which integrate the messages of the curriculum, workshops, and tracking election preparation activities in coordination with voter registration, delimitation, and communications. CSOs and private companies were invited to submit proposals for voter education activities in a tender issued on September 2. Organizations which receive grants and accreditation will be directed to conduct community workshops in rural areas, to distribute posters, leaflets and t-shirts and other IEC educational paraphernalia, and to instruct and educate regarding location of voting stations.

Phase III will be voter motivation, which will include developing materials to be distributed for registration and voter education posters which will be distributed by Logistics to the registration staff on all levels. At the time of the team's visit, a number of possible messages were being tested through focus groups, with plans to prepare didactic materials and performance artists to deliver the messages. As Election Day approaches, specific get-out-the-vote activities will be conducted, with media coverage of the activities coordinated through Communications.

Phase IV will be Election Day education, which will be accomplished through community workshops at the provincial, local and rural level. The scope of work for accredited organizations who will participate in this phase has not yet been developed, as training manuals and implementation guidelines still need to be designed.

Observations

According to Voter Ed, the groups most likely to win contracts with the IEC will be civil society organizations which already have capacity to conduct voter education programs. However, a number of election officials at each level with whom the team spoke indicated that there was a need to support CSO's in their development as well as in the

implementation of voter education activities. In the Eastern Cape, a group of CSOs has decided to form a consortium including experienced and less-experienced organizations which will compete for grants, thus enabling smaller organizations to have access to the funds.

Voter Ed has developed a Voter Education Curriculum Framework which incorporates the parameters of the program, registration, population distribution, gender, language, culture, and discusses the principles of a new democracy and why it is important to vote. With the outsourcing of the majority voter education projects to a consortium of groups, however, it is doubtful that the directorate will cultivate substantial institutional memory of activities implementation and management, or of strategies for maintaining contact with voters between elections. The business plan spells out timelines for tasks, and indicators for effectiveness - but does not appear to include a narrative which demonstrates Voter Ed's understanding of the large personal contact component essential to all voter education initiatives.

B. Political Parties

The IEC, in accordance with Section 5 (1)(g) of the Electoral Act, Act 51 of 1996 is to establish party liaison committees (PLC's) at national, provincial and municipal levels. The PLC's will function as a forum for consultation and cooperation between the IEC and the registered parties concerned on all electoral matters in an effort to conduct free and fair elections. From Pretoria, the newly-established Party Liaison Directorate is to facilitate registration of the political parties with the IEC for the 1999 elections, as well as maintain a register of the parties and contact information.

The team did not have an opportunity to meet with political party representatives either in Pretoria or while visiting the provinces. The team did, however, meet with PEOs, LEOs, District Councils, as well as City Clerks who had convened Party Liaison Committee meetings and were able to provide both opinions and observations that were helpful in giving insight into an overall view of anticipated political participation in the upcoming elections in 1999. Additionally, the team followed daily media reports regarding party responses and attitudes regarding the upcoming national and provincial elections.

Background

The parties which participated in the 1994 National elections and the 1996 local elections are cited for context and for later comparison to actual participation in the 1999 election. The African National Congress (ANC) won the majority of the vote (62.5%) in the 1994 elections. ANC Alliances include (SACP) South African Communist Party and COSATU (

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Congress of South African Trade Unions). Listed below are South Africa's remaining major parties, and the percentages garnered in the elections:

- **ACDP - African Christian Democratic Party** garnered 0.5% in 94 and gained 2 seats in National Assembly. In the 1995/96 local government elections, the ACDP earned 0.77% of the vote.
- **AZAPO - Azanian Peoples Organization-** did not participate in 1994 or 1996.
- **CP - The Conservative Party** boycotted the 1994 election and therefore hold no elected seats, national or provincial, in Parliament. The CP did participate in the 1995/96 local government elections, receiving 0.79% of the vote.
- **DP- The Democratic Party** won 1.7% in 1994, with 7 seats in the National Assembly and 3 in the National Council of Provinces. The DP won 3.48% of the votes in the 1995/96 local government elections.
- **FF - The Freedom Front** won 2.2% of the vote in 1994, with 9 seats in the National Assembly and 5 in the National Council of Provinces. It won 0.3% of the votes in the 1995/96 local government elections.
- **IFP - The Inkatha Freedom Party** received 10.5% of the vote in 1994, with 43 seats in the National Assembly and 5 in the National Council of Provinces. In the 1995/96 local government elections, the IFP won 8.73% of the vote, drawing nearly 44% of its support from the province of KwaZulu/Natal.
- **MF - Minority Front** did not win a seat in the National Assembly or Council of Provinces in 1994. In the 1995/96 local government elections the MF earned less than 0.5% nationally, drawing its only support from KwaZulu/Natal.
- **NP or National Party -** won 20.4% in 1994, with 82 seats in the National Assembly and 17 seats in the National Council of Provinces. The NP received 18% of the votes in the 1995/96 local government elections.
- **PAC- The Pan Africanist Congress** garnered 1.2% in 1994 with 5 seats in National Assembly. It earned 1.2% of the vote in the 1995/96 local government elections.
- **UDM - The United Democratic Movement** was launched in September 1997, and composed principally of former NP and the DP members, as well as former members of the ANC in former Transkei region.

The current focus of Party Liaison is the parties' role in the process of delimitation. As stated earlier, the electoral area maps provided to the provincial election officials were to be approved and signed by the PLCs. At the time of the team's visit, approximately one-third of the maps had been reviewed and signed according to the procedure. Given that many election officials were not in place in early September, the difficulty of convening of PLCs to review the maps would account for some of the delay. In KwaZulu Natal and Western Cape provinces,

however, the political situation - mistrust between members of the local government representatives and the election officials - is expected to significantly affect the maps which eventually result.

Beyond delimitation, the parties will be affected by (and can be expected to publicly express opinions about) the following issues:

1. *Voter ID.* As of the team's visit, a significant percentage of South African citizens do not have the new ID book, and therefore may not be eligible to register.
2. *Use of the Voter Roll.* As noted earlier, the voter register will not include voters' addresses. Despite the fact that the IEC obtained approval of this procedure by the National Assembly, it is unlikely that the parties will remain silent when they understand that there is no way to verify that their supporters are listed correctly on the roll - or to prove that persons who should be on the roll are not listed.
3. *Political Party Finance Guidelines.* Although the Party Liaison Directorate is charged with the registration of political parties, the distribution (and presumably tracking) of state-allocated funds to political parties is currently the responsibility of Democracy Development. Furthermore, neither directorate has yet established a formula for determining the amount of money each party will receive.
4. *Regulations for Political Parties.* At the time of the team's visit, the IEC had recently become responsible for writing a code of conduct in conjunction with the political parties. Since the Electoral Act was not yet passed, the IEC had not yet convened the parties to discuss the drafting of the code.

The major task before Party Liaison is the development of a positive working relationship with the political parties and at the provincial, municipal and local levels. However, the team was not furnished with a strategic plan which addresses this task.

C. Democracy Development

Democracy Development is the branch of the IEC which is tasked with building capacity for sustainable elections administration, professional development and training for staff, and supplementary education for political parties, CSOs and the electorate in the democratic transition process. Originally, Democracy Development was an established entity within the Operations Branch of the IEC. Due to budget constraints, however, the responsibilities of Democracy Development have been absorbed into the office of the Chief Elections Officer.

Democracy Development is also responsible for the administration of state funds for political parties, according to the Public Funding of Represented Political Parties Act, 1997. The Directorate currently plans to establish a bank account to administer the funds when the appropriate time arrives.

Observations

In the course of its interviews, the IFES team noted a commonly expressed opinion that the development of a democratic culture is not truly the responsibility of the IEC; the IEC's only function is to manage the election process and conduct voter education activities. However, in the team's opinion, the electoral administration body is a primary institution in promoting democratic governance and understanding of sound, democratic processes in transitional democracies. It must be fully engaged in the democratic process of the country not only in the run up to elections but also between elections. Further, it must promote the public's understanding of democratic values, the relationship of the citizen to government, and government to citizen; it promotes a more competitive political process by assisting the political parties to compete effectively. By involving themselves more and promoting democratic governance in all its forms, commissions enable citizens to realize that over time, while elections themselves are more competitive, the process of elections becomes less contentious, and the conditions for free and fair elections are well established. Democracy Development was created to embody the culture of democracy, and to make that culture the philosophical underpinning of the IEC.

D. Recommendations

Voter Education

1. Close cooperation between the Voter Education and Democracy Development, Party Liaison, and Communications' overall programs will develop internal IEC capacity for 1999 and beyond.
2. The South African communications infrastructure is well developed and includes state-of-the-art equipment, which the IEC intends to utilize in most of its voter education activities. The majority of South Africans have no access to that infrastructure, and do not rely on it to obtain information. Appropriate tools and accessible methods such as community meeting and village gatherings will significantly increase the probability that a majority of the eligible electorate will receive the information that they need and deserve.

Political Parties

The Party Liaison Directorate, while new in the realm of election commission structures, is established in law and its functions will be an asset to the IEC in the long term. Of concern to the team is the municipal level operation of Party Liaison regarding communication, dissemination of information and the flow of that information.

1. The team recommends that the National IEC provide support to the local Party Liaison officers, in the areas of press relations, community protocol, etc., and keep an open line of communication between the local and national operations, especially as the technical election issues become political toward the date of the election.
2. The policy for the distribution of funds to political parties should be communicated as early as possible, and should emerge from a consensus between the parties and the Directorate.
3. The team recommends that the IEC support Party Liaison staff through orientation and mentoring to strengthen and build capacity and transfer of skills on all levels to ensure a solid core elections administration base such as the proposed Human Resource Program.
4. The team recommends that consultants currently working within Party Liaison be more explicitly required to guide, orient and mentor staff to ensure the transfer of skills.
5. IEC should facilitate traditional leadership participation in the PLC process at the local levels.

Democracy Development

Within the organizational structure of the Commission, there appear to be several functions located under election administration which, in the opinion of the team, fall within the responsibility of the Democracy and Development directorate. These functions are Party Liaison, Voter Education and Dispute Resolution. The primary role of Democracy Development is to promote the development of a democratic culture. This includes both developing the capacity of political parties to compete in elections and contribute toward the development of policy, as well as the education of the people of South Africa in democratic governance. Both of these functions require significant interaction between Democracy Development, the political parties and the public. In addition, most of the disputes arising from the election and democratic process are between political parties. Before Democracy and Development was firmly established within the Commission, it may have been logical to place the Party Liaison, Voter Education and Dispute Resolution under the Election Administration branch of the IEC. However, because the functions of all three are so closely tied to the development of democracy both in the short and long term, these Directorates could function more effectively if they were placed under Democracy Development, which, as noted earlier, already has been assigned the function of allocation of state funds for political parties. By placing all political party relations under one directorate, the Commission can more effectively ensure a consistent, coordinated, and effective relationship with the political parties. The following recommendations are offered in this context:

1. Long-term educational programs should be developed and implemented at all academic levels.

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2. Communication between parties and the IEC becomes a permanent responsibility of the IEC in ensuring the participation of all parties.

The experience of the 1999 elections will provide the most significant information that Democracy Development requires as it develops the strategic path for the IEC to follow in the coming years.

VII. INTERNATIONAL ASSISTANCE

South Africa's 1994 election saw scores of election experts flooding the country. In 1996 election experts were again sent to assist with the local government elections. Neither of these efforts resulted in any substantial transfer of skills to enable the South Africans to manage elections on their own without international assistance. The assessment team has received a number of verbal requests and suggestions from IEC staff regarding areas in which international donors might provide assistance. The IEC has already contacted international donors, made requests, and received responses. These requests fall into three broad categories:

- Support to IEC Programs Through the Funding of Local Organizations
- Monetary or Commodity Assistance
- Technical Assistance

A. IEC Programs and Local Organizations

The IEC has a number of programs that could benefit from international donor assistance. These programs center on voter education and programs to create a climate conducive to a free, fair and peaceful election. The Commission is working with international donors to identify local CSOs to implement much of its voter education program. Reportedly, the Commission's funds are limited in this area and assistance to these organizations would serve to bolster the Commission efforts.

In addition to the local CSOs that will be contracted to implement the IECs voter education program, the Commission will also certify CSOs to conduct voter education on their own and above and beyond the Commission's own efforts. Many of these CSOs are locally based in remote and rural areas. They have extensive reach at the grassroots level. Building the capacity of these CSOs, and funding some of their programs will not only contribute significantly to the voter education efforts of the IEC but also enhance the capacity of these small organizations to provide civic education to their communities between elections.

The Commission is also embarking on a number of initiatives involving CSOs that contribute to the development of an election environment that is conducive to a free, fair and peaceful election. While these plans are not as well formulated as those for voter education, the team recommends that the international community support these efforts.

As of 9 September 1998, countries that have thus far expressed an interest in the voter education area and the development of a conducive election environment are as follows:

Country	Interest
USA-USAID	Voter Education through grants Local CSOs

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Netherlands
Ireland

Voter Education
Voter Education through local CSOs

B. Monetary or Commodity Assistance

Monetary or commodity assistance to the IEC should be viewed as enhancing the ability of the Commission to fulfill its function. The government has demonstrated and continues to demonstrate substantial commitments to the process. The installation of the IECs internal communication system costs about 88 million rand alone according to newspaper reports. The international community may, therefore, want to consider targeting its assistance to particular programs rather than just a general donation to the IEC. Areas that the team has identified which are of particular concern are the democracy development programs of the IEC, voter education, and logistics support to local government entities supporting the election process. Assistance in these areas will have a more lasting impact than simply a general donation of money or commodities.

As of 9 September 1998, countries that have expressed providing monetary or commodity support to the IEC are:

Country	Interest
Japan	Equipment
Norway	Financial
Austria	Financial

C. Technical Assistance

Officials at the IEC have requested that donor assistance to the 1999 elections focus not only on the administration of a successful process but also contribute in a substantial way to building the capacity of the Commission to conduct future elections without assistance. The team is in wholehearted agreement with this approach. Targeted technical assistance that provides both support to the election process and results in a transfer of skills to South African counterparts provides the best value for the money.

The areas of greatest need are at the provincial and local level. This was the conclusion of the assessment team and all of the IEC and local officials with whom the team spoke. It is at the provincial and local levels where the elections will actually be administered in 1999 and in the future. The placing of Technical Resources Persons in selected locations throughout the country will significantly strengthen the capacity of the IEC. These individuals would serve as a technical resource at both the provincial and local level. They should be provided with basic transport to allow them to

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move around their areas assisting local election officials in reviewing and finalizing their plans for the election. Through this periodic mentoring process, provincial and local officials can learn by doing with the confidence that an expert is available to assist when necessary. The ideal technical resource person should be a qualified election administrator with experience in managing elections at the local level in difficult to reach and remote areas.

In a number of cases, technical assistance resulted in representatives of the international community simply running the election process. This was particularly prevalent in 1994, to a much lesser extent in 1996. Before a donor provides technical assistance, both the IEC and the prospective donor should be clear on the following:

- The scope of work of the technical resource person
- The type of skills required to perform the scope of work
- The duration of the technical assistance (beginning and ending dates)
- The skills to be transferred
- The responsibilities of the IEC in support of TRP activities
- The person or persons within the IEC that will be the recipient of the skills transfer
- The means by which the assistance will be evaluated to ensure that there is an effective use of resources and that the skills transfer is actually taking place.

It is unlikely that any one international donor can supply all of the technical assistance or technical resource persons that will be required. Coordination will be necessary to prevent duplication of effort and wasting of resources. The international community should also be cautious about placing technical resource persons in areas where the IEC has already employed consulting firms to provide expert advice. The number of consultants and consulting firms currently involved in the organization, planning and implementation of the election process is quite extensive. There already exists the concern that the consulting firms will sideline the staff in an attempt to resolve crises. The firms include:

KPMG	CPC International	Andersen Consulting	SHL
AfriCon KYS		GLOSS	Skills Embassy
XCEL	ABD&T	PQ Africa	BW
DDI Aims	Deloitte and Touche	Woodburn Hovy	

A well designed technical assistance package that is specific, measurable, achievable, realistic about what can and cannot be accomplished and timed to provide maximum support during critical planning and implementing periods can significantly enhance the capacity of the IEC to administer the election process in South Africa. As of 9 September the countries that have expressed interest in providing technical assistance to the IEC are:

Country	Interest
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Commonwealth	The Commonwealth has placed 3 technical persons in the areas of training, election management, and budgeting at the IEC's headquarters. The contracts for these individuals are due to expire in November. Future interest of the Commonwealth is in technical assistance at the provincial and local level
Cuba	General technical assistance depending on request
Canada	General technical assistance (likely training)
Britain	Technical assistance to the provinces and local level
AusAID	General technical assistance, most probably in vote tabulation and results distribution areas
Denmark	Technical expertise in the area of security
USA / USAID	Technical assistance at provincial and local level
Russia	Scholarships to study in Russia
United Nations	Voter Registration, Logistics, Procurement, Organization, Planning, Media and Communications

D. Recommendations

1. South Africa benefits from numerous organizations that specialize in training and information dissemination in diverse fields throughout the country. A number of organizations have indicated their interest in implementing civic education projects, but few of them have sufficient resources to provide services outside of their immediate area or province. The IEC should proceed with the accreditation of organizations as soon as possible, and facilitate connections between these organizations and the international community, so that education activities can begin soon after voter registration starts.
2. The Democracy Development Directorate will be coordinating a number of programs through Voter Ed before the 1999 elections, and will be developing concepts for long-term education after the elections. The IEC should seek funding from the international community for specific projects proposed by Democracy Development.
3. To ensure that the Commission retains administrative control over the consultation process, it should very clearly define the areas of technical assistance which are required prior to discussing these needs with members of the international community. This will guarantee that the Commission receives exactly the help which it seeks, and that technical assistance providers are well utilized.
4. The International Liaison Office should take the lead in coordination of the activities of the various donors, to ensure that all of the provinces, regions and areas of assistance are adequately covered without overlap.

VIII. RECOMMENDATIONS AND CONCLUSIONS

A. Summary of Recommendations

Electoral Law and Regulations

1. The Commission should adopt comprehensive implementing regulations as soon as practicable after the Elections Act is signed into law. Regulations should be detailed and written in plain language that is easy to understand; many of those who must read, interpret and implement the regulations have little understand of election law or practice and very few are attorneys.

2. The draft election bill provides that a person must register in the district where he or she is an "ordinary resident." Neither the law nor the notes provides a definition of this term. The Commission should define this term early in the process to avoid allegations of improper motive or influence and to provide the necessary guidance to voters before they arrive at the registration station.

3. The election bill provides that entries or amendments to the voter registration list may be made at the insistence of the CEO. To avoid allegations of bias, implementing regulations should spell out specific criteria for determining where such practice is appropriate and procedures for how it should occur.

4. Several decisions by officials in the voting process carry limited or no opportunity for appeal. That the Commission should be the final arbiter in instances when it is reviewing its own actions or those of its employee (who presumably are following its directives) is troubling. The Commission should request parliament to amend the law to provide for limited appeal outside the Commission to an independent arbiter, whether the Electoral Court or another body. Limiting appeal rights is egregious where the final decision rests with the presiding officer or counting officer at the station, as these tend to be lay people with limited elections or adjudicatory experience. This comment applies to the following:

Art. 13 – appeal of adverse registration decision to the Commission only. This requirement may prove difficult for the Commission. The Commission will need to establish a mechanism that facilitates the resolution of challenges to registrations and avoids the Commission rendering a decision in each case. There are likely to be challenges emanating from the registration process.

Art. 39 – objections to refusal of presiding officer to allow a person to vote are not appealable;

Art. 51 – objections to adverse counting decision by counting officer not appealable.

5. While clearly not required under the law, the Commission should promulgate regulations specifically allowing for absentee registration and voting in order to guarantee every citizen the right to vote, such as those in hospital, security personnel on duty on election day outside their "home" voting districts, persons held in prisons, or serving in the military.

Note: With the coming into force of the Electoral Act, the Commission is currently preparing regulations governing voter registration, voter education, political party conduct, and candidacies.

IEC Structure and Personnel

1. Management of voter registration and elections at the local level should be a simple process. The IEC's instructions to local election officials should be only as technical as the job requires.

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2. In service of its goal to become a professional election institution, the IEC should begin now to rely more on its own employees to plan, organize, and administer the election process and less on outside consultants.
3. As the IEC takes steps toward addressing the post-election 1999 period, plans should include the formal establishment of PEO offices as permanent branches of the Commission.
4. There is a need for a level of IEC office below that of the PEO. Whether that level is at the municipal level or at a higher level that incorporates a number of municipalities, or a combination of both, depends on the activities envisioned for the office. Experiences from other countries demonstrate the advantage of establishing some sort of local office to carry out between-election activities such as voter roll maintenance, voter and civic education, local political party development, liaison with local political party organs, creating an understanding in the public of their relationship to government and vice versa, and creating an overall environment that is conducive to free and fair elections. These important undertakings cannot be effectively carried out from a provincial office.
5. The IFES team's observation and recommendations are significantly limited. Key questions remain unanswered. Are the PEO offices to be made a permanent part of the Commission structure? Will local government officials continue to administer the election process at the local level, or will the Commission set up its own offices? Will the computers, copiers, printers and other equipment be left behind after 1999 for the use by local municipalities or removed and placed in storage by the Commission?

Delimitation

1. Despite plans by the IEC to establish mobile voter registration and mobile polling station units, these two terms do not appear in the manual provided to local officials. The local officials were required to establish fixed registration and polling station sites; the Pretoria staff has identified 1300 mobile sites. The local officials with whom the team spoke never realized that mobile facilities were an option which they could choose in addition to the fixed sites. This information should be communicated to the provincial level as soon as possible, to avoid the necessity of switching from fixed to mobile stations during the registration process.
2. In the instructions to the local officials, the IEC stated that polling station sites should be capable of processing 3000 voters in urban areas and 1200 voters in rural areas. It appears from our conversations with local officials that they are focusing on these numbers as the minimum number of voters that should be assigned to a voting district and polling station, whether or not these numbers meet the needs of the community. The IEC should consider local factors such as population density and the amount of time it usually takes voters to be processed in determining the number of polling stations. During an 8-hour period, approximately 1000 voters can be handled efficiently at most polling stations.
3. In addition, the registration and polling sites should be identified so as to minimize the distance that rural as well as urban voters must travel to get to them. Given the distances between remote villages all over South Africa, it is likely that some voters will have to walk up to 20 kilometers round trip to the stations.

Voter Registration

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1. Polling stations should be established to meet the needs and desires of the local community, even if this means increasing the number of polling stations and the collateral logistic headaches for the administrator. Whether a polling station has 1200 voters or 120 should depend on local community conditions.
2. The Commission should devolve significant authority to the Provincial Electoral Officers to manage the voter registration and election process at the local level. Election administration must be able to adapt to local conditions within certain boundaries if it is to be successful. The Provincial Officers are the persons best placed to manage the process with the confidence of the Commission and provide the necessary feedback to the Commission on conditions on the ground.
3. The Commission should provide for the registration of the elderly, the infirm, the disabled, prisoners, the military and all other classes of people who are unable to appear at a registration center in person. The Commission should also make provisions for these people to vote.
4. The procedures of creating mobile registration centers and door-to-door registration need to be clarified with PEOs and LEOs.
5. The Commission should begin immediately to define the registration (and voter register maintenance) process after 1999. The voter registration system as currently designed is a stand-alone system useful for only the 1999 election. If the Commission wishes to avoid an expensive re-registration process each time there is an election, it must establish a process by which new registrations can be included on the voter roll as persons become of age, dead voters are removed, and people who move are registered at their new addresses.
6. The requirement that applicants for registration will be asked to complete the registration form should be abandoned. Recent newspaper reports state that up to 15 million South Africans are functionally illiterate. Experience from other countries demonstrates that registration will proceed much faster (and result in clear, consistently completed forms) if voter registrars fill out the forms for the applicant by interviewing him or her.
7. The Commission must decide whether the forms will be organized alphabetically, by address, or by ID number. The registration plan does not specify the method. One of the allegations made in 1994 which contributed to the consensus on the need for a detailed voter roll was that individuals were bussed into KwaZulu-Natal to affect the outcome of the election in that province. Parties need to be able to verify that supporters in a particular area are registered. This is almost impossible with a mere list of names. In addition, the electoral bill requires the Commission to provide copies of the voter roll to parties for a cost. Every person with whom the team spoke in the provinces was of the opinion that the political parties would, in the end and despite their current agreement with the IEC, demand that the addresses be included on the register.

Polling Station Personnel

1. The number of polling stations and the number of polling station staff. It may be too late in the process to materially improve this process since the voting district delimitation and polling station location processes are almost complete. However, the team does note that the number of people assigned to manage the polling stations ranges from 14 in rural areas to 25 in urban areas. This easily represents the largest size per station polling staff in the world. Most countries staff polling stations with 4 or 5 people. This includes a presiding officer, a person to check the name on the register, a person to apply electoral stain (if applicable) and a person to hand out the ballot and instruct the voter. Liberia recently conducted an election with only two people in each station. The reason so few staff are needed (in comparison to South Africa)

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is that the number of voters assigned to each polling station is much smaller than that in South Africa. In Ethiopia, for example, where the voting age population comparable to South Africa's, the election authority establishes more than 30,000 polling stations. Ghana, with less than half the voting age population of South Africa, has more than 20,000 polling stations. Even if the Commission is unable to increase the number of polling stations and staff each with a smaller number of people, it should consider eliminating some of the positions in the current set up. These include:

- a. *The voter roll caller.* The person who checks the name off the voter roll can call out the name of the voter as happens in other countries.
3. *The statistician.* At the end of the day it should be possible to simply count the number of names crossed off the register to determine the number of voters who voted. According to what the team was told, the zip zip machine performs the same function; once its information is downloaded into the database, statistics can be produced on the gender and age of voters for research purposes.
4. *Special Assistants.* The Presiding Officer and the Deputy Presiding Officer have no other duties during the day than to supervise the process and assist disabled, illiterate and infirm voters in the voting process.
- b. *Voting Booth Controller.* If the door controller is doing a proper job of letting no more people in the polling station than can smoothly be processed, there should be no need for a voting booth controller.
- c. *Ballot Box Controller.* Only valid ballots count toward the final tally. At the time of the count, the counting officer sorts through the ballots in the box, discarding those which are invalid. This process eliminates the need for a person to ensure that only valid ballots are cast in the ballot box.
- d. *Exit Controller.* A well-organized polling station does not really need an exit controller. The flow of traffic through the station should guide the voter step by step through the process and out the door after dropping the ballot into the box.
- e. *Queue Walkers.* The door controller should be able to spot elderly people as they show up at the polling station. In other countries, where queue walkers do not exist, the public, as a matter of courtesy, ushers elderly and infirm voters to the front of the queue.

In addition to paying this amount of staff on Election Day, the IEC should consider the amount of money it must expend to train them to walk a queue, call out a name, count the number of voters or show someone out the door. Personnel costs are one of the major expenses in the election process.

2. **Election Day Security.** Given the desire of the Chief Electoral Officer that conditions exist such that the need for security at every polling station not be necessary, it is difficult to see how the goal will be accomplished with up to 3,000 people at a polling station. Security may be needed to assist with crowd control alone. Depending on the needs of a particular area, the Commission should consider working with the security agencies to establish discreet mobile security units on Election Day. Each polling station will have a telephone. The proper planning of mobile units and the use of the telephones in case of trouble should virtually eliminate the need for on-site security except in potentially volatile areas.

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3. Vote Count Security. The plan to lock officials and party agents in the polling station for the counting of the votes should be reviewed. The team respects the Commission's desire that there be no premature release of election results. However, with the pervasive use of cellular telephones in South Africa, a simple call from the polling station will defeat the purpose of locking the door. It is also unclear how the plan will be enforced without security in each polling station and criminal penalties for violating the rule. The team also notes the language of Section 48 of the Electoral Bill. It states inter alia that "the counting officer must announce the provisional result at the voting station to members of the public and agents present at the voting station." (emphasis added). This phrase places the party agents on the same footing as the public for the receipt of the results and will apparently make it illegal for the counting officer to allow party agents, who presumably are locked in the polling station with the counting officer, to know the results of the count before releasing them to the public on the outside. The team is not sure that this is what the law implies.

Training

1. Given the short time remaining before the start of voter registration, the Commission needs to act quickly to get the recruitment and training process underway. In order to train the largest possible number of people, a training approach which integrates the skills of international and South African trainers/election administrators will result in an effective implementation of the program.
2. The Commission should review the qualification requirements for registration and polling station staff. Given the remoteness of some areas, it may not be possible to recruit sufficient staff with the required qualifications. In most instances a teacher or a person who has similar qualifications as a teacher can be employed.
3. Training materials should be simple and written in plain language. They should not contain extra information that detracts from the duties of the individuals. Instructions should be short and to the point. Long manuals are unlikely to be read by the election staff. Materials should contain as many graphic depictions of the process as possible.
4. In view of the long-term objective of developing a curriculum to be used to prepare trainees for certification under the South African Qualification Act, the materials used for training in the registration period should be pilot-tested for further refinement during the 1999 election process. With the materials and a training program in hand, the IEC can approach the South African Qualification Board for certification, if not prior to then following the elections.

Voter Education

1. Close cooperation between the Voter Education and Democracy Development, Party Liaison, and Communications' overall programs will develop internal IEC capacity for 1999 and beyond.
2. The South African communications infrastructure is well developed and includes state-of-the-art equipment, which the IEC intends to utilize in most of its voter education activities. The majority of South Africans have no access to that infrastructure, and do not rely on it to obtain information. Appropriate tools and accessible methods such as community meeting and village gatherings will significantly increase the probability that a majority of the eligible electorate will receive the information that they need and deserve.

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Political Parties

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International Assistance

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4. The International Liaison Office should take the lead in coordination of the activities of the various donors, to ensure that all of the provinces, regions and areas of assistance are adequately covered without overlap.

B. Conclusions

At the time of this writing, a number of issues cited in this report were acted upon within weeks of the team's departure from South Africa. For example, the voter registration period has been amended to take place in all sites during a three-

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day period at the end of November. A group of trainers, including South African and international election officials, will be implementing a project to train the registration workers throughout the month of November. In addition, recent news reports indicate an initial discussion on the manner in which ballots will be counted and the results announced in KwaZulu-Natal province - a debate which will include opinions contributed from every province. Furthermore, the IEC is coordinating the opening of provincial election offices with the ongoing ID card campaign, thus raising the profile of the coming election process and the organization's ability to effectively manage it. The IFES team recognizes and commends these efforts on the part of the IEC. The team encourages the IEC to take advantage of the international and regional expertise which will be available through early December by presenting its strategic plans for the various directorates, discussing them with the experts and soliciting their opinions. The IEC will continue to negotiate with the international community regarding the level and type of assistance to be provided, and is in an appropriate position at this moment to shape that assistance and ensure that it receives the services it needs.

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