

Date Printed: 11/06/2008

JTS Box Number: IFES_12

Tab Number: 1

Document Title: South Africa: Technical Assistance Report

Document Date: 1994

Document Country: South Africa

IFES ID: R01880



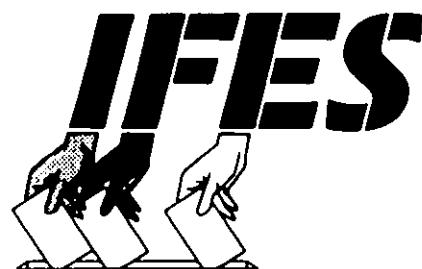
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**TECHNICAL
ASSISTANCE REPORT**

SOUTH AFRICA

November 1994

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INTERNATIONAL FOUNDATION FOR ELECTORAL SYSTEMS



International Foundation for Electoral Systems

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**IFES TECHNICAL ASSISTANCE
TO SOUTH AFRICA'S INDEPENDENT
ELECTORAL COMMISSION**

**National and Provincial
Elections
April 26-28, 1994**

Report Prepared By:

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**IFES Senior Program Officer
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Executive Summary

South African citizens officially signaled the beginning of post-apartheid South Africa with the conduct of national and provincial elections between April 26th and 28th, 1994. At the request of the South African Independent Electoral Commission, and with the financial support of USAID South Africa, the International Foundation for Electoral Systems (IFES) provided technical assistance to the administrators of these elections. By early April, IFES had assembled a thirteen-member team of specialists in a variety of fields. The mission, although organized and sent into the field late in the process, was effective in providing much-needed advice and oversight to the Independent Electoral Commission (IEC).

The IFES consultants were assigned to both the IEC's administration and monitoring directorates. Through their presence in almost all areas of the IEC, the team served as an informal information network, successfully opening lines of communication where they previously did not exist. The sheer bulk of work facing the IEC, combined with the relative inexperience of many IEC employees, hampered regular communication between directorates and divisions. As a result, the first IFES team members arrived in Johannesburg in mid-March to discover a high level of confusion and wasted effort. Pressurizing this pre-electoral environment was the pervasive fear of political violence and massive civil unrest. Some IEC divisions were more organized than others. These groups assumed control of the operations of the elections mid-way through the voting period.

The world is aware of the outcome of those confusing but joyous voting days. Voters turned out in vast numbers, and in the face of long lines, poor logistical support, and heat and rain, waited patiently--and peacefully--to cast their ballots. Procedurally, the election did have its shortcomings. However, the effort and dedication exhibited by the voters and by most of the South Africans working for the IEC personified the people's desire for a change in government and for a greater role in that government.

This report presents an overview of IFES' activities throughout the elections. Each team member prepared an activity report at the end of his or her contract. Those reports included suggestions for future elections. The consultants' submissions are summarized in this document. The appendices include technical election information, election results, and each of the consultant's reports in its entirety.

It is hoped that this report, along with those submitted by the other international and domestic groups who were present during the electoral period, and those produced by the IEC, will serve as an institutional memory of the elections. This background will be an invaluable road map for the preparation of future South African elections. IFES is honored to have had the opportunity to participate in the preparation and implementation of this pivotal event. The Foundation is eager to build on its new relationship with South Africa through providing assistance with the evaluation of the April 1994 elections and with the preparation of the upcoming local government elections.

I. Introduction

South Africans traveled a long sinuous road to arrive at the point of organizing the nation's first non-racial multi-party elections in its 342-year history. Between April 26-28, 1994, over 19.5 million South Africans cast their ballots, celebrating the culmination of years of negotiations and political violence. Over twelve thousand lives had been lost to political violence since the government's decision to allow previously banned political organizations to resume their activities on February 2, 1990, followed one week later by African National Congress leader Nelson Mandela's release from prison on February 11, 1990.

South African's anxiety increased tangibly over the three months leading up to the elections as certain political, ethnic, and civic affiliations signalled their determination not to participate in the scheduled national and parliamentary elections. These same groups warned that they would also disrupt the process for those who chose to participate. Dramatic anti-government protests in Bophuthatswana during early March culminated in the ouster of President Mangope by the Transitional Executive Council. The supportive reaction of the South African population-at-large to these events revealed the intensity of their determination to participate in multi-party elections.

In an attempt to reverse the increase in political violence in KwaZulu/Natal, a state of emergency was declared by State President F.W. de Klerk on March 31, 1994. The declaration was supported by the Transitional Executive Council. Regardless, the rate of violent incidents and politically-related death continued to climb across the nation during the month of April. Inkatha Freedom Party leader Chief Mangosuthu Buthelezi's announcement on April 19th that the IFP would participate in the elections gave the election administrators and the voting public much needed confidence that the elections would pass peacefully, yielding a representative outcome acceptable to a majority of South Africans. A noticeable drop in politically-related incidents followed the announcement. The widespread political violence anticipated during the election days by domestic and international groups did not occur. The newly elected government of national unity is mandated to remain in power until the national elections scheduled for 1999.

The International Foundation for Electoral Systems (IFES) was honored to be accorded the opportunity to participate in South Africa's first non-racial multiparty elections. The international community and a majority of South Africans heralded the outcome of this historic event. South African voters and the nation's civic, religious, and political leadership worked together to insure an election markedly absent of the violence long-anticipated by those inside and outside of South Africa. The mobilization of domestic and international groups in support of the electoral process was overwhelming. The Independent Electoral Commission was faced with the task of maximizing these resources--within a four month time span--to establish the format for the elections, create an international infrastructure, and implement the electoral process.

IFES received a grant from USAID/Pretoria for the provision of technical assistance to South Africa's Independent Electoral Commission (IEC). Using this funding, IFES assembled and managed a team of thirteen international and South African technical consultants working in the areas of election administration logistics, information technology, election monitoring logistics, telecommunications, poll worker training and election management, and information analysis.

Due to its late arrival, the IFES team did not participate in the initial phase of the election planning. In most cases, team members were asked by the IEC to evaluate and troubleshoot ongoing activities within their assigned divisions. Many of the suggestions and the recommendations put forth by the team were implemented. As the election days neared, the magnitude of the work facing the IEC necessitated that the IFES consultants assume active managerial roles.

II. Transitional Institutions

The South African Government's decision to allow previously banned political organizations to resume their activities, coupled with Nelson Mandela's February 1990 release from prison, initiated a series of meetings and negotiations. This initial period of change was highlighted by the Convention for a Democratic South Africa (CODESA) and CODESA2 in 1991 and 1992. Failing to come to agreement as to the format for a democratic transition during the CODESA talks, the political parties and the government ceased to pursue formal negotiations for a period of time. Discussions resumed in early 1993 in the form of the Multi-Party Negotiating Process at the World Trade Centre in Johannesburg's Kempton Park. The Multi-Party Negotiations succeeded in the establishment of four working commissions to shepherd South Africa's transition to multi-party democracy. These institutions, empowered by Parliament on September 23 and 24, 1993, were known as: the Transitional Executive Council, the Independent Media Commission, the Independent Broadcasting Authority, and the Independent Electoral Commission.

Negotiations continued in order to reach final agreements on the content of an interim constitution and an electoral law, as well as the repeal of remaining apartheid laws. The agreements reached in mid-November 1993 outlined the two phases of South Africa's democratic transition:

Phase I : Transitional Executive Council supervision of the branches of the government capable of affecting the state of the electoral "playing field"; and

Phase II: Popular election of a Constituent Assembly responsible during its first two years for finalizing the constitution while serving as South Africa's parliament. This group would continue to serve as the nation's parliament until the next national elections scheduled for 1999.

A. Transitional Executive Council (TEC)

Established by the Transitional Executive Council Act of 1993, the TEC worked with the existing government of the Republic of South Africa to ensure a smooth and equitable transition to multi-party participatory democracy. In particular, the TEC focused on insuring a "level playing field" for the elections. The membership of the TEC was composed of representatives of the political parties and organizations involved in the Kempton Park negotiations. Also involved were representatives of the RSA government, and of the "homelands" of Transkei, Bophuthatswana, Venda, and Ciskei (known as the "TBVC states") that officially acknowledged the contents of the four acts creating the four transitional bodies.

B. Independent Broadcast Authority / Independent Media Commission (IBA/IMC)

Responsible for the regulation of the electronic media, the IBA was mandated to maintain equality of media ownership and set regulations for licensing for media formats targeted at the general public. Through the Act, the IBA was to provide a wide range of educational, informational programming for all ethnic and economic groups in urban and rural South Africa. The IBA was to remain free of influence from the state, the government, or any political affiliation.

The IMC was a wholly independent commission responsible for insuring equal treatment of all of the political parties and the candidates by the South African electronic and print media during the electoral period. State-supported information services were reviewed by the IMC to check that their election programming was apolitical and targeted solely at the education of the population to prepare them for the coming election. The commission possessed the authority to hear complaints and issue fines.

C. Independent Electoral Commission (IEC)

South Africa's Independent Electoral Commission was created by the Independent Electoral Commission Act (IECA) promulgated in October of 1993. (Appendix A.) "No fewer than seven and not more than eleven" South African commissioners were to be appointed by the State President on the advice of the Transitional Council. In addition, the Transitional Council was accorded the right to advise the State President on the appointment of no more than five members from the international community. The international members, apart from being non-voting participants, were accorded the same powers and responsibilities as the South African commissioners.

The working body of the commission was structured within three primary directorates: administration, monitoring, and adjudication. The housing of the body responsible for the preparation and implementation of the electoral process under the same roof as that charged with

the oversight of the entire process created an interesting dynamic never before encountered by the numerous international election specialists present in South Africa.

III. The Independent Electoral Commission

In initial discussions between the political parties, the role of an electoral commission was intended to be limited to the verification of the transparency of the election process administered by the South African government's Department of Home Affairs. Home Affairs' role in the process was challenged during the multiparty negotiations as favoring the existing government. Negotiation of the Independent Electoral Commission Act resulted in an expanded mandate for the IEC. The commission's role would include not only monitoring, but administrative and adjudicative responsibilities as well. Through broadening the IEC's powers, it was hoped that Home Affairs' lead role in the process would be neutralized.

The members of the commission were appointed by the State President on the advice of the TEC. (Appendix D.) There were eleven South African commissioners. A unique component of this commission was the inclusion of positions for five non-voting commissioners representing the international community. The IECA (s.5(1)) required that the commissioners be "impartial, respected, and suitably qualified men and women, who do not have a high party profile, are themselves voters, and represent a broad cross-section of the population."

The IEC's primary objectives (IECA s.4(2)) were:

- (a) to administer, organize, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution;
- (b) to promote conditions conducive to free and fair elections;
- (c) to determine and certify the results of elections and to certify to what extent such elections have been free and fair;
- (d) to conduct voter education; and
- (e) to make and enforce regulations for the achievement of such objects.

The IECA specified the commission's primary "deliverable," a judgement of whether or not the electoral process was certifiably free and fair (IECA s.18).

18. Upon completion of the ballot, the Commission shall as expeditiously as possible, but not sooner than two days and not later than 10 days after the close of the poll-
- (a) determine and certify the results of the election; and

- (b) either certify in respect of the National Assembly and each other legislature that the election was substantially free and fair; and
- (c) declare that it was unable to certify it as such.

A. IEC Directorates and Divisions

IEC operations were divided between three directorates: the Election Administration Directorate (EAD), the Election Monitoring Directorate (EMD), and the Election Adjudication Secretariat. The administrative structures of the directorates were determined by the Commissioners based on the responsibilities of each group.

Under the leadership of the Chief Director and two Deputy Directors, the EAD was responsible for preparing and administering the election. The directorate focused on the selection of voting and counting stations; the appointment of voting officers; the procurement and the nationwide distribution of election materials; the training of election officials; and the management of the voting and counting processes. The EAD enjoyed considerable autonomy in the design and establishment of election procedures and operational regulations.

The EMD monitored the activities of the EAD at all levels, reporting organizational irregularities or campaign violations to the Chief Director of Monitoring. Political party violations of the Electoral Code of Conduct for Political Parties were reported by the EMD, who also assisted in the mediation of inter-party disputes. The registration and oversight of domestic and international election observers was ultimately the EMD's responsibility.

The Election Adjudication Secretariat coordinated a three-tier mechanism for the resolution of procedural disputes: Electoral Tribunals, Electoral Appeal Tribunals, and the Special Electoral Court.

B. The Commission's Work

The electoral commission began work in January of 1994. IEC offices were set up outside of central Johannesburg in the World Trade Center, the site of the Multi-Party Negotiations. Within a month it was apparent that the facility was too small to house the rapidly expanding IEC. In addition, the WTC was difficult to access via public transportation and complex to secure. Immediately prior to IFES' March arrival, the IEC relocated to a nine-story building at 41 Kruis Street in central Johannesburg.

The organization of an election for an estimated twenty-seven million mostly first-time voters requires comprehensive logistics planning. Earlier segregated elections managed by the Department of Home Affairs targeted a voting population roughly one-tenth that size with a literacy rate of over 90%. Most of the voters allowed to participate in those past contests resided

in areas already serviced by South Africa's communications, transportation, education, and social services infrastructure. As a result, logistical support of those elections had been relatively straight forward.

Multi-racial elections necessitated the extension of the election infrastructure into both the most sparsely populated corners of this vast country and into the densely populated townships surrounding Cape Town, Durbin, and Johannesburg. The average literacy rate of the voting population qualified to participate in the April elections was estimated at 62%. The demographics of the voting population, plus the complexity of the electoral system to be implemented, insured that the 1994 elections would be a learning process for all involved.

1. Staffing

The IEC estimated that between 250,000 and 300,000 individuals would be necessary to fill positions at the national, provincial, sub-provincial, district, voting, and counting station levels. Identifying skilled, non-partisan individuals for each of these positions was impossible. Regardless of the exclusive nature South Africa's past elections, the IEC could not ignore the existence of the Home Affairs cadre at each administrative level with previous election administration experience. The quality of the elections administration varied between directorates and from province to province. The more successful administrators established selection criteria that they followed for the identification and contracting of all personnel. (Appendix E.)

The IFES consultants heard allegations that certain staffing operations were dominated by nepotism and political favoritism. Although it was difficult, if not impossible, for the consultants to verify these rumors, the team members could identify individuals in their respective divisions who were clearly not the best people for the job.

IFES consultants encountered or worked directly with many IEC staff members who were "on loan" from Home Affairs and other branches of the South African government. Some of these individuals made a positive contribution to the electoral process. However, many of the active or retired bureaucrats were incapable or unwilling to accept the multi-racial aspect of the April 26-28 elections. This lack of understanding--or of the will to understand--the demographics of the South African electorate resulted in election practices and procedures serving to disenfranchise members of the electorate. This negative dynamic impacted many areas, including in the provision of Temporary Voters Cards to potential voters; in the design of the voting and counting procedures; in the handling of inaccurate information and rumor concerning the electoral process; and in the area coverage and presentation formats of voter and civic education. IFES team members reported instances where local level administrators refused all assistance and suggestions outright, insisting that they knew how to run an election. However, these same team members were besieged by requests for information and general questions posed by others working in the same office.

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By April, individual commissioners were assigned oversight of specific provinces in an effort to improve communication between the provinces and IEC headquarters. On their visits to their respective zones, each commissioner was asked to complete a copy of the "Commissioner's Checklist." (Appendix F.) The document was designed to provide an indication of the level of preparedness in the provinces. Unfortunately, given the number of demands placed upon them during their visits, the commissioners were forced to leave large sections of these forms incomplete or to fill them out rapidly, with no attention to facts and figures. On occasion, the form was left with the provincial authorities for completion. By the time that completed forms were received in Johannesburg, there was little time in which to respond to needs and problems.

In an attempt to correct for some of the administrative and technical shortcomings noted on the forms or passed on directly to the commissioners, two and three-person teams were sent into each province the week before the election. These teams were empowered to resolve conflicts on the spot, or to contact commissioners and directorate heads directly to clear up problems. This effort was successful in all of the provinces, however, it was too little too late. IFES was represented on the team travelling through the Western Cape. During the field visit, IFES noted how confused communications had been between the national, provincial, subprovincial, and district IEC representatives. However, it was equally impressive in the Western Cape to note the resourcefulness of many of the election administrators and members of the monitoring and the administration directorates in solving their own problems.

2. Local and International Technical Assistance

A wide variety of South African organizations were actively involved in all aspects of civic education and voters information, encouraging open discussion and debate over the roles and responsibilities of all the actors in the electoral process; informing the population of what to expect from the election--and what not to expect; and preparing citizens for the actual act of casting a ballot for the candidate of their choice in one of the nation's over 9,000 planned voting stations. Other South African groups provided legal aid, monitored the political campaign period, and offered their services as intermediaries in the resolution of disputes.

Supporting the activities of the IEC, independent local groups, and the political parties, were international organizations and foreign governments offering financial, human, and material assistance. Numerous United States NGO's operated throughout the nine provinces. Multi-lateral assistance was provided by the Commonwealth Observer Mission to South Africa (COMSA) and the United Nations Observer Mission in South Africa (UNOMSA), the European Union Election Unit, and the Organization for African Unity Observer Mission.

The Foundation's organizational flexibility, its database of technical consultants, its proven technical track record, and its ability to respond rapidly and efficiently to requests for human and material resources made it well-suited to respond to the gaps in the international and domestic

assistance already available to the IEC. In addition, IFES had no previous involvement in South Africa, enhancing its neutral status in the eyes of the South Africans. These qualities made IFES attractive to the IEC and to USAID. IFES was able to respond to the IEC's last-minute requests for consultants with the broad experience to serve as general system evaluators and troubleshooters, and with the capacity to offer hands-on technical assistance.

C. Post Election

As mentioned above, the IEC's primary "deliverable" was the tabulation of the final results and the issuance of a certification as to "what extent...(the)...elections have been free and fair." The IEC, led by the Analysis Department, studied a range of international criteria for elections evaluation, and then applied those criteria to the South African situation.

The April election was categorized by the Analysis Department as a "founding election," an election to create a new system of representation and governance for South Africa, versus an election to simply elect a new set of national and provincial leaders. Based on this reality, analysis of the elections was designed around two assumptions; 1) The election was not administered by experienced administrators, thus administrative shortcomings were unavoidable. 2) The election was a watershed event, coming at the end of a long period of violent and deeply divisive social conflict. Observance of the rules of conduct of the political parties was not guaranteed, although they existed on paper. The South African population's lack of experience with multi-party politics created the potential that one or more groups would not accept the election results. As a post-conflict event, the electoral period was sure to initiate conflict between groups. Therefore, those analyzing the election set out to determine if conflict, coercion, and administrative shortcomings "materially affected" the outcome of the process.

Based on their research and discussions, the IEC established twelve principles to guide their election analysis. The Analysis Department, with the information and data gathered by the EMD's National Operations Center and other domestic and international monitors, performed an election analysis for the commissioners. The twelve principles served as the framework for their report, which was provided to the commissioners to aid them in their deliberations on the overall acceptability of the election process.

- | | |
|--------------------|-----------------------------------------------------------------------------------------------------------------------|
| <i>Principle 1</i> | Freedom of association, the right to form political parties and to register for the election as a voter or candidate. |
| <i>Principle 2</i> | Freedom of expression--for voters, parties, candidates and the media. |
| <i>Principle 3</i> | Freedom of assembly--the right to campaign and to hold political rallies. |

<i>Principle 4</i>	Freedom to question and debate the political parties and to register complaints.
<i>Principle 5</i>	Freedom of voters to vote in secret, free from violence and coercion.
<i>Principle 6</i>	Freedom of access to secure voting stations for voters, party agents, election monitors and observers.
<i>Principle 7</i>	An independent electoral organization to administer the electoral process with sufficient and resources to do so.
<i>Principle 8</i>	Guaranteed rights and protection under the constitution and electoral legislation and regulations.
<i>Principle 9</i>	Equitable treatment of the electorate, political parties and candidates by the electoral officials, the government, police and the judiciary.
<i>Principle 10</i>	Equitable opportunity for voters to receive political and voter information.
<i>Principle 11</i>	An outcome which accurately reflects the ballots cast by eligible voters only.
<i>Principle 12</i>	An election process and outcome that is accepted by all voters and parties as an accurate reflection of the will of the electorate.

Justice Kriegler announced the IEC's certification of the election results on May 6, 1994.

...The election we offered to the people of our country was admittedly flawed in many ways, but that is peripheral--some 20 million people of this land were granted the opportunity of a say in our future government. They have spoken and, notwithstanding manifold difficulties, the Commission is proud to be able to announce the results.

More significantly, we have concluded that we can certify each of the ten elections concerned to have been substantially free and fair. This we are able to do despite the large number of objections and complaints from various political parties....

(*Excerpt: Announcement of Certification and the Results of the 1994 South African Election, Friday, 6 May 1994, IEC Media Centre, Gallagher Estate, Midrand.*)

IV. IFES Program Development

General discussions between IFES, USAID, and the IEC of pending IEC technical needs began in late 1993. IFES received periodic updates on the Commission's evolving needs from the Commission, USAID/Pretoria, and representatives of the United Nations and staffers of other U.S. NGOs. In early January 1994 the commissioners indicated preliminary interest in the following types of specialists:

1. Advisor to the commission on election systems and organization with previous electoral experience in Africa.
2. Advisor to the commission on the monitoring of elections.
3. Technical specialist to advise in the positioning of polling stations using demographic data, infrastructure information, and other means to forecast potential voter turnouts nationwide.

USAID and the IEC developed rough position descriptions for technical consultants, forwarding them to IFES. The Foundation responded, sending a selection of resumes of potential candidates for the IEC's review. After several exchanges of job descriptions and potential consultants' resumes, the list of IEC technical requirements had grown to include the following:

1. logistics specialist;
2. separate logistics specialist to address transportation and other program development requirements;
3. telecommunications specialist;
4. general election specialist;
5. voter education specialist(s);
6. media specialist;
7. aerial photography/photogrammetry and remote sensing specialist;
8. information technology specialist;
9. assessments and evaluations as may be needed during and following the election; and
10. other technical requirements that will be identified to address specific problems and concerns.

IFES and USAID agreed that there was a need for a permanent IFES presence in Johannesburg. USAID officials did not have time nor the available staff to accurately assess IEC needs, shepherd the sample resumes through the IEC system, and communicate with IFES in a timely manner.

A. The Grant Agreement

Lengthy negotiations between USAID and the IEC's International Liaison Office (ILO) yielded a project design meeting both parties' criteria. The technical assistance request's broad scope and the deadline-driven timing created a challenging initiative for the Foundation. The grant proposal was approved by the IEC and signed by USAID and IFES during the second week of March, six weeks before the April 26-28 national and provincial elections. USAID provided a total of \$1 million for technical support of the Independent Electoral Commission. IFES was accorded a direct grant of \$747,000. The balance of the \$1 million, \$253,000, was issued as a "companion grant" to the ILO to allow the IEC to cover the support costs for the IFES grant and for additional international assistance. Office supplies, photocopying, and local and international telephone and fax charges were to be absorbed by the "companion grant."

...The Grant with the IEC will provide for local support costs, local technical support and support related to the IFES Grant, an administrative and management unit, local travel costs and incidental equipment, and materials requirements for the technical specialists. The management unit will provide administrative back-up, secretarial and office support for IFES and other consultants, ensure that USAID/South Africa Grant procedures and other financial arrangements are followed and process on behalf of the IEC all documentation related to and in support of the Grant. The majority of the technical support to the IEC will be provided through the Grant to the International Foundation for Electoral Systems.

...The technical assistance to be provided under this Grant will be supported and managed by the IEC. The IEC will develop a management and administrative unit to be supported under a separate companion grant to assist with the identification, coordination, administration, and management of technical requirements under the Grant. IFES will assist the management unit, account for the Grant funds and process payment to USAID for technical specialist services. This management unit will also assist the IEC to facilitate the arrival, coordinate and engage the technical specialists required by the IEC.

...It is expected that the management planning unit will collect and compile the data necessary for [the final report] and will assist IFES in the drafting of this and other reports as required under the Grant.

The IEC will require and recruit technical assistance from the following sources under this Grant:

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1. international election specialists and other technical specialists from the United States and other specialists from developing world countries excluding Code 935 or Developing World Countries;
2. local technical specialists in collaborative roles with outside specialists; and
3. technical specialists from other developing world countries.

(Excerpts: Grant Agreement between USAID/South Africa and IFES, March, 1994)

Drawing on the "companion grant" to supplement the IFES portion of the grant in financing the participation of South African consultants and for consultants from developing nations proved problematic. The ILO administrators were unfamiliar with USAID's grant mechanism. ILO staffers who were interested in utilizing the funds to support the electoral process were blocked by the ILO's fractious internal politics. IFES repeatedly offered to assist the IEC and the ILO in any way that would facilitate the electoral process. For instance, IFES paid for the transport of three international observers. This expense should have been paid by the ILO through their "companion grant". However, their grant was available to them only in South African Rand. The observers' travel agency set the airline ticket price in South African Rand at three times the U.S. dollar price. Due to this "local currency penalty," IFES agreed to pay for the tickets.

B. Consultant Selection

Following the mid-March signing of the Grant Agreement, IFES Senior Program Officer for Africa and the Near East, Thomas Bayer, travelled to Johannesburg. Mr. Bayer's primary responsibility was to assist the IEC in the selection of the appropriate consultants to meet their wide-ranging needs. In order to do this, he first worked to develop and expand the IFES-ILO relationship.

Within one week, it was apparent that the ILO's "international consultant clearing house" role created a loop of unnecessary bureaucracy for IFES. The information being provided to IFES by the ILO was incomplete. This information filtering was not intentional, but due to the limited experience of the ILO staff in election organization and general needs assessment. This situation was of special concern in regard to the logistician position that IFES had been asked to fill previous to Mr. Bayer's arrival in South Africa. The resume of the consultant selected had never been submitted to the IEC deputy director who was to supervise the consultant's activities. Mr. Bayer initiated immediate damage control in order to insure that the consultant, already preparing for his departure, would arrive to a semi-organized situation.

Facing limited time before the election and the pressure of the IEC's expanding needs, Mr. Bayer submitted a request to the ILO Director, Dr. Ellen Kornegay, for a series of meetings with the IEC election commissioners and directorate and division heads. There was no action on this

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request by Dr. Kornegay or her staff to set up these meetings. According to Dr. Kornegay, IFES was to submit resumes to her office to be distributed by her staff to the appropriate IEC staff for consideration.

Mr. Bayer unilaterally initiated a series of meetings with some of the election commissioners, and with the directorate and division heads. During these meetings it became evident that the ILO had not been circulating the resumes that IFES had previously sent to the IEC from Washington. Key decision-makers had not been consulted about their needs nor had they been informed of the pending collaboration with IFES.

The IFES representative made the decision to circumvent the ILO as the principle point of interaction with the IEC. A summary memo was provided to the ILO after all project-related meetings between IFES and the IEC. This approach did not have any apparent adverse effects on the IFES/ILO relationship. More importantly, it improved the relations between IFES and the IEC. It was clear to the IFES representative and to the first team members to arrive in country that many within the IEC regarded international consultants, especially Americans, with some suspicion. Assuming a proactive and visible role within the commission helped to reduce these feelings.

Packets of resumes of available consultants for all positions requested by EAD and EMD were prepared by IFES and submitted to: the EAD Deputy Directors, Yunus Mohamed and Tshinga Madiba; the Chief Director of EMD, Peter Harris; the Director of Telecommunications Division (Telecom), Willem Ellis; and the Director of the Information Technology Division (IT), Daniel Masiane. Resume packets were provided to the commissioners responsible for the oversight of the technical aspects of the election process (the work of EAD and EMD)--Commissioners van der Ross, Elklin, and Gould. Another set of copies was delivered to the IEC Chief Executive Officer, Dr. Renosi Mokate and to Dr. Kornegay.

The selection of the appropriate consultant was made by the division directors. However, their choice(s) had to meet with the approval of the EAD deputies and the commissioners. Once an approval was obtained, IFES/Washington finalized the consultant's contract and travel arrangements. Country clearance was provided by USAID/Pretoria Project Supervisor Dennis Wendel and the consultant was on his or her way to Johannesburg. Local hires were contracted by IFES/Washington.

Working with the appropriate IEC officials and IFES/Washington, nine consultants were identified and contracted who were available for immediate travel to South Africa. The first of the international consultants arrived in South Africa within one week of the IFES representative's arrival. IFES encouraged the IEC to hire locally when possible to reduce overhead costs and to

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void passing over qualified South Africans in favor of international consultants. With the support of USAID/South Africa and IFES headquarters, three local information technology experts joined the IFES team.

The IEC/ILO management planning unit was never established. IFES assumed the responsibilities that had been designated in the Grant Agreement as the task of the management unit to be established within the ILO. Mr. Bayer prepared the appropriate IEC officials for the consultant(s)' arrival, scheduled airport pick-ups, reserved lodging, and organized briefings and debriefings for the team members. In addition, he tracked expenditures and maintained the petty cash for the program. The ILO was kept informed of IFES' activities and the location of IFES consultants. Beyond managing the team members, Mr. Bayer, with the support of IFES/Washington, provided technical election assistance to the commissioners and to the directorate and division heads as requested.

V. Project Activities

IFES assistance was requested by most of the IEC divisions and directorates. No IFES consultants were officially affiliated with the adjudication or media divisions. Once their resumes were approved by the IEC, the consultants were expected to travel to South Africa immediately, armed with a vague job description and an open return ticket. Most reported for duty on Kruis Street only hours after landing at Jan Smuts airport. The IFES team possessed a wide range of experience in their respective specialties. The consultants committed themselves to long, productive work hours, and were willing to assume additional responsibilities to fill organizational and administrative gaps through the election days and the vote count.

A. Election Administration Directorate

Following several meetings in January-February, 1994, the first rough job descriptions provided to IFES by the EAD outlined the positions of election logistician, information systems technician, and telecommunications technician. The logistician was engaged based on this rough description. IT and Telecom technicians were hired based on technical position descriptions developed following Mr. Bayer's arrival in South Africa.

1. Logistics--Kenneth Weinberg. March 22-May 4.

The scope of work formulated by the IEC for the logistician position enumerated six key tasks:

- (1) the logistical arrangements for the deployment of monitors and observers;
- (2) the establishment, provision of supplies, materials and equipment necessary for the operation of the regional and central offices of the IEC;

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- (3) the establishment and operation including the provision of supplies, materials, equipment and other material arrangements for polling stations throughout South Africa;
- (4) the deployment of mobile polling stations;
- (5) the establishment and operation of a communication and information network, the terms of reference of which will be supplied by communication and information experts identified separately; and
- (6) the development of a transportation plan including the deployment of vehicles, aircraft and other transportation resources to carry out the mission of the IEC.

In fulfilling this scope of work, the consultant was asked to "collaborate with other logistics specialists identified by the IEC and develop an overall plan to be considered by the IEC." The IFES logistician was expected to fully implement all aspects of this plan. The scope of work stipulated that the consultant's operations counterparts were to be the IEC staffers responsible for administering and managing the IEC's tasks.

In addition, the Contractor shall collaborate directly with the functional and technical directorates within the IEC to establish work requirements, priorities, the terms of reference, and requirements for carrying out work. The collaborative identification, assessment, definition and development of the logistics plan for each directorate, working directly with each entity, is an essential feature of this scope of work.

Ken Weinberg worked with the individuals responsible for the planning and implementation of the elections logistics plan within the Election Administration Directorate. Mr. Weinberg brought to the IEC his background as a attache in the United States Navy and his knowledge of the use of computer databases in organizing and managing large-scale multi-faceted logistical support. Mr. Weinberg was accustomed to operating under pressure and possessed technical and diplomatic skills that proved to be useful in the turbulent environment of the IEC headquarters. The Procurement and Provisioning Division (PPD) was responsible for the organization of the reception and the distribution of secure and non-secure election commodities nationwide. The PPD also arranged for the transportation and secure storage of the secure and non-secure commodities provided by a wide variety of domestic industries and international vendors.

Mr. Weinberg was assigned the position of technical advisor to the EAD's Deputy Director for Procurement and Provisioning, Mike J. Hoy. Mr. Hoy did not have a defined work plan for Mr. Weinberg to follow. Through a series of short meetings with Mr. Hoy, Mr. Weinberg began to see where his skills could be best utilized. He first reviewed the IEC's embryonic logistics plans, drawing the IEC's attention to potential problems that could result due to organizing an election for twenty-seven million voters without an accurate census or an electoral registry. With his South African counterparts, Mr. Weinberg developed models of logistics plans for the reception, distribution, and recovery of both secure and non-secure elections commodities. He

used his computer skills to develop a variety of solutions for problems such as commodities tracking and inventory control. (See Strawman Logistics Plan, following Mr. Weinberg's report in Appendix G.1)

Drawing attention to the importance of a well-thought out logistics plan proved to be frustrating. The Commissioners were focusing their efforts through March and into April on larger sociopolitical issues with the potential to unravel the entire electoral process. Primary among those were the issues surrounding the extension of the franchise to prisoners in South Africa's jails and the brokering of a settlement guaranteeing the participation of the Inkatha Freedom Party.

Four elements were missing from the basic preparations for the elections: participatory preplanning; contingency preparation; training; and time. Although the IEC did not adopt any of Mr. Weinberg's plans outright, his influence was evident in the text of the IEC's *Materials Logistics Plans*. The plan presented a viable structure for a materials reception, distribution, and recovery plan. However, it was unreasonable to assume that this plan could have been fully operational in the limited time between its distribution on April 16th and the election. (Appendix H.)

Mr. Weinberg's final report to IFES indicates that many elements of the logistical preparation went well. It is true that those responsible for creating the logistics infrastructure were not provided all of the tools nor the conditions to properly fulfill their mandate. The final lists of voting stations and counting stations were in a state of flux through the end of April. Additional vote security and counting procedures were added in the final days--and even hours--of the pre-electoral period. During the final days before the election when their attention should have been focused solely on the provisioning of the voting and the counting stations, the EAD logistics team was receiving last-minute requests to arrange the delivery of voters education materials to locations around the country. EAD logistics was not staffed to reflect the vast dimensions of their task. Understaffed, they were unable to respond to every request sent their way from the various divisions of the IEC.

At Mr. Hoy's request, Mr. Weinberg's contract was extended through the election period. During the elections, in the face of logistical shortcomings, many South African and international IEC workers, including the IFES consultants, found themselves faced with new responsibilities. On the evening of April 27th and into the early hours of April 28th, Mr. Weinberg assisted in the organization and the oversight of the printing of over six million additional national and provincial ballots for undersupplied districts. Working from a sidewalk office outside of the IEC headquarters on April 28th, he and a multi-national team, supported by the South African Defence Forces and the staff at Waterskloof Air Force Base, distributed the ballots and additional election commodities nationwide.

2. *Training and Administrative Support--Alan Dahlo. April 4-May 2.*

The training of South African election officials was organized and implemented by the European Union and Commonwealth electoral assistance teams. In an unusual collaboration, IFES provided the international transport and salary for one of these international trainers, known as Sub-Regional Resource Officers (SRO). SROs served several valuable functions once they were deployed to the field. Their duties were to "advise and assist Deputy PEOs (DPEO) on overall logistical and technical matters relating to election preparation, and in particular the delivery of training to District Electoral Officers and Presiding Officers."

A valuable addition to the SRO team, Mr. Dahlo brought to the position his previous experiences as a teacher, an election official, and an international election observer. He was based in Ellisras, located in the Northern Transvaal. There he worked to insure that the training program for polling station officials reached the sub-provincial, district, and polling station levels. Mr. Dahlo worked with the staff at the IEC Sub-Provincial Office in Ellisras and reported to the DPEO.

Stationed in the field, Mr. Dahlo was in the best position of any of the IFES team to assess the ground-level impact of the directives and decisions passed down by IEC headquarters in Johannesburg. His final report to IFES highlights two causes of most of the problems experienced before, during, and after the elections. First, he felt that "the IEC was trying to do in about three months what it really needed about nine months to prepare for." As a result, there was insufficient time for planning and preparation. Mr. Dahlo reports, "...most people in Pietersburg and Johannesburg were operating on a day-by-day solve-the-crisis mode for most of the four weeks I was there. If you asked questions regarding a procedure several days in the future, you usually could not find anyone who had thought that far ahead."

The second problem that he identified involved the presence of "inexperienced and sometimes somewhat indifferent elections officials at the IEC provincial and national offices." Mr. Dahlo experienced difficulty in finding answers to technical questions and in receiving responses to materials requests. The Northern Transvaal experienced substantial equipment shortages for the elections. Many of these problems were linked to the fact that warehouse managers were unwilling to distribute the required amounts of equipment to the sub-province or the district levels. This unwillingness was a reflection of the incomplete training extended to the warehouse managers and of the last-minute production and limited distribution of the IEC logistics plan.

Overall, Mr. Dahlo gave the process a positive assessment, saying that it was "exasperating but very rewarding." His recommendations for future elections in South Africa take into account the strong foundation that was put in place in April of 1994. First, he recommended that the IEC create an institutional memory of the 1994 elections. Organizationally, he categorized the IEC as an over-centralized bureaucracy. If the IEC is to be responsible for future elections, Mr. Dahlo

favors an over-arching national electoral body responsible for establishing policy and procedure framework, as well as national financial oversight of the process. Under this national umbrella would be the provincial IECs. They would be responsible for the actual operations of the electoral process such as the siting of voting and counting stations, regulating provincial finances, ordering materials, and designing the provincial logistics plans.

B. Election Administration Directorate--Information Technology

IFES was asked by the IEC to provide qualified computer programmers familiar with working in a Windows environment. Additional requests were submitted for computer network managers, a disaster recovery specialist, an applied mathematician, and a software quality consultant.

All of the requests for technical assistance were filled with the exception of the applied mathematician position. The need for this position was never fully agreed upon by all key IEC personnel and USAID. Some involved in the decision-making felt that there were South Africans with the necessary expertise, making the engagement of an international consultant unnecessary. In the end, this position went unfilled and the IT division relied on its aggregate expertise to construct the algorithm for the allocation of national and provincial seats based on the results of the election per Schedule 2 of the Constitution of the Republic of South Africa. The remaining IT positions were filled by a combination of American and South African consultants.

The IFES consultants were expected to be capable of performing a range of tasks: requirements analysis, database design, network database implementation, coordination of the preparation of a technical guide for the database users, development of computer security procedures, and the provision of general technical support on Microsoft/Access and related software.

The organization of the IEC's information technology capacity was unique in its duality. In addition to the Information Technology (IT) department positioned organizationally between the EAD and the EMD, there was an IT division of the EAD, EAD-IT. This second group became functional following the IECs move to Kruis Street. IT was responsible for the provision of computer equipment to IEC national and provincial facilities. The IT Application Developers worked to create the software applications necessary to allow the computers to be used in the manner envisioned by the IEC. From their sixth floor location in IEC headquarters, the IT division also set up the reporting system for the South African election monitors and observers.

The IEC's intent was to establish a nationwide computer network capable of automating the election preparation process. IFES consultant Bob Wilcox offered an overview of the system. (Appendix G.9)

Each of the 32 sub-provincial IEC offices was provided with about 12 computers, an ethernet network hub, wiring and printers. These sub-provincial offices were

connected by routers and telecommunications circuits to the 8 provincial offices. An additional provincial office was co-located in the elections headquarters in Johannesburg. The provincial offices had larger networks, 50-100 computers, plus a server, ethernet hubs and wiring and printers. The routers in the provincial offices connected the provincial offices and the sub-provincial offices to the IEC national headquarters [NHQ] in Johannesburg. The NHQ LAN supported about 600-700 computers, dozens of printers and 6 file servers. Completing the system were connections to networks in the Gallagher Estate media center and the secret alternate vote counting site provided for disaster recovery.

The computer systems were used for office automation (word processing, spreadsheet, calendar) including electronic mail in all sites. A set of large databases residing on the Johannesburg server were accessible in all of the IEC offices. These databases included the election events/incidents database, the people & payroll databases, equipment inventory and telephone directory. Computer systems also supported the vote counting process.

IFES consultant Michael Yard discussed the particular hardware and applications utilized by the IEC. (Appendix G.8)

The hardware used throughout the IEC was a combination of IBM Compatible and IBM Clone machines, running on a 10-Base-T network. Operating System was Microsoft Windows for Workgroups v. 3.11 on the workstations, and Windows NT Advance Server running on the file server. Primary applications were Microsoft Office (Word, Excel, Powerpoint, and Access).

The establishment of two IT "shops" within the IEC was driven more by technical and professional differences between various individuals than by need. Michael Yard's report highlights the impact of allowing "competing groups."

There was general disagreement between the IT division and EAD-IT regarding which version of Access to use. Version 2.0 of Access was released on March 31, 1994, with many valuable enhancements. The IT division felt the enhancements were valuable enough to justify using this version, while EAD-IT followed the adage that newly released software is rarely adequately tested and therefore should never be used for "mission critical" applications. Consequently EAD-IT chose to use Access version 1.1. The inability to agree upon a common database created recurring problems as data had to be repeatedly translated back and forth between the two versions...A compromise position which allowed the entire organization to use one common database application would have been more productive.

Between IT and EAD-IT, as well as throughout the IEC, the IFES team was an informal information exchange network, facilitating horizontal communication between directorates and divisions where there was no formal communication. This was an unexpected, but valuable function of IFES' assistance.

Throughout the election process, and particularly during the tabulation of the results, the infallibility of the IEC's high tech approach was questioned. IFES played a significant role in setting up the security for the network. Several of the team members' extensive Microsoft experience made them knowledgeable of the loopholes and weaknesses of the IEC software. This was most important for insuring a tamper-proof vote counting procedure. The security system designed for the vote tabulation system prevented manipulation by even the system creators. Several safeguards were incorporated into the system: 1) Validation checks on data entry to prevent the capturing of typographical errors; 2) Data "mirroring" combined with mathematical integrity checking to expose attempts to manipulate the data after it was entered; 3) The requirement that any alteration to the data required the approval of three persons and the need to be entered as a "repair" transaction. Automatic reports of such transactions were produced for the commissioners; 4) Password protection at both the database and the network levels.

Unfortunately, the last minute procedural changes, coupled with the excessive reporting demands of the media and different divisions of the IEC, forced the relaxation of these security measures rendering the system less than "totally" secure. However, data manipulation remained detectable. This was proven on May 3 at 06h20 when an IFES consultant and his South African counterpart discovered that an attempt had been made to add approximately six million votes divided between three political parties. Immediately after the discrepancy was discovered, the data was again altered to make the totals look as if they had returned to "normal." A short time later the validation reports produced by the system indicated that there was indeed a discrepancy of approximately 1.5 million votes divided between the same three parties. The errors were corrected after an exhaustive audit and the vote tabulation was continued on a backup system employing Excel spreadsheets.

1. *Software Quality Control/Algorithm Testing--Des van Eyssen. April 21-May 5.*

Mr. van Eyssen was one of the South African professionals on the IFES team. His work focused on setting up the testing requirements and conducting the quality audit of the IEC-designed programs for vote counting and for allocation of seats in the national and provincial assemblies. Both programs involved complex formulas with a number of assumptions. His secondary activities included assisting the EAD-IT team in the general checking and validating of data and the installation of the hardware for the vote tabulation center located on the fifth floor of the IEC. Mr. van Eyssen also lent a hand to the development of the procedures for vote recording.

The seat allocation program was tested to determine whether or not it corresponded to the seat allocation format outlined by Schedule 2. (Appendix C.) This process required a series of complex formulas and the consideration of a variety of exceptions to allow the program to operate correctly regardless of procedural anomalies experienced in the polls or at the counting centers.

The testing of the vote counting program was particularly difficult due to the last-minute changes made to the vote counting format. A directive was sent to all provincial counting center officials on April 26th stipulated new reporting procedures as well as procedures for the listing of votes for the IFP (many of the counting forms had been printed before the IFP's April 19th decision) and the listing of the votes from voting stations that made up the *Volkstaat Analysis* that were required to be counted separately. As late as May 1st, directives were sent to the provincial, district, and counting center authorities informing them of the differences between ballots that were judged "Irregular Undisputed", "Irregular Disputed", "Regular Undisputed", and "Regular Disputed." These categories were developed in response to the large number of voting stations that did not receive the IFP ballot stickers before the beginning of polling. Some of these stations substituted by writing IFP at the bottom of the ballot form, while others did not write-in IFP in all instances.

2. *Risk Management--Nigel Hendrikz. April 4-May 5.*

Roger Layton, the South African in charge of the EAD-IT, submitted a request for a specialist in *disaster recovery planning* "to assist with planning contingencies so that the EAD can continue to deliver even under the most extreme of situations." Nigel Hendrikz was brought to IFES' attention as being one of the "acknowledged authorities in disaster recovery in the field." The IEC continued to rely on Mr. Hendrikz' services on a periodic basis through May 16th.

Mr. Hendrikz' scope of work included almost all possible aspects of EAD continuity and contingency planning. His primary activities were:

- 1) Analysis of the EAD structure and the establishment of the areas of potential "component" failure.
- 2) Identification of the risks of the potential failures discussed in #1 and the proposal of suitable alternatives for implementation of these aspects of the electoral process.
- 3) Designing of contingency plans that integrate with existing EAD/IEC structures and to assist in their implementation.
- 4) Testing of the contingency plans and the preparation of the plans for immediate implementation in the event that they were needed.

Mr. Hendrikz' was assigned the responsibility for the design, implementation, and management of the actual Results Control Center (RCC) located on the fifth floor of the IEC. He also

arranged for a secret back-up center location to be made available in the event that the IEC and the IEC staff were to become a terrorist target. In his proposed disaster recovery plan, Mr. Hendrikz assigned special emergency situation responsibilities to domestic and international IEC workers in each of the departments. Fortunately, the headquarters never came under a direct assault, and the ground-level security was effective in preventing the possession of weapons and explosives inside the IEC.

Mr. Hendrikz' effectiveness was impacted by the limited time remaining before the election. From his perspective, the entire election planning process began much too late. He offered three examples of where time constraints impacted his work. First, he was unable to obtain the addresses of the provincial and sub-provincial warehouses and the procedures for the deployment of secure and non-secure elections commodities until April 24th, two days before the elections. Secondly, due to the number and scope of the demands placed on the IT division and on EAD-IT, an accurate IEC asset inventory was not completed before the election. In order to equip the RCC, Mr. Hendrikz and his colleagues had to go from office to office throughout the IEC headquarters in search of available computer hardware and fax machines. Finally, in performing his initial task-analysis of the IEC, Mr. Hendrikz was required to consult several individuals before identifying the person responsible for a specific activity. A global organizational chart of the IEC was never completed as the personnel department and the IEC CEO were faced with endless staffing and salary issues over the final weeks before the elections.

3. *Vote Tabulation and Process Development--Erik Nilsson*
4. *Systems Development and Programming--Etienne Posthumus*
5. *Programming and Process Development--Mario Tejada*
6. *Systems Development/Design and Programming--Michael Yard*

Four consultants were hired to fulfil similar scopes of work. Like the other IFES consultants assigned to EAD-IT and to IT, once each started working, they became involved in a wide range of tasks. EAD-IT was in need of individuals to assist in the conception, development, and implementation of an informational database to be the basis of the administration of the IEC personnel and the system for tracking of the election materials for the (at the time that they arrived) over 8,000 planned polling stations and the estimated 800 counting stations. The consultants cooperated in the creation of the automated systems necessary for the election including the voting station and counting station database; the IEC employee database; and the provisional result reception, tabulation, and reporting systems.

Eric Nilsson. April 10-May 5. With his background in computerized vote counting in the United States and his in-depth knowledge of Windows applications, Erik Nilsson was of interest to both the IT and the EAD-IT divisions. Mr. Bayer left the decision of Mr. Nilsson's placement to EAD Deputy Director Yunus Mohammed. Arriving in Johannesburg on April 10th, Mr. Nilsson

first reported to the IT division director, Daniel Masiane. Mr. Nilsson spent a few days working in the IT division on general computer tasks. Once the EAD-IT division became responsible for the reception and the tabulation of the results from the counting centers across the nation, Mr. Nilsson became a member of their team. This change of roles was approved by Mr. Mohammed and Mr. Masiane.

Mr. Nilsson's previous experience with computerized voter counting procedures was key to the work of EAD-IT. The counting centers were instructed to send results in "batches" of approximately 3,000 votes to Johannesburg via fax. Mr. Nilsson had significant input into the design of the result tally form. Much of his energy was devoted to creating the programs for the capture of the data included on the tally forms sent from the counting centers, as well as the vote reconciliation and result summarization programs. With his fellow consultants and South African colleagues, Mr. Nilsson established the paper and information flows within the RCC. In addition to these tasks, Mr. Nilsson also designed, implemented, and tested several databases used in the election, including the political party database that allowed for accurate result tracking by party.

Etienne Posthumus. March 30-May 5. A South African software designer and computer programmer, Mr. Posthumus brought to the IFES team a strong background in Windows applications and Access database design. He was involved in the analysis, design, and implementation of the EAD personnel system, the voting and counting station databases, and the result transmission routine. Apart from database design and management, Mr. Posthumus assisted in the design and construction of the election result batch reception and tabulation centre at IEC headquarters.

The personnel system was established to track electoral officers at all administrative levels as well as the staffs of the voting and the counting stations. The difficulty of this task was increased by the large number of IEC personnel to be tracked; the limited time available for setting up the system, and the poor quality of the source data provided. There was no standard documentation to be filled out by IEC personnel. To make matters worse, the formats that were in use were not designed with any thought as to the eventual computerization of the collected data.

The situation with the voting and the counting stations was much the same. The information provided by the provinces to IEC headquarters was either under continuous revision, or of dubious quality. The EAD staff responsible for the coordination of the siting of the voting and the counting stations possessed very limited knowledge of computer systems. In fact, many of the EAD-IT programmers referred to these individuals as being actually "computer phobic." The voting and counting station lists were subject to revision through the actual election period.

Mr. Posthumus wrote the software application for the transmission of results to the South African Broadcasting Corporation election headquarters at Gallagher Estate. The IEC was determined to provide the domestic and international press organizations based at Gallagher with "real-time"

results to accentuate the transparency of the counting operation. The establishment of this linkage was actually completed and tested ahead of schedule.

Mario Tejada. April 12-May 2. Mr. Tejada was involved with the development and management of the EAD IT database. A specialist programmer, his broad background enabled him to undertake tasks as varied as writing programming code to developing forms for the reporting of the vote tallies as they were transmitted to Johannesburg from the regions. One of his tasks was the creation of the data entry format screens for the RCC. He also programmed and set up a table to track the mobile voting stations and the special voting stations that were to be in use on April 26th.

The majority of Mr. Tejada's time was invested in the creation of twenty-one interface forms for the capturing of the information on the vote count sent to the IEC via fax. The system was set up so that once the data recorded on a batch tally sheet was captured, it was impossible for an individual to reenter the record and modify the numbers. These forms and this system were fully reworked two times to account for procedural changes in the tabulation of the votes as mandated by the commissioners. The final series of changes were made on April 29th, immediately preceding the commencement of the count.

Michael Yard. April 3-May 5. As the first IFES information technology consultant to arrive in South Africa, Mr. Yard became involved in the task of establishing many of the automated systems to be used for the support of the electoral process. Initially considering the list of tasks to be undertaken by the EAD-IT, Mr. Yard felt that it would be impossible to create all of the necessary systems in a four-week period. His first fourteen-and-one-half hour work day was an accurate indicator of the level of effort that would be necessary for the IEC to be reasonably well prepared for the election.

Mr. Yard worked on the development of the databases for polling stations, counting stations, and election workers. An expert in Windows technology, Access, and Visual Basic, he worked with his South African and international counterparts to insure that the database created would be accessible and secure. At the time of his arrival in Johannesburg, the IEC was estimating the need for 10,000 voting stations. The intent was to insure that a voting station would be located within "walking distance" of each of the estimated 27,000,000 eligible voters. "Walking distance" was finally defined as twenty kilometers. Tables were designed listing voting stations by province, subprovince, and district. Lists of the voting stations were intended to be produced for several domestic and international audiences.

Breaking down the voting stations by Magisterial District and subprovince proved to be a challenge. The 1993 interim constitution changed the definition of the Magisterial Districts. When consulted it was found that even the regional IEC authorities were often at a loss as to the location of specific voting stations. Voting station forms were sent around the country to be

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completed by local authorities. The forms were not designed with forethought to the eventual computerization of the information included on the forms and no guidance was offered as to how the forms were to be filled out. As a result, many of the forms returned to Johannesburg were illegible, unusable, or included information that was not presented in a usable format. This logistical issue, coupled with the legal questions surrounding the location of districts, made the selection and verification of the voting stations a difficult and time-consuming exercise.

The compilation of the counting station list posed problems similar to the voting station lists. Mr. Yard notes that "the lack of involvement of a data processing person in the earliest planning stages resulted in dozens, maybe hundreds, of wasted person-hours deciphering, proofreading, and editing." No one within the EAD-IT had anticipated the number of "legitimate" requests for the lists of counting stations. ("Legitimate" requestors included the election commissioners, IEC directorate and division directors, SAG publications division, SAP, SADF, and domestic and international media.) More importantly, each requestor asked to have the information delivered in a different electronic format, including: dBase, Lotus 1-2-3, Quark Express, and ASCII. No thought had been given at the outset of the organization of the elections to what organizations would require access to IEC information and in what format. In retrospect, EAD-IT and IT would have been wise to have appointed an information officer to respond to all official requests for information.

7. *Network Management--Bob Wilcox. April 5-May 4, 1994.*

Mr. Wilcox was engaged to work with the IT division on the set-up and oversight of their central and regional computer networks. He worked in three areas: technical support to the IEC national headquarters; field visits to the provincial and many of the sub-provincial IEC offices; and interdepartmental communications and "people networking." Networking proved to be an important and a useful activity. The IEC's rapid growth and ad-hoc supporting organization created a climate for work duplication. It was not unusual to find out that two divisions were working on similar tasks, or two international support groups were both attempting to structure their programs around the same activities. Coordination, where it existed, was informal.

Mr. Wilcox's position required that he interact with the Telecommunications Division and to bring their staff into close contact with the IT division. Telecom was responsible for the installation of the network links. This coordination was particularly useful in the set-up of the international media network links at Gallagher Estate and the links for the alternate result tabulation site. Mr. Wilcox designed and installed the networks at EAD-IT and Gallagher Estate.

During his travel to provincial and sub-provincial sites, Mr. Wilcox identified and trained a contact person at each stop in network technology, installation, and troubleshooting. He tended to any local area network (LAN) problems that they had and installed and tested the router at fourteen sites. All provincial and sub-provincial network and floor plan diagrams were collected

and delivered to IT and Telecom in Johannesburg to allow for long distance troubleshooting over the telephone. Mr. Wilcox found that the regional personnel took great pride in being made responsible for the support of their respective LANs and that they were appreciative of the training.

To create internal-IEC network support capacity, Mr Wilcox trained a South African technician to test cabling connections and to work with wiring contractors to correct problems. He then put together a means of analyzing the stability of the network and trained the off-hours support staff to use the analyzer to detect network problems. His analysis revealed that the network was not operating properly due to the selection of application software. Based on his recommendations, the IEC ordered and installed new software that improved network performance.

C. Election Monitoring Directorate

The technical assistance needs of the EMD evolved as it was realized that time and resource constraints would prevent the IEC's implementation of certain systems. Initial requests were submitted for consultants in four areas, logistics, geographic information systems (GIS), aerial photography and remote sensing, and information assessment and evaluation. The GIS system planned for plotting the locations of political rallies and incidents of violence was never realized. Plans for aerial reconnaissance of political rally crowds and election-day crowds were also shelved. IFES provided consultants to handle the two remaining requests: information assessment and evaluation, and logistics.

1. *Information Processing--Anne Gordon Drabek. April 3-May 15, 1994.*

Ms. Drabek was assigned to the Information/Operations Department (IOD) of the National Operations Center (NOC) of the Election Monitoring Directorate (EMD). The IOD served as the clearinghouse for regular reports filed by the provincial operations centers (POC) and the sub-provincial operations centers (SPOC). IOD also received IEC monitoring reports from around the nation as well as certain reports from international observation and monitoring groups. This information was categorized and compiled in the form of daily situation reports for the Commissioners and the directors of the commission directorates and divisions. During the elections, these reports were produced and distributed on an hourly basis. Ms. Drabek, an accomplished writer with previous experience in South Africa, served as one of the coordinators and editors for this reporting procedure.

Following the elections, Ms. Drabek's contract was extended at the request of her supervisor. Her additional time in country was devoted to finalizing the reports of the IOD. With her supervisor, Ms. Drabek assisted in the development and the distribution of a final evaluation questionnaire to all of the POC and SPOC Chiefs of Operation and Heads of Information Units.

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The evaluation participants were asked to respond to the questionnaires--and to encourage the input of their staffs in doing so. Responses were faxed to Johannesburg, where Ms. Drabek synthesized their responses and prepared an overall evaluation report. The questionnaire and the summary report are included as annexes to this report. (Appendix G.10)

2. *Logistics--Konstantin Konturas. April 11-May 14, 1994.*

A consultant with experience in disaster response planning, large scale distribution of relief food, and emergency medical relief, Konstantin Konturas brought solid logistical experience to the IFES team. Mr. Konturas was positioned as a trouble-shooter to evaluate, assess, identify, make spot recommendations, and report distribution bottlenecks to the various EMD departments in Johannesburg. His first task was to focus on the EMD's material distribution and human resource deployment plans and to report problem areas, and potential problem areas, to Dr. Francis Wilson, EMD Director of Accreditation and Logistics.

Mr. Konturas undertook a demanding set of field visits to several provinces, evaluating the status of IEC monitor and observer deployment and reporting on supply distribution bottlenecks. Areas visited included:

NORTHWEST REGION *Klerksdorp, Mafikeng, Rustenburg, Vryburg.*

NORTHERN TRANSVAAL *Nylstroom, Ellisras, Thohoyandou, Phalaborwa.*

EASTERN TRANSVAAL *Witbank, Kwamhlanga, Nelspruit, Ermelo.*

EASTERN CAPE *East London, Ciskei, Port Elizabeth, Umtata.*

KWAZULU/NATAL *Durban, Empangeni.*

Some IEC regional and sub-regional offices were visited more than once. Mr. Konturas identified logistical difficulties in areas such as security, communications, transportation, fuel supply, and materials distribution strategies. Field trips were documented by Field Trip Reports. The reports were distributed to the EMD departments at headquarters to alert departments of pending and actual problems requiring prompt attention.

Mr. Konturas' EMD supervisors valued his reports. Their confidence in his analytical abilities led them to grant him the authority to respond directly to needs in the field. Using this authority, he initiated and implemented plans for the distribution of IEC monitor and observer supplies and equipment to the sub-regional offices.

Halfway through the elections, EMD assumed managerial responsibility for the election process. Overnight, many EMD workers were assigned additional administrative responsibilities. Mr. Konturas travelled to the Venda and Lebowa regions to insure the delivery and distribution of ballot papers to voting stations experiencing supply shortages. In Johannesburg, Mr. Konturas was a member of the IEC "shock team" distributing counting station kits and equipment to over 30 counting stations located at the NASREC conference facility.

Mr. Konturas and Mr. Weinberg noted similar shortcomings in the IEC's logistical preparations. They found that the provincial and sub-provincial logistics managers were inadequately trained in materials reception, storage, security, distribution, and retrieval. As a result, IEC monitor and observer supplies were frequently found to be missing or in short supply. Mr. Konturas noted that regional offices had a propensity to hoard materials at their level for no apparent reason. His findings were supported by Mr. Dahlo's assessment of the relationship between the different levels of the IEC bureaucracy.

In his activity report, Mr. Konturas highlights three problems:

1. Materials managers at the regional and sub-regional levels had limited experience in maintaining records, handling stock, or organizing security. Shortages developed and many observers and monitors were not properly outfitted to do their jobs. The effect of the lack of organization became evident when it was discovered following the elections that a substantial number of IEC monitor and observer kits and operational equipment had been stored unopened at various regional offices.
2. Difficulties in the distribution of materials were attributed to the poor communication between national, regional, and sub-regional staff. Materials for the IEC field offices, EAD materials, and EMD materials were not handled with similar expediency.

The "eleventh-hour" increase in the number of voting and counting stations resulted in hoarding of monitor and observer supply kits and equipment at the regional level. It is important to note that this "asset hoarding" occurred with EMD and EAD materials and equipment.

3. DHL was responsible for the bulk of the IEC's shipping of EMD materials and documents. Shipments were not traced by IEC headquarters to ensure that deliveries were on schedule and that they reached their destinations. The lack of DHL oversight by the IEC created problems in several regions, primarily KwaZulu/Natal. There, a consignment of EMD supplies "went missing" for two weeks only to be found on the eve of the election at DHL's Durban warehouse. As a result the majority of the IEC monitors and observers in that area went without proper IEC identification, supplies, and operational equipment. (Appendix G.11)

D. Telecommunications Division

Telecommunications and computer technology played a larger role in the South African elections than in any other national election held to date on the African continent. The initial role for telecommunications and information systems envisioned by the election planners was in fact even greater than that of the system actually implemented. The IEC Telecommunications Division (Telecom) was responsible for the design and installation of a national communication network for the use of the election officials and the IEC election monitors. South Africa's telecommunications industry cooperated in the establishment of the IEC network, handling a daily estimate of 150,000 calls; the Access network, for communications between IEC offices and voting and counting stations around the country; the election monitor (EMD) nationwide communication system; the central communications center; and the backup communications network.

Telecom requested that IFES provide an expert in telecommunications networks with experience in communications systems installation and maintenance. The consultant was to operate as an independent evaluator and system troubleshooter, possessing experience in the operation and the maintenance of a variety of technologies: land mobile radio systems, cellular telephone networks, PABX switched networks, ITDM systems, wide area networks, and telecommunication system operations.

I. *Evaluation and Planning--Anthony van Hover. March 31-May 5, 1994.*

With his international telecommunication background, Anthony Van Hover possessed the managerial and the technical skills desired by the IEC. Arriving in South Africa, Mr. Van Hover first assessed Telecom's national system. He was impressed with the system that the IEC had managed to install in a matter of weeks. However, he did note a few potential trouble-spots. First, there was no contingency plan in the event that the central switchboard in Johannesburg was sabotaged. An alternate site was established, under Mr. Van Hover's supervision, at Gallagher Estate, 20 kilometers outside of Johannesburg. Gallagher Estate was also the location of the international press center.

Second, Mr. Van Hover noted that the PABX lacked the capacity to handle the influx of calls that were expected to come from the voting stations, the counting stations, the press, and from overseas during the elections. Telecom responded to his concerns, establishing a schedule for blocking outgoing calls. However, as communications traffic continued to grow, the decision was made to reroute the lines through a larger PABX. This proved to be the best solution given the substantial increase of calls placed to the IEC's Johannesburg offices due to problems with the voting and the counting processes around the country.

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Historically, South Africa's telecommunications infrastructure did not cover the homeland areas and the townships as thoroughly as the rest of the country. South Africa's national telecommunications operator, Telkom, and associated members of the telecommunications establishment, with the guidance of IEC Telecom, were able to extend some sort of communications services nationwide. However, the Transkei region posed a special problem due to the area's rugged topography and limited roads. Voter accessibility was extremely limited by the terrain, making it necessary for the IEC to establish almost three times the anticipated number of voting stations. Several of the areas without telephone access were linked to a central base station via VHF radio. Each base station was planned to serve forty voting stations. However, the varied topography in fifteen to twenty of these sites prevented the use of VHF radio. As a result, a significant concentration of eligible voters were without a means of rapid communications between stations or between stations and Port Elizabeth and Johannesburg.

With Mr. Van Hover's technical assistance and IFES procurement support, twenty Inmarsat-M terminals were delivered for election day use throughout the Transkei. Mr. Van Hover oversaw the delivery of the terminals to Port Elizabeth and verified that they were in working order and properly programmed. The SADF provided radio operators to accompany each unit to its field destination. The operators assembled in Port Elizabeth where they were trained by Mr. Van Hover and his Telecom division colleagues. Some terminals were relocated to respond to crucial communications needs in inaccessible areas in Bophuthatswana. The terminals were particularly useful during the vote counting process, allowing the counting station administrators, many of whom were trained at the last minute, to verify procedures with Johannesburg. The terminals were also used to transmit vote totals to IEC headquarters in Johannesburg.

With the emergence of nationwide logistical problems and the development of organizational difficulties within the EAD, the Telecommunications Division (and the EMD administration) assumed control of the logistical support of the election process. Mr. Van Hover and several of his colleagues assisted Mr. Weinberg's ad-hoc sidewalk election commodity distribution team on April 28th. The addition of an extra voting day in a limited number of areas that suffered the worst logistical problems, plus last-minute procedural changes to the vote reconciliation, counting, and tabulation procedures, created widespread confusion. Once all of the polls were finally closed, the IEC turned its full attention to the vote counting process. Mr. Van Hover was assigned leadership of a Telecom team responsible to make telephone contact with the head counting officer at each of the over 800 counting stations nationwide. This effort was critical to verifying the location of the counting stations that had been established subsequent to the publishing of the counting station list by the IEC.

2. *Unit Testing, Vendor Contracting, and Backup--Duncan MacKinnon.*

In order to provide the Telecommunications Division with the most responsive service, IFES, on Mr. Van Hover's recommendation, hired Duncan MacKinnon, a U.S. telecommunication and satellite specialist. Mr. MacKinnon remained in the United States to assist Mr. Van Hover and the IEC in evaluating the companies bidding on the portable communications system leasing contract, and testing the equipment that each was offering to the South Africans. Once the vendor was selected, Mr. MacKinnon conducted a live test of the equipment between the vendor's (Glocom Incorporated) Maryland headquarters and the IEC headquarters in Johannesburg.

Mr. MacKinnon held meetings with Comsat Incorporated to arrange for the necessary licenses and permits for the use of the units from South Africa during the elections. Comsat offered the most competitive rate for the use of their Comsat Earth Station as the terminal through which the IEC's Inmarsat communication traffic would be routed. Face-to-face meetings with Comsat were not entirely necessary, but the activity had an unanticipated, but positive effect. Comsat's management was unaware of the importance and the scope of the pending South African elections. The massive presence of the international press coupled with the presence of voting stations at South African embassies and consulates around the globe promised to create a significant demand for communications services in the Southern Hemisphere over four or five days. Comsat scheduled to make additional circuits available for outgoing calls over that period and agreed to accommodate the situation at other times before or after the elections if the need arose.

Before the Inmarsat units were shipped, Mr. MacKinnon witnessed the packing and the labeling to insure that all of the necessary parts and cables were included with each unit. During the final pre-packing test, one unit proved to be faulty. The nineteen other units were shipped to South Africa. A replacement unit was shipped three days later. The technical backstopping role played by Mr. MacKinnon was beneficial to the IEC, the unit vendor, IFES, and to USAID/South Africa as it raised the "comfort level" of all of the involved parties. All of the units were recovered and returned to the United States with minimal damage or loss of parts. IFES financed the leasing fee for the units and the shipping of the units to South Africa via DHL. The IEC was required to make a security deposit in a Maryland bank. This sum, minus damage fees and Comsat transmission fees, was remitted to the IEC once the units had been returned to the vendor.

VI. Project Closure and Findings and Recommendations

The IFES team members remained engaged through the election days. Several of the consultants' contracts were extended at the request of their IEC supervisors. None of the IFES team members worked at the IEC after May 15th. Each of the consultants was asked to submit their timesheets, expense report and receipts, and an activity report, to Tom Bayer before departing Johannesburg. Some of the consultants submitted draft reports, later providing a longer version with appendices to IFES/Washington. All of the consultants met the terms of their IFES contracts. Letters from Justice Kriegler's office acknowledging the consultants' contribution to the South African elections were sent to IFES for distribution to the team members.

The consultants' activity reports and relevant appendices follow this report. (Appendices G.1-G.13) Each consultant noted lessons learned and/or recommendations. This section consolidates and loosely categorizes these recommendations and lessons learned from the IFES team members, as well as additional suggestions and technical issues brought to the team's attention.

A. Administrative

1. South Africa's elections should be administered by an independent commission free from government influence. This commission must recognize as its primary constituents the South African voters, to whom it is responsible for guaranteeing the secrecy and individuality of each ballot cast.
2. A systematic in-depth assessment of the South African elections and the work of the IEC is necessary. The structure of the evaluation should be driven by South African needs and the assessment led by South Africans.
3. Based on the evaluation of the April 1994 elections, the new South African government must move ahead with some speed to set up ongoing mechanisms for election management at the national, regional and local levels. IFES is in a position to provide information to the appropriate South African group(s) about models adopted in other countries (in Africa and elsewhere) for election management as background for their own planning processes.
4. Planners of future South African elections should first develop a concrete program for the organization and the implementation of each aspect of the electoral process that falls in the purview of the body responsible for the administration of the elections. Components to be developed: a critical path or a timeline of daily activities in keeping with the deadlines and time limits specified in the electoral law; benchmarks set at regular intervals to measure progress or to warn of oversights before crises develop; contingencies for each step composing the critical path.

5. The body responsible for the administration of future elections in South Africa must be well-structured. Coordination within the IEC suffered from the lack of an organizational chart indicating where the various directorates and divisions stood in the hierarchy. Lines of authority and control steadily blurred as time passed and the workload facing the IEC, and corresponding tensions, increased. The IFES team witnessed the aftermath of too many situations where the District Electoral Officers acted on instructions communicated by their PEO, only to receive a conflicting directive direct from IEC headquarters in Johannesburg.
6. International consultant selection and placement should be the responsibility of the appropriate IEC technicians and technical managers, with input from the NGO representative. There is not a role for technically unaware, bureaucratic gatekeepers.
7. Once selected, international consultants should primarily be responsible to their respective technical supervisors. A coordinator for international visitors, such as the ILO, can play an important role in facilitating international visitors' arrival in and departure from South Africa. This coordinating group should be kept aware of the location of the consultants in country.
8. Planners of future elections should acknowledge the need to decentralize South Africa's electoral process. During the national elections, a broadening of provincial and subprovincial autonomy would have reduced pressures on the national IEC managers. There is no need for approval from Cape Town for a twenty liter petrol purchase in Vredendal.

Successful decentralization necessitates the establishment of clear procedures supported by strong training in the implementation of those procedures at each applicable level. The administrators of the upcoming local elections should focus their energies on the development of a complete election administration package to be delivered to each province with an accompanying training in the tailoring and implementation of the package at the provincial level. This approach will establish a standard of where national authority ends and provincial authority begins. The provincial authorities, with national oversight, will in turn take packages to the subprovincial level, and so on. Structured training and information dissemination programs clarify to the recipients where to direct technical and administrative questions as they occur throughout the process.

9. IEC working hours must be maintained on a shift basis as opposed to a staff-overload basis.

10. The time spent in meetings needs to be reduced. Considerable staff time was tied-up in meetings at the national and provincial levels. Many of these meetings were called for reasons that had to do with the lack of a chain of command and inadequate or confused channels of information dissemination. Meetings frequently increased tensions rather than resolved problems.
11. An improvement of the overall security awareness of the employees of the election administration would reduce the potential for security breaches.
12. Significant domestic and international resources should be committed to the ongoing process of democracy building. There is a need to design and implement a long term civic education strategy targeted at all strata of South African society to clarify what citizens have to do to ensure that the conditions for democracy continue to exist and that the newly elected government remains accountable to the people who elected it. The newly elected national and provincial governments (and eventually the local governments) require technical assistance in learning how to better perform their jobs in order to meet the basic expectations of their constituents.

B. Technical

General Materials and Procedures:

1. A nationwide census should be conducted in South Africa. National and provincial electoral registries can be extrapolated from this data. If the voters registry is compiled first, it could serve as the foundation for a South African census operation. The methodology, implementation requirements, and desired outcome of the census/voters registry activity deserve focused study and discussion. A successful census operation requires adequate technical, material, human, and financial resources.

South Africa poses some interesting problems in regard to the establishment of an accurate census: the population is large and growing; it is relatively young; there are large numbers of Southern and South Africans moving back and forth across the borders with neighboring countries in search of work and markets for goods; there will be an increasing auto-redistribution of citizens formerly relegated to the homelands and the townships, and several politically and socially prickly questions regarding the location of administrative boundaries must be resolved.

In light of the situation, discussions regarding the census mechanism should start now. The process itself will require a substantial time commitment from all involved to insure the existence of an accurate list in time for the local government elections.

2. The adoption of many procedures by the IEC was driven by fears of widespread election violence and fraudulent activities. Procedural details added in response to these fears often complicated the process, as was the case with counting of the votes. It is recommended that ballot boxes not be transported to central counting stations, but that the vote count and tabulation take place at the voting station immediately following the closing of the polls. The transportation of the ballot boxes offers a prime opportunity for any number of schemes, including the stealing, stuffing, or swapping of boxes between the voting station and the counting station. Procedures for closing the polls, reconciling the ballots, and counting the votes can be streamlined and simplified.
3. All forms used in the electoral process must be redesigned for the local government elections. The design team should be composed of individuals possessing an understanding of the theory and the application of the electoral code. Based on the IFES team members' reports, such a team should include, but not necessarily be restricted to: a logistician, a systems analyst, a jurist, and an information technician. Forms need to be simple and standardized so that they are easily filled out in the field, and so that they meet the needs of the administrators and technicians who require some or all of the information on the form. Clarification of a form's audience(s) and their respective needs must be accomplished before the form is designed.
4. Discussions need to continue on the issues of how voters should be identified; Should voting cards be issued nationally? Is a photo necessary? What information is to be included for proper identification?
5. Ultraviolet stain was used for marking a voter's hands and their identification document (except in the case when a TVC was presented) once they cast their ballots to prevent against double voting. UV stain, visible only under a lamp emitting light of a specific wavelength, rather than visible marking stain, was employed in response to the fear that eligible voters in some areas might be punished for voting.

The use of visible or invisible stains as a means of protecting against double voting has become a common practice in nations that do not have an accurate voters registry. South Africa faces the task of establishing a voters registry. Consideration therefore should be given to the value of the use of visible or invisible stain for future elections. Depending on the quality of the voters registry and the type of voter identification required to be presented at the polls, this expensive commodity may not be necessary.

Logistics:

1. Domestic and international logisticians should be on the ground early enough to actively participate not only in the implementation, but in the initial planning of election logistics. It is at this time that crucial operational ground rules and the lines of authority and responsibilities are established. Logistics is a team activity requiring that those in leadership positions have a vision of the end objective of the logistical effort and the capacity to delegate authority. Each team member must have a clear understanding of what he or she is responsible for and to whom they are responsible.
2. Coordinated and thorough IEC logistics planning was not done. Each Directorate kept their distribution and retrieval plans to themselves. There is a need for global planning of logistics, and coordinated implementation of that plan. Benchmarks must be set at the outset to measure progress and warn of gaps in preparation or procedural oversights.
3. A nationwide retrieval plan for elections materials and supplies must be developed at the same time as the development of the nationwide procurement and distribution plan.
4. A centrally controlled logistics operation is impossible to monitor and control unless the field staff is properly trained. This training must take place before the materials begin to pile up in front of storage and distribution facilities.
5. The issue of number of voters per voting station deserves fresh analysis. Planning for the national and provincial elections was based on 3,000 voters per voting stream. A voting station could conceivably consist of more than one stream. An accurate voters registry will be an invaluable asset in siting of the voting stations for the next elections.

In calculating the number of voters per voting station, one must consider the average time required for a voter(s) to complete all of the steps required to cast their ballot(s); the number of voters allowed to be present in the station at any one time; the hours of operation of the voting station; and the number of election days. (Appendix H.)

6. Voting stations must be identified at least forty-five days before the election. This is critical to all phases of the process. The identification of the voting stations becomes more important if it is agreed to count the votes in the stations versus transporting the sealed ballot boxes to a central counting location. This deadline should apply to the identification of special stations, mobile stations, and international stations.
7. A system must be established for the tracking of both secure and non-secure election commodities. These systems received considerable lip-service. In reality, commodities tracking was a disaster. This was unfortunate as tracking systems could have been put

into place as late as the second week of April. Plans were developed, but never really implemented.

The internationally procured ballots were distributed in packs containing 1,500 ballots in booklets of 100 ballots each. The ballots and counterfoils were individually numbered for security and distribution tracking. The local printing of over 5 million full color national and provincial ballots after the start of the elections exhibited South Africa's printing capacity. In the interest of time, these supplementary ballots were not numbered or prepared in booklet form. They were bundled in batches of approximately 100 ballots each and boxed 2,000 per box. The lack of an operative national ballot tracking system and the introduction of millions of unnumbered and therefore untraceable ballots into the system achieved a total violation of ballot security.

8. A concentrated effort must be made to procure all election commodities from manufacturers in South or Southern Africa. This process must be tightly controlled and conducted via open bidding for non-secure items and closed bidding for secure items. One of the primary factors influencing the decision to print the ballots internationally was the level of mistrust between the South African government and the political parties.

South Africa has the capacity to print all of its ballot papers and forms. Ballots can be designed to make counterfeiting extremely difficult, especially with the implementation of well-conceived material distribution and tracking systems. The overall success of local procurement hinges on the dedication of adequate time for bidding, vendor identification, and for the procurement of any special supply stocks needed for the local manufacture of commodities.

9. Plans and procedures for all aspects of the electoral exercise must include a contingency plan to minimize the impact of unforeseen situations.

Information Technology and Telecommunications:

1. If future electoral processes in South Africa are to rely heavily on the use of computers and the latest in information technology, then an individual with professional experience in systems analysis must be a member of the top level management team.
2. An IT team should be assembled as soon as possible to evaluate the utilization of IT in the April elections. Based on that evaluation and some general ideas regarding the organization of the local government elections, the team can begin to outline how IT could be used more efficiently. Planning should consider the needs for 1995 with an eye toward the next national elections in 1999.

3. Either each directorate, division, or department should have its own IT subdivision with training and performance oversight from a central group; or IT and Telecommunications should be combined into a single entity.
4. Incidents of systems failure and electronic fraud require thorough investigation in order to insure that steps are taken to prevent their repeat occurrence.
5. The use of fax machines at all levels should be better coordinated to prevent wasteful multiple faxing of documents.
6. Information gathering should be standardized using a streamlined approach such as pre-printed and numbered paper forms distributed nationwide and collected at a central point for entry into a database. IFES consultants suggested setting up a standard Excel or Lotus spreadsheet with pre-defined fields, to be distributed via electronic mail (or posted on a diskette via regular post or courier) to the regional level. Once completed at the regional level, the diskette would be returned to the head office. In order to have a successful system, one would need to take care in planning the layout of the computer files and the methods used to consolidate the files into one database. This task must be assigned to an individual(s) with a thorough understanding of computer file formats and their cross-platform implications.
7. All documents produced for internal or external distribution should have the version number and printing date on each page. Immediately before and during the election, there was considerable confusion created as procedures were altered and directives issued that were different from similar documents issued days or weeks before. Coversheets were dated, but it was easy to mix and match the pages following.
8. All computer programs, however small or simple, should be planned for a known lifecycle.
9. Development of programs should never start until managers and technicians are in agreement on the desired outcome of the program. Agreement is equally important on the methodology to be applied in testing the final product to ensure that these requirements are met.
10. Available applications should be limited to the essentials to avoid overloading the system.
11. A database of all essential information should be made available to all staff on a need-to-know basis.

12. A central breakdown of the totals of voting and counting stations (and voting streams) by province, subprovince, and district must be provided to elections administrators, observers, monitors, and the political parties. Without a summary document, the multiple page listing of voting and counting stations is time-consuming to use. The regular compilation and distribution of such a grid will aid planning and point out potential oversights in the assignment of stations in relation to the voting population present or anticipated in a specific area.
13. Only tested and tried technologies should be employed at election time. Equipment capacities should be oversized in order to absorb unforeseen increases in users and information.

Training Procedures and Materials:

1. The training materials that the IFES team saw or used were adequate. Some were better than others. The content and the impact of the manuals was negatively affected by the up-to-the-wire procedural changes instituted by the commission. As a result, many of the training materials arrived in distant districts or voting stations on election day, or not at all.
2. Training manuals should be reviewed by a multi-disciplinary committee representing domestic and international election technicians, jurists, logisticians, and trainers, all of whom have an intimate knowledge of the South African electoral process. It is crucial that official training materials produced by the electoral authorities adhere to the letter of the law. It is easier to send out a supplement of additional instructions two weeks before the elections than it is to begin to change procedures that have already been taught to voting station staffs nationwide.
3. Forms and procedures must be finalized far enough in advance of the actual election dates. Sufficient time must be given to the preparation of training and voters education materials and for the implementation of training and voters education programs.
4. There is need for a significant improvement in the training offered to IEC staff. Many staffers were placed into their jobs with little background, a vague or non-existent scope of work, and inadequate supervision. Fortunately, enough of the IEC employees were motivated self-starters who took pride in their work.

The above listed problems, issues, and suggestions were provided by a small number of domestic and international election technicians and observers. There are no doubt other important issues that must be discussed before South Africans organize the local government elections. A thorough, well planned evaluation of the electoral process must be organized and implemented at several levels of South African society so that the system can be improved.

Obviously, only so much can be changed by simplifying the procedures for the vote count, or by establishing a polling station for every 500 South African voters. Nationwide civic education programs must continue and expand to all levels of the formal and informal education systems. Political parties should continue to define their specific programs and to educate their supporters in the fundamentals of multiparty democracy and the roles and responsibilities of the opposition and of the party in power.

USAID/South Africa has officially extended IFES' grant through the end of 1995. IFES plans to coordinate its next phase of activities with the election authority assigned responsibility for the organization and the management of the local government elections planned for late 1995 early 1996. Some of the potential areas of assistance are:

1. Evaluation of the 1994 national elections.
2. Facilitation of working seminars on the organization of the local government elections.
3. Provision of international technical specialists to assist in the development of white papers on key technical issues facing the organizers of and participants in the local government elections.
4. Identification, organization, and management of a team of domestic and international consultants to work with the South African electoral authorities in the same way as the 1994 IFES team.

IFES looks forward to visiting South Africa in late 1994 to discuss areas of possible collaboration with South African NGOs and with the group responsible for the organization of the local government elections. The foundation for a South African electoral system is in place. For that foundation to be functional, it must be strengthened and customized to better meet South Africa's needs.

APPENDIX A

SIXTH AND FINAL DRAFT

OF THE

INDEPENDENT ELECTORAL COMMISSION BILL

(as adopted by the Negotiating Council on 31st August, 1993)

31 AUGUST 1993

BILL

To make provision for the conduct of free and fair elections for the National Assembly and any other legislature contemplated in the Constitution of the Republic of South Africa Act, 1993; to make provision for the conduct of certain referenda by the Independent Electoral Commission; and to provide for matters in connection therewith.

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:-

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CHAPTER 1

Interpretation and Application of Act

Definitions

1. In this Act, unless the context otherwise indicates -

- (i) "Administration Directorate" means the Election Administration Directorate established by section 19;
- (ii) "Appeal Tribunal" means an Electoral Appeal Tribunal established in terms of section 30;
- (iii) "candidate" means any person whose name appears on a list of nominations by any registered party to be a member of the National Assembly or any other legislature in terms of the Constitution and the Electoral Act;
- (iv) "Chief Director: Administration" means the person appointed to that office by the Commission in terms of section 20(1);
- (v) "Chief Director: Monitoring" means the person appointed to that office by the Commission in terms of section 23(1);
- (vi) "Chief Executive Officer" means the person appointed to that office by the Commission in terms of section 17(1);
- (vii) "Commission" means the Independent Electoral Commission established by section 4(1);
- (viii) "committee" means a committee of the Commission established under section 13(3)(c);
- (ix) "Constitution" means the Constitution of the Republic of South Africa Act, 1993;
- (x) "directorate" means the Administration or Monitoring Directorate;
- (xi) "election" means any election conducted in terms of the Electoral Act for the National Assembly or any other legislature;
- (xii) "Electoral Act" means the Electoral Act, 1993;
- (xiii) "Electoral Code of Conduct" means the Code of Conduct for Political Parties contained in Schedule 1 to the Electoral Act;
- (xiv) "Electoral Tribunal" means an Electoral Tribunal established in terms of section 28;
- (xv) "International Advisory Committee" means the International Advisory Committee

- established in terms of section 14;
- (xvi) "international member" means any person appointed as a member of the Commission under section 5(2)(a);
- (xvii) "international observer" means any person appointed as a representative of the United Nations, the Organization of African Unity, the European Community, the Commonwealth and any other inter-governmental organization or foreign government accredited for that purpose by the Subcouncil on Foreign Affairs of the Transitional Council in consultation with the Department of Foreign Affairs in order to observe and report on the electoral process;
- (xviii) "judicial office" means any appointment as a judge of the Supreme Court, whether permanent or on an acting basis;
- (xix) "member" means a member of the Commission appointed in terms of section 5(1);
- (xx) "monitor" means any person appointed as such in terms of section 24(1)(a);
- (xxi) "Monitoring Directorate" means the Election Monitoring Directorate established by section 22;
- (xxii) "National Assembly" means the National Assembly which together with the Senate shall constitute the Constitutional Assembly as contemplated in the Constitution;
- (xxiii) "observer" means any observer registered with the Monitoring Directorate in terms of section 24(1)(b);
- (xxiv) "other legislature" means any legislature contemplated in the Constitution, excluding the National Assembly and Senate;
- (xxv) "Parliament" means Parliament as contemplated in the Constitution;
- (xxvi) "party" means any registered party, and any party, organization or movement of a political nature which publicly supports or opposes the policies, candidates or cause of any registered party, or which propagates non-participation in any election or the non-acceptance of the results certified by the Commission;
- (xxvii) "political office" means any executive appointment or elected office, including any elected or nominated public representative of a party, whether involving remuneration or not, or any other paid office, in the service of a party;
- (xxviii) "prescribed" means prescribed by regulation;
- (xxix) "public office" means any appointment or position in the service of the State, or any corporate or other body, institution or concern, owned or controlled, whether directly or indirectly, by the State, and includes any such appointment or position in the legislative, executive or judicial organs

- of the State at any level of government, but excludes any appointment to judicial office and any academic appointment at any university or tertiary educational institution;
- (xxx) "registered party" means any registered party as defined in section 1 of the Electoral Act;
- (xxxi) "regulations" means the regulations made under section 41;
- (xxxii) "Republic" means the Republic of South Africa, including any of the Republics of Transkei, Bophuthatswana, Venda or Ciskei which formally incorporated the provisions of this Act and the Electoral Act as part of its law;
- (xxxiii) "Secretariat" means the Election Adjudication Secretariat established by section 25;
- (xxxiv) "Secretary" means the person appointed to that office by the Commission in terms of Section 26(1);
- (xxxv) "Senate" means the Senate as contemplated in the Constitution;
- (xxxvi) "Special Electoral Court" means the Special Electoral Court established by section 32;
- (xxxvii) "State" means the Republic;
- (xxxviii) "Supreme Court" means the Supreme Court of South Africa, and the Supreme Court of the Republic of Transkei, Bophuthatswana, Venda or Ciskei if such Republic formally incorporated the provisions of this Act and the Electoral Act as part of its law;
- (xxxix) "this Act" includes the regulations;
- (x1) "Transitional Council" means the Transitional Executive Council established by section 2 of the Transitional Executive Council Act, 1993; and
- (x11) "voter" means any eligible voter as contemplated in the Constitution and the Electoral Act.

Application of Act

- 2.(1) The provisions of this Act shall apply in respect of -
 - (a) the first elections to be conducted for the National Assembly and all other legislature in terms of the Constitution and the Electoral Act; and
 - (b) any referendum conducted under the supervision of the Commission in terms of subsection (2),
until the first National Assembly and all other legislatures have been validly constituted.
- (2) Upon the advice of the Transitional Council the State President shall by proclamation in the Gazette declare -
 - (a) the holding of a referendum; and
 - (b) that the provisions of this Act shall apply in respect of the holding of that referendum.
- (3) The State President shall in consultation with the Transitional Council by proclamation in the Gazette make regulations for the holding of such a referendum, in which case the provisions of this Act shall, subject to such regulations, apply mutatis mutandis in respect of the holding of such referendum, whether nationally or within any particular geographical region, or in respect of any specified issue, as the case may be.
- (4) In the event of any of the Republics of Transkei, Bophuthatswana, Venda or Ciskei deciding formally to incorporate the provisions of this Act into its law, such agreements as may be required to secure the co-ordinated implementation of the relevant legislation may be concluded any such agreement shall have the force of law.

Act binding on State and State President

- 3.(1) This Act shall bind the State.
- (2) This Act shall bind the State President in so far as he or she shall be obliged to act in accordance with the advice of the Transitional Council wherever so provided for in this Act.

CHAPTER II

Independent Electoral Commission

Establishment and objects of Commission

- 4.(1) There is hereby established a commission to be known as the Independent Electoral Commission.
- (2) The objects of the Commission shall be -
 - (a) to administer, organize, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution;
 - (b) to promote conditions conducive to free and fair elections;
 - (c) to determine and certify the results of elections and to certify to what extent such elections have been free and fair;
 - (d) to conduct voter education; and
 - (e) to make and enforce regulations for the achievement of such objects.

Constitution of Commission

- 5.(1) The Commission shall, subject to subsection (2), consist of no fewer than seven and not more than 11 members who shall be appointed by the State President upon the advice of the Transitional Council, and who shall be impartial, respected and suitably qualified

men and women, who do not have a high party political profile, are themselves voters, and represent a broad cross-section of the population.

(2)(a) The State President shall, upon the advice of the Transitional Council, appoint not more than five persons (not being citizens of the Republic) from the international community as members of the Commission in a non-representative capacity.

(b) Such international members shall have the same rights and powers as other members, excluding the power to vote, and shall not constitute part of any quorum in terms of this Act.

(3)(a) The State President shall, upon the advice of the Transitional Council, designate two members as Chairperson and Vice-Chairperson of the Commission, respectively: Provided that if the Transitional Council so decides, it may advise the State President to designate two members as Co-Chairpersons in lieu of a Chairperson and Vice-Chairperson, and designate which one of them shall preside at the first meeting of the Commission.

(b) In the absence of both such Chairperson and Vice-Chairperson, or both such Co-Chairpersons, as the case may be, the remaining members shall by simple majority nominate another member as acting Chairperson of the Commission.

(c) The international members shall not be eligible to serve as Chairperson, Co-Chairperson, Vice-Chairperson or acting Chairperson.

(4) The State President shall from time to time, upon the advice of the Transitional Council and subject to subsection (1), appoint additional members to the Commission subject to the maximum number contemplated in that subsection.

Conduct required of members

6.(1) Every member and international member of the Commission shall -

(a) be appointed in his or her individual capacity, and shall, notwithstanding any personal opinion, preference or party affiliation, serve impartially and independently and perform his or her functions in good faith and without fear, favour, bias or prejudice;

(b) serve in a full-time capacity to the exclusion of any other duty or obligation arising out of any other employment, occupation or the holding of any other office.

(2) No member or international member of the Commission shall -

(a) during his or her term of office be eligible for appointment or nomination to any political or public office, whether involving remuneration or not, and such ineligibility shall, in respect of such public office, continue for a period of 18 months reckoned from the date upon which such term of office as a member shall have terminated, save in respect of the resumption of the previously held public office at the same level;

(b) whether directly or indirectly, in any manner give support to, or oppose, any of the parties or candidates participating in the elections, or any of the issues in

- contention between such parties or candidates;
- (c) by his or her membership, association, statement, conduct or in any other manner, place in jeopardy his or her perceived independence, or in any other manner harm the credibility, impartiality, independence or integrity of the Commission;
 - (d) make private use of or profit from any confidential information gained as a result of his or her appointment and functions as such member;
 - (e) divulge any such information to any third party save in the course and scope of his or her official functions and with the prior approval of the Commission;
 - (f) accept any remuneration, emolument or benefit, of whatsoever nature, arising from any other employment, occupation or the holding of any other office, unless specifically authorized thereto by the State President, acting upon the advice of the Transitional Council;
 - (g) during his or her term of office be eligible to serve as a member of the Transitional Council, Parliament or any other legislature, and such ineligibility shall continue for a period of 18 months reckoned from the date upon which such term of office shall have terminated; and
 - (h) after having served as such member, be eligible to serve as a member of the Parliament or other legislature for which that Commission was responsible to conduct elections, during the term of such Parliament or legislature.

Disclosure of conflicting interests

7.(1) Subject to subsection (2), a member or international member shall not at any meeting of the Commission -

- (a) be present;
- (b) exercise a vote;
- (c) in any other manner participate in the proceedings thereof, during the discussion of any matter before such meeting in respect of which he or she has any financial or other interest which might preclude him or her from performing his or her functions in a fair, unbiased and proper manner.

(2) If at any stage during the course of any proceedings before the Commission it appears that any member or international member has or may have an interest which may cause such a conflict of interests to arise on his or her part -

- (a) such member shall forthwith and fully disclose the nature of his or her interest and leave the meeting so as to enable the remaining members to discuss the matter and determine whether such member is precluded from participating in such meeting by reason of a conflict of interests; and
- (b) such disclosure and the decision taken by the remaining members regarding such determination, shall be recorded in the minutes of the meeting in question.

(3) If any member or international member fails to disclose any interest as required by subsection (2) or, subject to that subsection, is present at a meeting of the Commission or in any manner whatsoever participates in the proceedings of the Commission in relation to such matter, such proceedings may be reviewed, varied or set aside by the Commission.

Independence of Commission

8.(1) The Commission shall function without political or other bias or interference and shall, save as may in this Act be expressly otherwise provided, be independent and separate from the Transitional Council, any party, any government and its administration or any other functionary or body, whether directly or indirectly representing the interests of any such entity.

(2) Any power of any of the entities referred to in subsection (1), in so far as it relates to the administration, organization, conduct and supervision of any election shall be subject to the powers of the Commission, to which such entities shall be accountable for such of their acts and decisions as may influence or affect any election.

Dissolution of Commission

9. The Commission shall be dissolved upon the completion of its mandate on a date to be fixed by the State President by proclamation in the Gazette.

Conditions of service, remuneration and allowances of members of Commission and International Advisory Committee

10. The conditions of service, remuneration, allowances and other benefits of members of the Commission and International Advisory Committee shall be determined by the Transitional Council after consultation with the State President.

Vacation of office, removal from office and filling of vacancies in Commission

11.(1) A member of the Commission may be removed from office by order of the Special Electoral Court on an application lodged by or on behalf of -

- (a) the State President;
- (b) the Transitional Council;
- (c) Parliament or any other legislature; or
- (d) any registered party eligible to participate in the relevant election, or at least 1 000 voters: Provided that no such application by such party or such voters shall be heard save with the prior leave of the Chairperson of the Special Electoral Court, who shall first satisfy himself or herself as to the existence of probable cause, and who may impose such conditions upon the grant of

leave, including the imposition of time limits for the institution of any such proceedings, as he or she may deem appropriate, if the Special Electoral Court is satisfied as to the existence of good and sufficient reason therefor as contemplated in subsection (2).

(2) In considering any such application the Special Electoral Court shall determine that good and sufficient reason exists for the removal from office of a member of the Commission, in the case of -

- (a) serious misconduct;
- (b) unfitness or incapacity, including continued ill health;
- (c) a material contravention or failure to comply with the provisions of section 6(1)(a) or (b) or (2)(a), (b), (c), (d), (e) or (f) or 7(1) or (7); or
- (d) any other reason which the Special Electoral Court may consider material and inconsistent with such member's continuance in office.

(3) If a member of the Commission dies, tenders his or her resignation in writing to the State President or is removed from office in terms of this section, the State President shall, upon the advice of the Transitional Council, either -

- (a) allow such appointment to lapse, provided there remains at least the minimum number of members provided for in section 5(1); or
- (b) appoint some other suitably qualified person as a member for the unexpired portion of the term of the Commission.

Meetings of Commission

12.(1) The Commission may meet at any place in the Republic determined by the Chairperson for the purpose of performing its functions.

(2) Meetings may be convened at any time at the instance of the Chairperson or Vice-Chairperson, or at the instance of any two other members, and shall be convened at such intervals as circumstances may require.

(3) A quorum for a meeting of the Commission shall be 75% of the members.

(4)(a) Subject to paragraph (b), and section 5(3)(h) the decision of two-thirds of the members present at a meeting of the Commission shall be the decision of the Commission.

(b) The Commission shall certify in terms of section 18(b) that an election was substantially free and fair, only if a majority of at least 75% of the members present at the meeting of the Commission concur.

(5) The Commission may determine its own procedures to be followed at its meetings.

Powers, duties and function of Commission

13.(1) The Commission may exercise the powers and shall perform the duties and functions conferred upon or assigned to it by this Act or any other law.

(2) The Commission shall -

- (a) assume responsibility for the administration, organization and conduct, whether directly or indirectly, and the supervision of the administration, organization and conduct of any election;
- (b) take such measures as it may consider necessary for the prevention of intimidation of voters, candidates and parties;
- (c) be responsible for the education of voters concerning -
 - (i) democratic principles and values;
 - (ii) the electoral process and mechanisms;
 - (iii) the right to free political canvassing and campaigning;
 - (iv) secrecy of voting; and
 - (v) any other relevant matter,by means of -
 - (aa) literature and the use of other media, including distribution and publication of suitable literature, advertisements and dissemination through radio, television and the public print media, having due regard to the variety of languages spoken and varying levels of education throughout the Republic; and
 - (bb) workshops, seminars and meetings, as it may consider appropriate; and
- (d) submit monthly written reports concerning its functions, which reports shall be delivered at the same time to the Transitional Council and the State President, and such reports shall be public documents

(3) The Commission shall have power -

- (a) to hear and determine appeals from decisions or actions of the Chief Directors: Administration and Monitoring in respect of prescribed matters, which decisions or actions may be confirmed, varied or set aside;
- (b) to give instructions to the Chief Directors: Administration and Monitoring in respect of matters concerning their functions, which power may be exercised either upon request from the said Chief Directors or at its own initiative; and
- (c) to establish such committees as it may consider necessary for the effective exercise and performance of its powers, duties and functions, and determine the composition, quorum for a meeting and a decision, procedure and functions thereof.

International Advisory Committee

14.(1) The State President shall, upon the advice of the Transitional Council, establish a committee to be known as the International Advisory Committee to advise the Commission on any matter regarding the performance of its functions as may be requested by it.

(2) The International Advisory Committee may consist of persons (not being citizens of the Republic) from the international community appointed in a non-representative capacity by the State President upon the advice of the Transitional Council.

(3) The International Advisory Committee may determine its own procedures to be followed at meetings.

Administration and staff of Commission

15. The Commission shall, in addition to the other powers conferred upon it by this Act or any other law, for the purpose of achieving its objects, have the power to -

- (a) appoint staff to assist it or a directorate or the Secretariat in the performance of its functions, and after consultation with the Minister of State Expenditure, determine their conditions of service, remuneration, allowances and other benefits, including those of -
 - (i) members of committees who are not members of the Commission;
 - (ii) the Chief Directors: Administration and Monitoring and the Secretary; and
 - (iii) other officials;
- (b) request the secondment of skilled personnel from any public service, subject to any law applicable to such personnel in that regard, to assist the Commission, the directorates or the Secretariat in the performance of its functions;
- (c) open and maintain its own financial accounts; and
- (d) take such steps, including legal steps, as are necessary to give effect to this Act or any decision taken under this Act.

Expenditure of Commission and budget

16.(1) The expenditure in connection with the exercise of the Commission's powers and the performance of its duties and functions shall be paid out of money appropriated by Parliament then existing for such purpose.

(2) The Commission shall budget for and be allocated the necessary resources or additional resources to enable the Commission to exercise its powers and perform its duties and functions effectively.

Accountability and finance

17.(1) The Commission shall at its first meeting or as soon thereafter as possible appoint a

person to the office of Chief Executive Officer who -

- (a) shall be responsible for the management of and administrative control, over the staff appointed or seconded in terms of section 15(a) or (b), respectively, in respect of the Commission;
 - (b) shall, subject to the Exchequer Act, 1975 (Act No. 66 of 1975) -
 - (i) be charged with the responsibility of accounting for State money received or paid out for or on account of the Commission, the directorates and the Secretariat; and
 - (ii) cause the necessary accounting and other related records to be kept.
 - (c) may exercise the powers and shall perform the duties and functions which the Commission may from time to time confer upon or assign to him or her in order to achieve the objects of this Act and shall, for the purposes thereof be accountable to the Commission.
- (2) The records referred to in subsection (1)(b) shall be audited by the Auditor-General.
- (3) The Chief Executive Officer, and the persons referred to in section 15(a) or (b) shall exercise their powers and perform their duties and functions in an impartial manner and shall, in so doing, be subject to such provisions of the laws governing the public service of the Republic as may be indicated by the Commission and to the extent so indicated by the Commission as well as the Exchequer Act, 1975, and the Auditor-General Act, 1989 (Act No. 52 of 1989).

Determination and certification of election results, and declaration

18. Upon completion of the ballot, the Commission shall as expeditiously as possible, but not sooner than two days and not later than 10 days after the close of the poll -

- (a) determine and certify the results of an election; and
- (b) either certify in respect of the National Assembly and each other legislature that the election was substantially free and fair; or
- (c) declare that it was unable to certify it as such.

CHAPTER III

Election Administration Directorate

Establishment of Election Administration Directorate

19. There shall be established on the date on which the Commission is constituted, a directorate to be known as the Election Administration Directorate.

Constitution of Election Administration Directorate

20.(1) The Administration Directorate shall consist of a Chief Director: Administration, one or more deputy directors and such other officials as the Commission may consider necessary and appoint to enable that Directorate effectively to perform its functions in terms of this Act and the Electoral Act.

(2) In effecting the appointment of the Chief Director: Administration and any deputy director, the Commission shall invite and where given, consider, but shall not be bound by, the advice of the Transitional Council.

Powers, duties and functions of Chief Director: Administration

21.(1) The Chief Director: Administration shall have the powers, duties and functions conferred upon or assigned to him or her by or under this Act and the Electoral Act.

(2) Any decision or action taken by any functionary of any substructure of the Administration Directorate in any geographic district or region in respect of any prescribed matter may be appealed against to the Chief Director: Administration, who may confirm, vary or set aside any such decision or action.

(3) The Chief Director: Administration shall -

(a) operate independently of the Monitoring Directorate and the Secretariat;

(b) be under the supervision of the Commission; and

(c) carry out the instructions of the Commission, to which he or she shall be accountable.

(4) The Chief Director: Administration may delegate the power to hear appeals in terms of subsection (2) to any deputy director appointed in terms of section 20(1) and may delegate any other power conferred upon by him or her by or under this Act and the Electoral Act as he or she may deem appropriate.

CHAPTER IV

Election Monitoring Directorate

Establishment of Election Monitoring Directorate

22. There shall be established on the date on which the Commission is constituted, a directorate to be known as the Election Monitoring Directorate.

Constitution of Election Monitoring Directorate

23.(1) The Monitoring Directorate shall consist of a Chief Director: Monitoring and such other officials as the Commission may consider necessary and appoint to enable that Directorate effectively to perform its functions in terms of this Act.

(2) In effecting the appointment of the Chief Director: Monitoring, the Commission shall invite and where given, consider, but shall not be bound by, the advice of the Transitional Council.

Powers, duties and functions of Chief Director: Monitoring

24.(1) The Chief Director: Monitoring shall -

- (a) appoint and co-ordinate monitors to observe and report to him or her upon the electoral process, including political meetings, canvassing, advertising and other campaigns;
- (b) register observers and regulate their activities, and publish guidelines and, if he or she considers it necessary, a Code of Conduct binding upon all such observers;
- (c) facilitate the role of international observers and provide them with information and assistance as may be required to enable them to perform their duties;
- (d) investigate alleged infringements of the Electoral Code of Conduct, other electoral offences and any other matters justiciable in terms of this Act and the Electoral Act and report to the Commission thereon;
- (e) issue and execute prescribed search warrants and subpoenas and seize items required in connection with the investigation of alleged infringements of the Electoral Code of Conduct, other electoral offences and any other matters justiciable in terms of this Act and the Electoral Act, with the assistance of the National Peacekeeping Force as defined in section 1 of the Transitional Executive Council Act, 1993, the police or defence forces, as may be requested by the Commission;
- (f) initiate or co-ordinate meetings between the various registered parties participating in the election with a view to mediating and, if possible, resolving issues and disputes arising in the course of the election, by negotiation and mutual agreement;
- (g) issue warning concerning alleged or threatened infringements of the Electoral Code of Conduct;
- (h) report to the Commission upon the electoral process as required by it;
- (i) operate independently of the Administration Directorate and the Secretariat;
- (j) be under the supervision of the Commission; and
- (k) carry out the instructions of the Commission to which he or she shall be accountable.

(2) Any decision or action taken by any functionary of any substructure of the Monitoring Directorate in any geographic district or region in respect of any prescribed matter may be appealed against to the Chief Director: Monitoring who may confirm, vary or set aside any such decision or action.

(3) The Chief Director: Monitoring may delegate any power conferred upon him or her by or under this Act as he or she may deem appropriate.

CHAPTER V

Election Adjudication Secretariat

Establishment of Election Adjudication Secretariat

25. There shall be established on the date on which the Commission is constituted a secretariat to be known as the Election Adjudication Secretariat.

Constitution of Election Adjudication Secretariat

26.(1) The Secretariat shall consist of a Secretary and such other officials as the Commission may consider necessary and appoint to enable the Secretariat effectively to perform its functions in terms of this Act.

(2) In effecting the appointment of the Secretary, the Commission shall invite and where given, consider, but shall not be bound by, the advice of the Transitional Council.

Powers, duties and functions of Secretary

27. The Secretary shall -

- (a) co-ordinate the functions of the Electoral Tribunals, the Electoral Appeal Tribunals and the Special Electoral Court;
- (b) perform the administrative work connected with the functions of those Tribunals and that Court;
- (c) operate independently of the directorates;
- (d) be under the supervision of the Commission; and
- (e) carry out the instructions of the Commission, to which he or she shall be accountable.

CHAPTER VI

Electoral Tribunals

Establishment and constitution of Electoral Tribunals

28.(1) The Commission shall, subject to subsection (2), establish such number of Electoral Tribunals with jurisdiction in respect of prescribed geographical areas as it may consider necessary to adjudicate and determine prescribed matters concerning alleged electoral irregularities and infringements of the Electoral Code of Conduct.

(2) An Electoral Tribunal shall consist of one person appointed to that office by the Commission who shall be an attorney, advocate, magistrate or academic lawyer at a university with not less than five years' experience in one or more such capacity.

Powers, duties and functions of Electoral Tribunals

29.(1) An Electoral Tribunal hearing any matter falling within its jurisdiction, shall enquire into the matter in the prescribed manner, consider it and make such decision or give such order as in its opinion is fair and just.

(2) An Electoral Tribunal finding any person or party guilty of contravening or failing to comply with any prescribed matter or provision of the Electoral Code of Conduct, may impose any such penalty or sanction as may be prescribed in terms of this Act and the Electoral Act as it may deem appropriate in the circumstances.

(3) An Electoral Tribunal shall have such other powers, duties and functions as may be prescribed.

CHAPTER VII

Electoral Appeal Tribunals

Establishment and constitution of Electoral Appeal Tribunals

30.(1) The Commission shall, subject to subsection (2), establish such number of Electoral Appeal Tribunals as it may consider necessary to hear and determine appeals and review decisions from the Electoral Tribunals, noted in the prescribed manner.

(2) An Electoral Appeal Tribunal shall consist of three persons appointed by the Commission, of whom -

(a) the Chairperson shall be a judge of the Supreme Court;

(b) one shall be an attorney, advocate, magistrate or academic lawyer at a university with not less than five years' experience in one or more such capacity;

(c) one shall be a suitable person who may or may not be legally qualified or

experienced.
Powers, duties and functions of Electoral Appeal Tribunals

31.(1) An Electoral Appeal Tribunal hearing any appeal or reviewing any decision shall enquire into the matter in the prescribed manner, consider it and shall confirm, vary or set aside the decision, order, penalty or sanction of the Electoral Tribunal, or make such other decision or give such other order or impose such other penalty or sanction as in its opinion the Electoral Tribunal ought to have made, given or imposed.

(2) An Electoral Appeal Tribunal shall have such other powers, duties and functions as may be prescribed.

CHAPTER VIII

Special Electoral Court

Establishment and constitution of Special Electoral Court

32.(1) There is hereby established a court to be known as the Special Electoral Court with the powers, duties and functions referred to in section 33.

(2) The Special Electoral Court shall consist of -

- (a) a Chairperson who shall be a judge of the Appellate Division of the Supreme Court and two judges of the Supreme Court designated by the Chief Justice; and
- (b) two other members of whom -
 - (i) one shall be an attorney, advocate, magistrate or academic lawyer at a university with not less than five years' experience in one or more such capacity; and
 - (ii) one shall be a person who may or may not be legally qualified or experienced, appointed by the Transitional Council.

Powers, duties and functions of Special Electoral Court

33.(1)(a) Subject to section 36(6)(a)(ii), the Special Electoral Court shall have power to review any decision of the Commission.

(b) Any such review shall be conducted on an urgent basis, and shall be disposed of as expeditiously as possible.

(2)(a) Subject to section 36(6)(a)(ii), the Special Electoral Court shall have the power to hear an appeal from any decision of the Commission only in so far as such decision relates to the interpretation of any law or any other matter for which an appeal is provided in the Electoral Act.

(b) No such appeal shall be heard save with the prior leave of the Chairperson of the Special Electoral Court granted on application within the period and in the manner determined by that Court.

(c) Such an appeal shall be heard, considered and summarily determined upon written submissions submitted within three days after leave to appeal has been granted in terms of paragraph (b).

(3) The Special Electoral Court shall have power to remove any member of the Commission from office under section 11.

(4) Subject to section 36(7), the Special Electoral Court shall have power to hear appeals from and review decisions of any Appeal Tribunal.

(5) The Special Electoral Court shall determine its own practice and procedures and make its own rules.

(6) The Special Electoral Court shall have such other powers, duties and functions as may be conferred upon or assigned to it by the Electoral Act, the Transitional Executive Council Act, 1993, or any other law.

CHAPTER IX

General Provisions

Application of Act in event of conflict with other laws

34. In the event of a conflict between the provisions of this Act and those of any other law, the provisions of this Act shall prevail in so far as such provisions relate to the conduct and supervision of elections.

Dissolution of directorates, Secretariat and tribunals

35.(1) The directorates and the Secretariat shall be dissolved on the date upon which the Commission is dissolved.

(2) The Electoral Tribunals and the Electoral Appeal Tribunals shall be dissolved on final determination of the issues placed before them.

Appeal and review

36.(1) Any interested person, party or candidate who or which feels aggrieved by any decision or action taken by any functionary of a directorate in respect of any prescribed matter, may within the period and in the manner prescribed, appeal to the Chief Director of the relevant directorate against the decision or action in issue.

(2) Any interested person, party or candidate who or which feels aggrieved by any decision or action taken by the Chief Director: Administration or Monitoring, in respect of any prescribed matter other than a decision or action on appeal referred to in subsection (1), may within the period and in the manner prescribed, appeal to the Commission against

the decision or action in issue.

(3)(a) Subject to section 33(2), there shall be no appeal from any decision of the Commission.

(b) Subject to section 36(6)(a), any interested person, party or candidate may bring any decision of the Commission under review before the Special Electoral Court within the period and in the manner determined by that Court.

(4) Any interested person, party or candidate who or which feels aggrieved by any finding; order, penalty or sanction made, given or imposed by any Electoral Tribunal, may, within the period and in the manner prescribed, appeal to the relevant Appeal Tribunal against the finding, order, penalty or sanction in issue.

(5) Any interested person, party or candidate may bring any decision of any Electoral Tribunal under review before the relevant Appeal Tribunal within the period and in the manner prescribed.

(6) Any decision of -

(a) the Commission -

(i) in respect of appeals from decisions or actions of the Chief Director; Administration or Monitoring; or

(ii) in terms of section 128; and

(b) the Special Electoral Court,

shall be final and not subject to appeal or review.

(7) No appeal from or review of a decision of an Appeal Tribunal shall be heard save with the prior leave of the Chairperson of the Special Electoral Court granted on application within the period and in the manner determined by that Court.

Remuneration and allowances of members of tribunals and Special Electoral Court

37.(1) Subject to subsection (3), the Transitional Council may, after consultation with the Minister of State Expenditure, determine remuneration and allowances payable to members of the Special Electoral Court.

(2) Subject to subsection (3), the Commission may, after consultation with the Minister of State Expenditure, determine remuneration and allowances payable to members of the Electoral and Appeal Tribunals.

(3) Different or no remuneration or allowances may be determined under subsections (1) and (2) in respect of different members of those Tribunals and that Court.

Secrecy

38.(1) Every member of the Commission and every person employed in the performance of the functions of the Commission, the directorates and the Secretariat shall aid in preserving secrecy in regard to any matter or information that may come to her or his knowledge in the performance of her or his duties in connection with the said functions, except in so far as the publication of such matter or information is authorized by law.

(2) Any person who, in the exercise of powers or the performance of duties in terms of

this Act, has obtained knowledge regarding the affairs of any registered party as defined in section 1 of the Electoral Act, candidate or voter, shall, subject to section 6(2)(e), not disclose such knowledge to any person other than is required in the course and scope of his or her duties or in response to a question lawfully put under order of any court of law or tribunal contemplated in this Act or the Special Electoral Court.

Offences and penalties

39. Any person who -

- (a) wilfully hinders or obstructs the Commission, a directorate or the Secretariat or a member of its staff in the exercise of its or his or her powers or in the performance of its or his or her duties or functions;
 - (b) wilfully interrupts the proceedings at a meeting of the Commission or a hearing of an Electoral or Appeal Tribunal or the Special Electoral Court or misbehaves in any other manner in the place where such meeting or hearing is held;
 - (c) in connection with any meeting of the Commission or hearing of such Tribunal or Court does anything which, if such meeting or hearing were proceedings in a court of law, would have constituted contempt of court;
 - (d) does anything calculated improperly to influence the Commission or any such Tribunal or Court in respect of any matter being or to be considered by the Commission or such Tribunal or Court in connection with any decision;
 - (e) wilfully contravenes or fails to comply with any provision of section 38;
- shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding five years.

Legal proceedings against Commission

40.(1) The State Liability Act, 1957 (Act No. 20 of 1957), shall apply mutatis mutandis in respect of the Commission.

(2) In such application a reference to a Minister of a department shall be construed as a reference to the Chairperson or Co-Chairperson of the Commission, as the case may be.

Regulations

41.(1) The Commission may make regulations regarding -

- (a) governing the permissible nature and content of political advertising, which shall be determined and enforced by the Commission in conjunction with the Independent Media Commission established by section 2 of the Independent Media Commission Act, 1993, and the Independent Broadcasting Authority established by section 3 of the Independent Broadcasting Authority Act, 1993;
- (b) the issue, contents, form, and the practice and procedure in connection with the execution of search warrants, subpoenas and the seizure of items

- required in connection with the investigation of alleged infringement of the Electoral Code of Conduct, electoral offences and matters justiciable in terms of this Act;
- (c) the manner in which and the nature of proceedings which may be instituted in the Electoral and Appeal Tribunals;
- (d) the time limits within and manner in which appeals may be noted or decisions may be brought under review in terms of this Act;
- (e) the electoral irregularities and other matters in respect of which contraventions or failures to comply shall constitute a case for proceedings to be instituted in the Electoral Tribunals;
- (f) the issue, contents, form and use of process, and the practice and procedure in connection with the service and execution thereof;
- (g) the manner of recording or noting evidence or proceedings and the disposal thereof;
- (h) the appointment and functions of sworn interpreters;
- (i) orders, penalties and sanctions which may be given or imposed by an Electoral or Appeal Tribunal, and the execution thereof;
- (j) the manner in which a person, party or candidate may be summoned to appear in an Electoral Tribunal to face charges of contravening or failing to comply with a regulation contemplated in paragraph (e), and the manner in which one or more persons may be selected to represent such party in such Tribunal;
- (k) the procedures for investigating alleged infringements of the Electoral Code of Conduct, electoral offences or matters justiciable in terms of this Act in order to bring it to an expeditious conclusion;
- (l) the practice and procedure to be followed by the Chief Directors: Administration and Monitoring in hearing appeals from decision or actions of functionaries of the directorates having due regard to the principles of justice;
- (m) the practice and procedure to be followed by the Secretary in the performance of his or her functions;
- (n) fees and costs and the recovery thereof in respect of legal proceedings in terms of this Act;
- (o) representation or absence thereof in respect of legal proceedings in terms of this Act;
- (p) the practice and procedure to be followed by the Electoral and Appeal Tribunals in the conduct of their proceedings in order to bring such proceedings to an expeditious conclusion, having due regard to fairness and justice;
- (q) the regulation of the conduct of all persons, parties and candidates in so far as such conduct may promote or inhibit the conduct of free and fair elections;
- (r) any matter required or permitted to be prescribed in terms of this Act; and
- (s) generally, all matters which in its opinion are necessary or expedient to be

prescribed to achieve the objects of this Act.

(2) A regulation under subsection (1) may prescribe penalties for any contravention of the provisions thereof or any failure to comply therewith of a fine or imprisonment of a period not exceeding two years.

(3) Regulations under subsection (1) affecting State expenditure shall be made only after consultation with the Minister of State Expenditure.

Short title

42. This Act shall be called the Independent Electoral Commission Act, 1993.

REPUBLIC OF SOUTH AFRICA

ELECTORAL BILL

(As amended by the Joint Committee on Home Affairs)

(MINISTER OF HOME AFFAIRS)

[B 206B—93 (GA)]

REPUBLIEK VAN SUID-AFRIKA

KIESWETSONTWERP

(Soos gewysig deur die Leksumentlike Komitee oor Binnelandse Sake)

(MINISTER VAN BINNELANDSE SAKE)

[W 206B—93 (AS)]

ISBN 0 621 15575 5

BILL

To regulate the election for the National Assembly and all provincial legislatures to be elected in terms of the Constitution of the Republic of South Africa, 1993; and to provide for matters in connection therewith.

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

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CHAPTER I

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Interpretation and Application of Act

Definitions

1. In this Act, unless the context otherwise indicates—

- (i) "Administration Directorate" means the Election Administration Directorate established by section 19 of the Commission Act; (viii) 40
- (ii) "Appeal Tribunal" means an Electoral Appeal Tribunal established in terms of section 3(1) of the Commission Act; (iii)
- (iii) "armed force" means any armed force not established by or under any law and which is under the authority and control of, or associated with and promotes the objectives of, any party; (xiii) 45
- (iv) "ballot box" means any ballot box referred to in section 27; (xl ix)
- (v) "ballot paper" means any ballot paper referred to in section 29; (xl vii)
- (vi) "candidate" means any person whose name appears on a list of nominations by any registered party to be a representative in the National Assembly or any provincial legislature in terms of the Constitution and this Act; (xxi) 50
- (vii) "Chief Director" means the Chief Director: Administration appointed to that office by the Commission in terms of section 20(1) of the Commission Act; (xvii) 55

- (viii) "Chief Director: Monitoring" means the person appointed to that office by the Commission in terms of section 23(1) of the Commission Act; (xvii)
- (ix) "Commission" means the Independent Electoral Commission established by section 4(1) of the Commission Act; (xxiii)
- (x) "Commission Act" means the Independent Electoral Commission Act, 1993 (Act No. 150 of 1993); (xxiv)
- (xi) "Constitution" means the Constitution of the Republic of South Africa, 1993; (xv)
- (xii) "controlled area" means any controlled area contemplated in section 24(1)(c) or 42(1)(c); (iv)
- (xiii) "counting centre" means any counting centre contemplated in section 42(1)(a); (lviii)
- (xiv) "counting officer" means any counting officer appointed in terms of section 7(1)(b)(iii); (lv)
- (xv) "counting station" means any place determined by the Commission in terms of section 41 where the counting of votes is to take place; (lvi)
- (xvi) "deputy director" means any deputy director appointed in terms of section 20(1) of the Commission Act; (i)
- (xvii) "directorate" means the Administration Directorate or the Monitoring Directorate; (vii)
- (xviii) "district electoral officer" means any district electoral officer appointed in terms of section 7(1)(b)(i), and includes any deputy appointed in terms of that section designated by the former; (x)
- (xix) "election" means any election conducted in terms of this Act for the National Assembly or any provincial legislature; (lxii)
- (xx) "election centre" means any election centre contemplated in section 24(1)(a); (lxiv)
- (xxi) "election material" means any ballot papers, counterfoils, envelopes, statements and other documentation used in connection with the voting in the election; (lxvi)
- (xxii) "election period" means the period between the commencement and ending of the election contemplated in section 21(2); (lxviii)
- (xxiii) "Electoral Code of Conduct" means the Electoral Code of Conduct contained in Schedule 2; (lxv)
- (xxiv) "electoral district" means any electoral district demarcated by the Commission by regulation; (li)
- (xxv) "electoral officer" means any deputy director, any provincial or district electoral officer or his or her deputy, any presiding or voting officer or any counting officer or enumerator; (lxiii)
- (xxvi) "Electoral Tribunal" means an Electoral Tribunal established in terms of section 28(1) of the Commission Act; (lxvii)
- (xxvii) "enumerator" means any enumerator appointed in terms of section 7(1)(d); (lvii)
- (xxviii) "foreign voting station" means any foreign voting station established in terms of section 25; (vi)
- (xxix) "identification mark" means the mark approved by the Commission for the purpose of the identification of a voter in terms of section 35(4)(a)(i) before voting in the election; (xix)
- (xxx) "inner perimeter" means any inner perimeter contemplated in section 24(1)(b) or 42(1)(b); (v)
- (xxxi) "interim party liaison committee" means the interim party liaison committee established in terms of section 5(1)(a); (lx)
- (xxxii) "international observer" means any person appointed as a representative of the United Nations, the Organization of African Unity, the European Community, the Commonwealth or any other inter-governmental organization or foreign government accredited for that purpose by the Subcouncil on Foreign Affairs of the Transitional Council in consultation with the Department of Foreign Affairs in order to observe and report on the electoral process; (xx)
- (xxxiii) "monitor" means any person appointed as such in terms of section 24(1)(a) of the Commission Act; (xxv)

(xxxiv)	"Monitoring Directorate" means the Election Monitoring Directorate established by section 22 of the Commission Act; (ix)	
(xxxv)	"National Assembly" means the National Assembly as contemplated in the Constitution; (xxvi)	
(xxxvi)	"observer" means any observer registered as such with the Monitoring Directorate in terms of section 24(1)(b) of the Commission Act; (lxvii)	5
(xxxvii)	"official mark" means the mark determined by the Chief Director for the purpose of the identification of a ballot paper as having been officially issued in terms of section 35(6)(a) or 40(3); (ii)	10
(xxxviii)	"ordinarily resident", in relation to any person, means the home or place where he or she normally lives and to which he or she returns regularly after any period of temporary absence; (xiv)	
(xxxix)	"party" means any registered party, and any party, organization or movement of a political nature which publicly supports or opposes the policies, candidates or cause of any registered party, or which propagates non-participation in the election; (xxviii)	15
(xli)	"party election agent" means any party election agent appointed in terms of section 13(1) or (3)(c); (xxxv)	
(xlii)	"party election district agent" means any party election district agent appointed in terms of section 13(1)(c); (xxix)	20
(xlii)	"party election national agent" means any party election national agent appointed in terms of section 13(1)(a), and includes any deputy appointed in terms of that section designated by the former; (xxxi)	25
(xlvi)	"party election provincial agent" means any party election provincial agent appointed in terms of section 13(1)(a) or (b); (xxxiii)	
(xliv)	"party liaison national committee" means the party liaison national committee established in terms of section 5(3)(a); (xxx)	
(xlv)	"party liaison provincial committee" means any party liaison provincial committee established in terms of section 5(3)(b); (xxxii)	30
(xlvi)	"party voting agent" means any party voting agent appointed in terms of section 13(5); (xxxiv)	
(xlvii)	"prescribe" means prescribe by regulation in terms of this Act or under the Commission Act; (lxxi)	35
(xlviii)	"presiding officer" means any presiding officer appointed in terms of section 7(1)(b)(ii); (bx)	
(xlvi)	"province" means any province of the Republic determined as such by or under the Constitution; (xxxviii)	
(i)	"provincial electoral officer" means any provincial electoral officer appointed in terms of section 7(1)(a), and includes any deputy appointed in terms of that section designated by the former; (xxxvi)	40
(ii)	"provincial legislature" means any legislature of a province as contemplated in the Constitution; (xxxvii)	
(iii)	"provisionally defined area" means any area of a magisterial district referred to in Part 2 of Schedule 1 to the Constitution; (lxix)	45
(lvi)	"qualified person" means any person qualified in terms of the Constitution to serve as a member of the National Assembly or a provincial legislature; (xi)	
(liv)	"registered party" means any party registered in terms of Chapter IV as a participant in the election; (xii)	50
(lv)	"regulations" means the regulations made in terms of section 76; (xxxix)	
(lvi)	"Republic" means the Republic of South Africa, including the Republics of Transkei, Bophuthatswana, Venda and Ciskei; (xi)	55
(lvii)	"Senate" means the Senate as contemplated in the Constitution; (xli)	
(lviii)	"Special Electoral Court" means the Special Electoral Court established by section 32(1) of the Commission Act; (xliv)	
(lix)	"special vote" means any special vote contemplated in sections 39 and 40; (xlvi)	60
(lx)	"special voter" means any voter entitled in terms of sections 39 and 40 to cast his or her vote as a special voter; (xlvi)	

- (lxi) "State" means the Republic; (xlv)
- (lxii) "temporary voter's card" means any temporary voter's card issued in terms of section 17; (lxi)
- (lxiii) "this Act" includes the regulations; (xvi)
- (lxiv) "Transitional Council" means the Transitional Executive Council established by section 2 of the Transitional Executive Council Act, 1993 (Act No. 151 of 1993); (xxvii) 5
- (lxv) "Tribunal" means an Electoral or Appeal Tribunal; (lix)
- (lxvi) "voter" means any eligible voter as contemplated in sections 15 and 16; (xxii)
- (lxvii) "voter's eligibility document" means—
 - (a) an identity document or a temporary identity certificate issued in terms of the Identification Act, 1986 (Act No. 72 of 1986), or any other applicable law, as the case may be;
 - (b) a temporary voter's card;
 - (c) a reference book issued in terms of the repealed Blacks (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act No. 67 of 1952); or
 - (d) an identity document referred to in section 13 of the Population Registration Act, 1950 (Act No. 30 of 1950); and
 - (e) for the purpose of voting at any foreign voting station, also a valid passport; (lii)
- (lxviii) "voting compartment" means any voting compartment referred to in section 27; (liii)
- (lxix) "voting day or days" or "voting period" means the voting day or days or period determined in terms of section 21; (l)
- (lxx) "voting materials" means voting compartments, ballot boxes, ballot papers, instruments, seals and other requisites for the purposes of conducting the election; (liv)
- (lxxi) "voting officer" means any voting officer appointed in terms of section 7(1)(c); (xlvi) and
- (lxxii) "voting station" means any place determined by the Chief Director in terms of section 24(2) where voting is to take place. (xlviii) 20

Application of Act

2. The provisions of this Act shall apply in respect of the elections held in terms of the Constitution for the National Assembly and all provincial legislatures. 35

Act binding on State and State President

3. (1) This Act shall bind the State.
 (2) This Act shall bind the State President in so far as he or she shall be obliged to act in accordance with the advice of the Transitional Council wherever so provided for in this Act. 40

CHAPTER II

Administration

Administration of Act

4. The provisions of this Act shall be administered by the Commission, which in such administration shall endeavour to create an environment which generates confidence in the electoral process and the secrecy of the ballot. 45

Party liaison committees

5. (1) The Transitional Council shall—
 (a) as soon as practicable establish an interim party liaison committee, which shall continue until the party liaison national committee has been established in terms of subsection (3)(a); and 50

- (b) appoint a chairperson for such committee, who may or may not be a person contemplated in subsection (2), and who shall determine the procedures to be followed at the meetings thereof: Provided that if a person contemplated in subsection (2) is so appointed as chairperson, the party represented by such person on such committee may designate another representative in his or her place. 5
- (2) The interim party liaison committee shall consist of such representatives of parties as may be appointed for that purpose by the Transitional Council.
- (3) Upon the publication of the notice contemplated in section 20 the Commission shall— 10
- (a) establish a party liaison national committee consisting of all party election national agents or other authorized representatives of all registered parties participating in the election whether in respect of the National Assembly or any provincial legislature; and
 - (b) establish party liaison provincial and local committees consisting of all party election provincial and district agents concerned, as the case may be, of all registered parties participating in the election whether in respect of the National Assembly or any provincial legislature. 15
- (4) The Commission shall appoint—
- (a) a chairperson for each of the committees contemplated in subsection (3), 20 who shall determine the procedures to be followed at the meetings thereof; and
 - (b) a representative of the Commission to serve on any such committee. 25
- (5) Notwithstanding the provisions of subsection (3) the Commission may require any registered party which is unrepresented on any party liaison provincial or local committee to appoint a representative to attend the meetings of such committee and to serve thereon. 25

Functions of party liaison committees

6. The functions of any party liaison committee contemplated in section 5 shall be— 30
- (a) to establish liaison between the Commission and the parties represented thereon and between such parties regarding election matters, including—
 - (i) the administration of the electoral arrangements in general;
 - (ii) staffing;
 - (iii) the number and location of voting and counting stations;
 - (iv) the demarcation of electoral districts; and
 - (v) the number and location of foreign voting stations; and
 - (b) to be a forum in which the parties represented on any such committee may—
 - (i) discuss matters of concern with a view to obviating the incidence of infringements of the Electoral Code of Conduct and, if possible, resolving the same without the necessity for formal complaint and investigation procedures; and
 - (ii) consult regarding the need for and formulation of regulations governing matters in connection with the election. 45

Appointment of and control over electoral officers and staff

7. (1) Subject to sections 15 and 20 of the Commission Act, the Chief Director shall, in respect of any election called in terms of this Act, in consultation with the Commission, appoint— 50
- (a) a provincial electoral officer and one or more deputies in respect of each province;
 - (b) (i) a district electoral officer and one or more deputies in respect of each electoral district;

- (ii) a presiding officer in respect of each voting station; and
 (iii) a counting officer in respect of each counting station,
 or, subject to such consultation, authorize any such appointment by any provincial electoral officer:
- (c) one or more voting officers in respect of each voting station as he or she may consider necessary for the effective administration of the election,
 or, subject to such consultation, authorize any such appointment by any provincial or district electoral officer; and
- (d) one or more enumerators in respect of each counting station as he or she may consider necessary for the effective administration of the counting of votes, or, subject to such consultation, authorize any such appointment by any provincial or district electoral officer.
- (2) Subject to section 15 of the Commission Act, the Chief Director or any provincial or district electoral officer or any counting officer may, if authorized thereto by the Chief Director, appoint other staff as may be necessary for the effective administration of the election.
- (3) All electoral officers, and staff appointed in terms of this section, shall be under the control and carry out the instructions of the Chief Director.
- (4) In the appointment of staff in terms of this section an endeavour shall be made to appoint a broad cross-section of the population, including women.
- (5) In effecting any appointment in terms of subsection (1), the Commission shall invite submissions from the interim party liaison committee or the party liaison national committee, as the case may be, on a proposal regarding any such appointment, and, where such submissions are received within 48 hours, consider, but shall not be bound by, the advice of any such committee.
- (6) No appointment made in terms of subsection (1) or (9) or removal from office in terms of subsection (7) shall be subject to appeal or review.
- (7) Notwithstanding anything to the contrary in this Act or any other law contained, any presiding, voting or counting officer or enumerator may be removed from office by the Chief Director on account of—
- (a) misconduct;
 - (b) inability or failure to perform the duties connected with his or her office efficiently;
 - (c) absence from duty without the prior permission of the Chief Director or his or her delegate;
 - (d) incompetence;
 - (e) displaying bias; or
 - (f) unsuitability for office.
- (8) Subject to subsection (6), in the event of a removal from office under subsection (7), compensation shall be the only remedy available.
- (9) Subject to subsection (5), in the event of the death of any officer contemplated in subsection (1), any removal from office contemplated in subsection (7) or the ceasing to hold office by any such officer for any other reason, the Chief Director or the provincial or district electoral officer, as the case may be, may appoint a person in the place of such officer.

Powers, duties and functions of provincial electoral officers

8. (1) Subject to the control of the Chief Director, the provincial electoral officer shall assume responsibility for the administration, organization, supervision and conduct of the election for both the National Assembly and the provincial legislature in the province in respect of which he or she has been appointed.
- (2) In addition to the powers, duties and functions conferred or imposed by the other provisions of this Act, the provincial electoral officer shall have such other powers, duties and functions as may be prescribed.

Powers, duties and functions of district electoral officers

9. (1) Subject to the control of the provincial electoral officer, the district electoral officer shall have such powers as may be delegated to him or her by the Chief Director under section 21(4) of the Commission Act in respect of the

administration, organization, supervision and conduct of the election in the electoral district in respect of which he or she has been appointed.

(2) In addition to the powers, duties and functions conferred or imposed by the other provisions of this Act, the district electoral officer shall have such other powers, duties and functions as may be prescribed.

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Powers, duties and functions of presiding officers during voting

10. (1) The presiding officer at a voting station shall have power to—

(a) take such steps as may be necessary for the orderly conduct of the voting, including the regulating of the number of voters to be admitted at a time to the election centre and the inner perimeter; and

(b) exclude from the election centre and the inner perimeter all persons except—

(i) members and representatives of the Commission and employees of the Commission in the course of their official duties;

(ii) the Chief Director and any electoral officer concerned;

(iii) any party voting agent entitled in terms of section 13(5) to be present at a voting station;

(iv) any other person authorized by the Commission to be present as a monitor or international or other observer;

(v) any such prescribed number of candidates as the presiding officer may allow;

(vi) any interpreters and any such staff and other persons as may be necessarily admitted by the presiding officer; and

(vii) any person casting his or her vote.

(2) Subject to subsection (1)(b), no person shall enter or remain in an election centre or inner perimeter without the permission of the presiding officer.

(3) The presiding officer shall take all reasonable steps for the protection of persons and property and for preventing any violence or disturbance in or in the vicinity of the voting station.

(4) The powers conferred by this section shall not be so exercised as to prevent any person who is entitled to vote from having an opportunity to cast his or her vote.

(5) In addition to the powers, duties and functions conferred or imposed by the other provisions of this Act, the presiding officer shall have such other powers, duties and functions as may be prescribed.

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Powers, duties and functions of voting officers at voting stations

11. (1) Voting officers shall assist the presiding officer in the exercise of the powers and the performance of the duties and functions of the presiding officer under or in terms of this Act and carry out his or her lawful instructions.

(2) In addition to the powers, duties and functions conferred or imposed by the other provisions of this Act, the voting officer shall have such other powers, duties and functions as may be prescribed.

Powers, duties and functions of counting officers and enumerators

12. (1) The counting officer at a counting station shall have power to—

(a) take such steps as may be necessary for the orderly conduct of the counting of the votes; and

(b) exclude from the counting centre all persons except—

(i) members and representatives of the Commission and employees of the Commission in the course of their official duties;

(ii) the Chief Director and any electoral officer concerned;

(iii) any party voting agent entitled in terms of section 13(5) to be present at a counting station;

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- (iv) any other person authorized by the Commission to be present as a monitor or international or other observer;
 - (v) any such prescribed number of candidates as the counting officer may allow; and
 - (vi) any such staff and other persons as may necessarily be admitted by the counting officer.
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(2) The counting officer shall take all reasonable steps for the protection of persons and property and for preventing any violence or disturbance in or in the vicinity of the counting station.

(3) Subject to the control of the provincial electoral officer, the counting officer shall have such powers as may be delegated to him or her by the Chief Director under section 21(4) of the Commission Act in respect of the administration, organization and conduct of the counting of the votes in respect of the area concerned.

(4) In addition to the powers, duties and functions conferred or imposed by the other provisions of this Act, the counting officer shall have such other powers, duties and functions as may be prescribed.

(5) The enumerator shall have such powers, duties and functions as may be prescribed.

Appointment and powers, duties and functions of party election and voting agents 20

13. (1) Upon registration in terms of section 19 the registered party concerned shall by written notice to the Chief Director—

- (a) if such party is contesting the election for the National Assembly, appoint a party election national agent and his or her deputy and a party election provincial agent in respect of each province, and shall furnish the names and business addresses of such party election agents;
 - (b) if such party is contesting the election for any provincial legislature only, appoint a party election provincial agent and his or her deputy in respect of each province in respect of which it is contesting the election, and furnish the names and business addresses of such party election agents;
 - (c) when so required by the Commission, appoint a party election district agent in respect of any electoral district within 10 days after notification of such requirement and furnish the name and business address of such party election district agent.
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(2) The party election national agent or other authorized representative or party provincial election agent shall attend and represent the registered party concerned at meetings of the party liaison national or provincial committee, as the case may be, and every other forum which the Commission, a Chief Director of a directorate or the provincial electoral officer in its, his or her discretion may convene in respect of the election.

(3) (a) A registered party which has appointed an election agent may at any time revoke such appointment.

(b) When a registered party revokes an appointment under paragraph (a) or if any party election agent resigns, becomes incapacitated or dies, the registered party concerned shall forthwith inform the Chief Director or the provincial electoral officer concerned in writing of such revocation, resignation, incapacity or death.

(c) A registered party shall as soon as practicable but not later than five days after the occurrence of any vacancy in terms of paragraph (a) or (b), fill such vacancy by appointing any other person as party election agent and shall forthwith notify the Chief Director or the provincial electoral officer concerned in writing of the name and business address of the person so appointed: Provided that in the case of a party election national agent, such appointment shall be made within 48 hours of the vacancy having occurred.

(4) A record of all appointments and information noted in terms of this section shall be kept by the Chief Director and the provincial electoral officer concerned for public inspection and a copy of each such notice shall be submitted to each presiding officer in the electoral district concerned.

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(5) A party election provincial agent shall in the prescribed manner appoint the prescribed number of party voting agents for the purposes of monitoring voting at a voting station and the counting of votes at a counting station on behalf of a registered party.

(6) No person shall be appointed as party election or voting agent unless he or she is a person entitled to vote in terms of sections 15 and 16. 5

Declaration of secrecy

14. Before assuming or performing any of the duties or functions assigned to him or her by or under this Act, any officer or agent referred to in this Chapter shall make a declaration of secrecy, under oath or affirmation, in the prescribed 10 form and in accordance with the prescribed procedure.

CHAPTER III

Franchise

Persons entitled to vote

15. (1) Any person of the age of 18 years or older who is a citizen of or 15 permanently resident in the Republic and who is in possession of a voter's eligibility document shall, in accordance with and subject to the provisions of this Act, be entitled to vote at the election.

(2) For the purposes of this section a person shall be permanently resident in the Republic if he or she— 20

- (a) holds a permit for permanent residence in the Republic in terms of section 25 of the Aliens Control Act, 1991 (Act No. 96 of 1991); or
- (b) has been exempted from the requirement of holding a permit for permanent residence in terms of section 28(2) of the Aliens Control Act, 1991. 25

(3) For the purposes of this section a person shall be deemed to be permanently resident in the Republic if such person—

- (a) is a former South African citizen, and, notwithstanding any requirement for the exercise of a discretion by the Minister of Home Affairs in terms of section 25bis of the South African Citizenship Act, 1949 (Act No. 44 of 1949), qualifies for the restoration of South African citizenship in terms of the said Act; 30
- (b) was born to or is a spouse of a South African citizen or former South African citizen and has entered the Republic with the intention of residing permanently therein; 35
- (c) establishes, to the satisfaction of the Commission, in the prescribed manner that he or she—
 - (i) entered the Republic on or before 31 December 1978;
 - (ii) has been ordinarily resident in the Republic since the date of his or her entry into the Republic; and
 - (iii) is not a prohibited person in terms of the Aliens Control Act, 1991; or 40
- (d) is a child of a person who satisfies the criteria referred to in paragraph (c) and who establishes, to the satisfaction of the Commission, in the prescribed manner that he or she was born in the Republic and has been ordinarily resident therein since the date of his or her birth. 45

(4) Any person who satisfies the criteria referred to in paragraph (a), (b), (c) or (d) of subsection (3) shall be deemed to fulfil the requirements of section 4 of the Identification Act, 1986 (Act No. 72 of 1986), for the purposes of obtaining an identification document in terms of section 8 or a temporary identity certificate in 50 terms of section 9 of the said Act or a temporary voter's card.

Persons not entitled to vote

16. Notwithstanding the provisions of section 15, no person shall be entitled to vote in the election if that person is—

- (a) subject to an order of court declaring him or her to be of unsound mind or mentally disordered or affected;
- (b) detained as a mentally ill patient under the Mental Health Act, 1973 (Act No. 18 of 1973), or any other applicable law, as the case may be;
- (c) detained under the Prevention and Treatment of Drug Dependency Act, 1992 (Act No. 20 of 1992), or any other applicable law, as the case may be; or
- (d) serving a sentence of imprisonment without the option of a fine in respect of any of the following specified offences involving violence or dishonesty:
 - (i) Murder, culpable homicide, rape, indecent assault, childstealing, kidnapping, assault with intent to do grievous bodily harm, robbery, malicious injury to property and breaking or entering any premises with intent to commit an offence;
 - (ii) fraud, corruption and bribery; or
 - (iii) any attempt to commit any offence referred to in subparagraph (i) or (ii).

Temporary voters' cards

17. (1) If the Commission considers the issuing of temporary voters' cards necessary for the purposes of the election, the Commission may—
- (a) upon receipt of an application in the prescribed manner, including—
 - (i) the information therein being given under oath or affirmation; and
 - (ii) the taking of a set of fingerprints of the applicant; and
 - (b) upon verification to the satisfaction of the Commission of the information furnished in the application with—
 - (i) the source information at the disposal of the Department of Home Affairs; and
 - (ii) such other information as may be furnished by any person, institution or organization at the request of the Commission,
- issue to such applicant who qualifies, a temporary voter's card as provided for in this section.

(2) Unless the Commission decides otherwise, the Director-General: Home Affairs may issue temporary voters' cards *mutatis mutandis* in accordance with the provisions of this section under the supervision of the Commission.

- (3) A temporary voter's card shall be in the prescribed form and shall contain the following particulars in respect of the applicant to whom it is issued:
- (a) The identity number referred to in section 5 of the Identification Act, 1986 (Act No. 72 of 1986), or, if such number has not yet been allocated, the date of birth or the age;
 - (b) the full name; and
 - (c) a passport size photograph with a recognizable image.

(4) An applicant shall qualify for the issuing of a temporary voter's card only if he or she is entitled to vote in terms of sections 15 and 16, but does not possess any other valid voter's eligibility document identifying him or her as such.

CHAPTER IV

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Registration of Participating Parties

Registration for purposes of election

18. (1) No party shall be entitled to contest the election unless such party is registered as a participant in the election in accordance with, and subject to, the provisions of this Chapter.

(2) The registration of any party in terms of this Chapter shall remain of effect until the proclamation in the *Gazette* of the next election or the dissolution of the party or the adoption of a new constitutional text in terms of section 73 of the Constitution, whichever may occur first.

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Application for registration for purposes of election

19. (1) An application for the registration of a party as a participant in the election shall be submitted in the prescribed form to the Chief Director not later than 10 days after the proclamation of the election in terms of section 21. 5
- (2) The application referred to in subsection (1) shall—
 (a) if the party wishes to contest the election for the National Assembly, be accompanied by a deposit of R25 000; 10
 (b) if the party wishes to contest the election for any provincial legislature, be accompanied by a deposit of R5 000 in respect of each such election it wishes to contest. 10
- (3) The application form shall *inter alia* make provision for the following:
 (a) The name of the party, consisting of not more than 60 letters, which in terms of the provisions of section 29 is required to appear on the ballot paper; 15
 (b) the distinguishing mark or symbol of the party in colour;
 (c) such photographs as may be prescribed for the purposes of the ballot paper;
 (d) the abbreviation, if any, of the name of the party, consisting of not more than 8 letters; 20
 (e) the business address of the party;
 (f) the constitution of the party;
 (g) the names and addresses of—
 (i) the national leader or leaders;
 (ii) the regional leaders, if any;
 (iii) the members constituting the national executive body; and 25
 (iv) the members of the regional executive bodies, if any, of the party; and
 (h) the names, addresses and telephonic or other means of contact of the party election national agent and the party election provincial agents and their respective deputies. 30
- (4) No party shall be registered as a participant in the election unless a declaration in the form prescribed by the Chief Director has been signed on behalf of such party by the duly authorized representative of the party in terms of which the party commits and subjects itself and its office-bearers, officials and candidates (including the office-bearers and officials of parties which are constituent members of a group of parties jointly functioning as a single party for the purposes of the election) to the Electoral Code of Conduct. 35
- (5) The Commission shall, within three days after the 10 day period referred to in subsection (1) has expired, cause to be published in the *Gazette* a notice containing a complete list of applications received in terms of that subsection and inviting objections thereto by interested parties, together with the address at which copies of the original applications and supporting documents shall be available for public inspection. 40
- (6) A copy of each document submitted to the Chief Director for the purposes of the registration of a party as a participant in the election shall be kept at the address referred to in subsection (5) for inspection by the public, and anyone who desires to inspect such a document, may do so free of charge during office hours. 45
- (7) The Chief Director shall, upon payment of the prescribed fees, provide a copy of any document referred to in subsection (6) to any person applying therefor. 50
- (8) (a) The Commission may disallow a proposed name, abbreviated name, distinguishing mark or symbol of a party in the event that it—
 (i) resembles the proposed name, abbreviated name, distinguishing mark or symbol, as the case may be, of any other party to such extent that it may, in the opinion of the Commission, deceive or confuse; or 55
 (ii) contains anything which in the opinion of the Commission portrays the propagation of or incitement to violence or hatred or which may cause serious offence to any section of the population on the grounds of race, sex, ethnic origin, colour, sexual orientation, age, disability, religion, conscience, creed, culture or language. 60
 (b) If the Commission is of the opinion that the name, abbreviated name,

distinguishing mark or symbol of a party referred to in subsection (3) corresponds with, or substantially resembles, the name, abbreviated name, distinguishing mark or symbol, as the case may be, of another party, it—

- (i) shall take into account the fact that the party which is associated with the name, abbreviated name, distinguishing mark or symbol, as the case may be, for the longest period, should *prima facie* be entitled thereto; 5
- (ii) may, for the purposes of subparagraph (i)—
 - (aa) afford the party concerned an opportunity to deliver such proof, including oral evidence or sworn or affirmed statements by any person which, in the opinion of the Commission, could be of assistance in the expeditious determination of the matter; and 10
 - (bb) administer an oath or affirmation to any person appearing to testify before it.

(9) Any objection against the registration of a party as a participant in the election, together with the reasons therefor, shall be lodged in writing with the Chief Director within 10 days after the date of the publishing of the list referred to in subsection (5). 15

(10) If the Commission is of the opinion, taking into account any objections received, that any application submitted in terms of subsection (1)—

- (a) complies with the provisions of this section, it shall register that party as a participant in the election and issue to it a registration certificate in the prescribed form; or 20
- (b) does not comply with the provisions of this Act, it shall afford the party an opportunity to rectify such application, but shall make its final determination not later than 28 days after the date of the proclamation 25 of the election in terms of section 21(1).

(11) The Commission shall at the request of any authorized person who is investigating any alleged offence or any other matter in terms of this Act or the Commission Act, furnish such person with a certified copy of any registration certificate or written confirmation of the registration referred to in subsection (10)(a), which shall for all purposes serve as *prima facie* proof of such registration. 30

Notice of registration in *Gazette*

20. The Chief Director shall within three days after the expiry of the 28 day period referred to in section 19(10)(b) cause to be published in the *Gazette* a notice containing—

- (a) the full name and business address of the registered party;
- (b) the distinguishing mark or symbol of the registered party;
- (c) the abbreviated name, if any, of the registered party; and
- (d) the address at which a copy of the original application and supporting documents shall be available for public inspection. 40

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CHAPTER V

Proclamation of Election and Submission of Lists of Candidates

Determination of voting days and hours of voting

21. (1) Subject to subsection (3), the State President shall, upon the advice of the Transitional Council, by proclamation in the *Gazette* determine the voting period of the election as well as the hours during which the voting shall take place: Provided that the first voting day shall be at least 60 days but not later than 90 days after the date of such proclamation. 45

(2) The election shall, for the purposes of this Act and any other law, be deemed to have commenced on the date of the proclamation of the election in terms of subsection (1) and to have ended on the date of the certification of the results of the election or the declaration that it was unable so to certify by the Commission in terms of section 18 of the Commission Act. 50

(3) The voting period shall consist of one day for special votes followed by not more than two days for general voting, one of which shall be a public holiday. 55

Allocation of certain seats and submission of lists of candidates to Chief Director

22. (1) The Commission shall as soon as practicable, with due regard to the distribution of seats contemplated in items 2(a) and 17 of Schedule 2 to the Constitution and the criteria mentioned therein, allocate a fixed number of seats—

- (a) to each province in respect of the National Assembly; and
- (b) to each provincial legislature.

and cause such allocation to be published in the *Gazette* forthwith.

(2) A registered party shall submit in the prescribed form to the Chief Director the lists of candidates in respect of the National Assembly and each of the provincial legislatures in which such party wishes to be represented as contemplated in Schedule 2 to the Constitution, within 30 days after the date of the proclamation of the election in terms of section 21(1).

(3) Subject to section 23(2), the names on the lists of candidates referred to in subsection (2) shall appear in such order as the registered party may determine with a view to the allocation of representatives in that order in terms of Schedule 2 to the Constitution.

(4) A list or lists of candidates submitted by a registered party for election—

- (a) to the National Assembly, shall contain the names of not more than 400 candidates; and
- (b) to any provincial legislature, shall contain the names of not more than the number of seats being contested.

(5) Each list of candidates shall be accompanied by a declaration in the prescribed form signed by the duly authorized office-bearer of the registered party concerned that each person whose name appears on the list is a qualified person together with the signed acceptance of such nomination by the candidate, a declaration that he or she commits and subjects himself or herself to the Electoral Code of Conduct and, if any such candidate is—

- (a) not a member of such registered party; or
- (b) in addition to being a member of such registered party, also a member of any other party,

the name of the party, if any, of which such candidate is a member, or, as the case may be, also a member.

(6) No documents contemplated in subsections (2) and (5) shall be received after 16:30 on the last day of the 30 day period referred to in subsection (2).

(7) The name of a candidate—

- (a) shall not appear on a list of candidates of more than one registered party in respect of a particular legislature; and
- (b) may appear on lists of candidates in respect of the National Assembly and one provincial legislature.

(8) If a candidate's name appears on more lists of candidates than is provided for in subsection (7)(a) and that candidate has signed acceptances of nomination in respect of such lists of candidates, the Chief Director shall, in consultation with the registered parties concerned, delete the name of the candidate from all the lists on which it appears.

(9) The registration of any party in terms of section 19 and consequently its right to participate in the election shall lapse automatically if it fails to submit a list of candidates in accordance with the provisions of this section.

(10) For the purposes of this Act, and notwithstanding anything to the contrary in any law contained, any person employed or serving in—

- (i) any civil service, excluding a member of any police force, defence force or prison service; or
- (ii) any primary, secondary or tertiary educational institution; or
- (iii) any hospital or other medical or health institution.

shall not be disqualified from being nominated by a registered party on a list of candidates or from being designated as a representative in the National Assembly or any provincial legislature if that person has taken leave of absence (whether paid or unpaid) from the date on which he or she has been so nominated until and including the date of the publication of the lists of names of representatives in all legislatures in terms of section 51(2).

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Publication of lists of candidates

23. (1) The Chief Director shall within five days after the 30 day period referred to in section 22(2), cause to be published in the *Gazette* a notice in respect of the National Assembly and each of the provincial legislatures setting out—
 (a) in alphabetical order the names of all the registered parties; and 5
 (b) each list of candidates of each such registered party in the order of their nomination, compiled by the registered party in terms of section 22, and declaring that the persons whose names appear on the lists have been nominated as the candidates of the registered party concerned for the election and that such candidates have accepted their nominations. 10
- (2) If any person whose name appears on a list of candidates in the notice published in terms of subsection (1)(b) is disqualified or incapacitated, withdraws his or her candidature or dies before the first voting day, the Chief Director shall amend such notice by a further notice in the *Gazette* by deletion from that list of the name of such person, and by the addition at any place on the list of the name of a qualified person who has been nominated in writing by the registered party concerned and who has accepted his or her nomination in accordance with section 22(5). 15
- (3) A notice contemplated in subsections (1) and (2) shall also be published in such other public media as the Chief Director may consider necessary to ensure the widest possible publicity. 20
- (4) A person whose name has in terms of a notice contemplated in subsection (2) been deleted from the lists of candidates of a registered party shall cease to be eligible as a candidate for the election in respect of the legislature for which he or she had initially been a candidate. 25
- (5) Any reference in this Act to a notice published in terms of subsection (1)(b) shall, in relation to such a notice which has been amended under subsection (2), be construed as a reference to such notice as so amended.

CHAPTER VI

Preparation for Voting

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Voting stations

24. (1) A voting station shall comprise—
 (a) an election centre, representing that area of the voting station consisting of an area bound by a circumference with a radius of 100 metres, or such lesser area as practical circumstances may necessitate, so designated by the provincial electoral officer within which a voter shall be allowed to cast his or her vote; 35
 (b) an inner perimeter, representing that area of the voting station consisting of an area around the election centre bound by a circumference with a radius of 600 metres, or such lesser area as practical circumstances may necessitate, so designated by the provincial electoral officer—
 (i) within which persons shall be allowed for the purposes of voting;
 (ii) within which all political activity other than voting shall be prohibited; 40
 (iii) from which persons other than those provided for in section 10(1) and (2) shall be excluded; and
 (c) a controlled area, representing that area of the voting station consisting of an area around the election centre bound by a circumference with a radius of 1 100 metres, or such lesser area as practical circumstances may necessitate, so designated by the provincial electoral officer in respect of which a presiding officer may exercise such powers of control as may be prescribed. 45
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- (2) (a) The Chief Director shall under the authority of the Commission and with the assistance of the provincial electoral officer concerned determine the number and locations of voting stations in the province concerned. 5
- (b) In the application of paragraph (a) due regard shall be had to the requirement to have separate counts of votes in respect of provincial legislatures and provisional defined areas. 5
- (3) No voting station shall be located at any premises ordinarily occupied by or under the control of any defence or police or armed force, or any political organization, save where the Commission may consider such premises to be a necessary location for the purposes of conducting a free and fair election. 10
- (4) The Chief Director shall, at least 45 days before the first voting day, cause to be published in the *Gazette* and in any other public media as he or she may consider necessary to ensure the widest possible publicity a list of the locations of all voting stations determined in terms of subsection (2), and shall from time to time so determine and, if possible, cause to be published such additional and alternative locations of voting stations as may be necessary. 15
- (5) If the Commission considers that there cannot be a free and fair election in the area in which any voting station is located due to intimidation or violence or that free and safe access by the candidates, election agents or office-bearers of any registered party or any electoral officer to such area is impeded by reason thereof, the Commission may— 20
- (a) before the commencement of the voting period, relocate any such voting station; or
 - (b) after the commencement of the voting period, close any such voting station. 25
- (6) The district electoral officer, acting on the authorization of the provincial electoral officer, may provide one or more mobile voting stations in any electoral district for the purposes of voting.
- (7) A mobile voting station shall be under the supervision of the district electoral officer and shall, for the purposes of this Act, be deemed to be a voting station in the electoral district concerned. 30
- (8) The district electoral officer shall in the prescribed manner make known the locations and estimated times at which a mobile voting station shall function during voting day.
- (9) The presiding officer of a mobile voting station, any other electoral officer and any prescribed number of party voting agents may enter upon any land or building with such mobile voting station for the purposes of voting. 35

Foreign voting stations

25. (1) The Commission shall—
- (a) establish such number of foreign voting stations outside the Republic at such locations, including South African diplomatic missions, as it may consider appropriate in order to facilitate the casting of votes by voters who are outside the Republic during the voting period; 40
 - (b) designate a presiding officer, a monitor and such other persons as it may consider necessary in respect of each foreign voting station; and 45
 - (c) make provision for the appointment of one or more international observers in respect of each foreign voting station.
- (2) Any registered party may designate such number of party voting agents as may be prescribed to monitor voting at each foreign voting station.
- (3) Any voter who exercises a right to vote at any foreign voting station shall be required to make a declaration under oath or affirmation in the prescribed form at the time of voting regarding the province in respect of which his or her vote shall be counted in the election. 50
- (4) The voting at any foreign voting station shall be conducted *mutatis mutandis* in accordance with the provisions of this Act in respect of voting stations, save as otherwise provided by this Act. 55
- (5) The sealed ballot box shall be returned to the Republic and delivered into safe-keeping in the prescribed manner.
- (6) The powers, duties and functions conferred or imposed on any electoral officer by or under this Act shall in respect of a foreign voting station be exercised or performed by the Chief Director or any person designated by him or her, save 60

as otherwise provided by this Act or the Commission.

(7) Unless the Commission otherwise directs, all votes cast at foreign voting stations shall be counted at one counting station in the Republic.

(8) (a) Before the votes cast at foreign voting stations are counted, the ballot papers concerned shall be sorted according to the provinces in respect of which the votes were cast in accordance with subsection (3). 5

(b) The provisions of sections 44, 45, 46 and 47 shall *mutatis mutandis* apply to the counting of votes referred to in paragraph (a), and in such application of section 44(2), the Chief Director shall be informed in the prescribed manner of the number of votes to have been cast in favour of each registered party in respect 10 of each province concerned.

Supplying of voting materials

26. (1) The Chief Director shall in respect of each voting day supply such voting materials to a provincial electoral officer and the presiding officer of any foreign voting station as may be necessary for the proper conduct of the election in the province and at the foreign voting station concerned. 15

(2) Each district electoral officer shall be responsible for obtaining voting materials from the provincial electoral officer, and supplying to the presiding officers of the voting stations in his or her electoral district, a sufficient quantity 20 of such materials to ensure the proper conduct of the election.

Voting compartment and ballot box

27. The Commission shall determine the nature and style of the voting compartments and ballot boxes which it may consider suitable for the proper conduct of the election.

Ballot box

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28. (1) Not more than one hour before the commencement of the voting on each voting day at a voting station, the presiding officer shall—

- (a) satisfy himself or herself that all ballot boxes to be used on that day at such voting station are empty;
- (b) permit the inspection of all such empty ballot boxes by party voting agents, monitors and such international and other observers as are permitted by the Commission in respect of any voting station; 30
- (c) immediately thereafter close and seal all such ballot boxes in accordance with the instructions issued by the Chief Director; and
- (d) allow any such party voting agent and, in the discretion of the Commission, any international and other observer as may wish to do so, 35 to attach his or her seal to the ballot box.

(2) If any additional ballot box is used at any voting station, such additional ballot box shall be made available for inspection, closed and sealed *mutatis mutandis* in accordance with the provisions of subsection (1), before being made 40 available for the depositing of ballot papers.

(3) The presiding officer at a voting station shall in the presence of the party voting agents, monitors and international and other observers referred to in subsection (1)(b), at the closing of the voting on each voting day close and seal the openings of the ballot boxes in accordance with the instructions issued by the Chief 45 Director.

(4) A ballot box closed and sealed as contemplated in subsection (3) may not be opened, and the seal shall not be broken, except under the circumstances contemplated in section 43.

(5) A presiding officer shall be responsible for the safe-keeping of all ballot boxes used at the voting station concerned in the prescribed manner until they are delivered to the district electoral officer or any person provided for in section 38(1). 50

Ballot paper

29. (1) (a) Every ballot paper shall be substantially in the form prescribed by Schedule 1, save that the Commission may determine whether the printing thereon shall be in a vertical or horizontal form.

(b) There shall be printed on every ballot paper in the prescribed manner the names of all the registered parties participating in the election, the distinguishing mark or symbol in colour, the abbreviated name and a photograph of the leader of each such party or such other candidate as the party may determine, which, in the discretion of the Commission, may be in colour. 5

(c) The ballot paper shall be in the languages determined by the Commission and shall make provision for the official mark to be placed on the back of the ballot paper as provided in section 35(6)(a) and the cross or mark referred to in section 35(7)(b) or writing referred to in section 44(4) to appear on the front of the ballot paper. 10

(2) The order of the registered parties as they appear on the ballot paper shall be alphabetical, save that the commencing letter of the alphabet shall be 15 determined by lot.

(3) The manner in which the serial number shall be printed on the counterfoils of the ballot papers and on the ballot paper books shall be determined by the Commission.

Commencement and closing of voting at voting stations

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30. The voting shall commence and close on the hours determined in terms of section 21(1) in respect of each voting day: Provided that the presiding officer shall permit every voter who at the closing hour has presented himself or herself in the prescribed manner to vote, to cast a vote.

CHAPTER VII

25

*Voting at Voting Stations***Place of voting**

31. Subject to the provisions of sections 25 and 39(7), a voter shall be entitled to vote at any voting station, and such vote shall be counted in respect of the province where it has been cast. 30

Number of ballot papers

32. A voter shall for the purposes of the first election for the National Assembly and provincial legislatures to be held after the commencement of this Act be issued with one ballot paper only.

Voting in secret

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33. A voter shall cast his or her vote in secret, and no person shall in any way interfere with a voter in connection with the casting of his or her vote.

Identification

34. No voter shall be permitted to vote unless he or she has presented to the presiding or voting officer his or her voter's eligibility document. 40

Manner of voting

35. (1) The voting at any election centre shall be conducted in accordance with the provisions of this Chapter.

(2) The presiding or voting officer shall ascertain voter eligibility—

(a) by examining the voter's eligibility document to establish whether— 45

(i) the voter is the person described therein, for which purpose such officer shall be entitled to disregard any error which he or she may consider to be obvious; and

- (ii) such document has not been previously marked in the prescribed manner in accordance with subsection (4)(b); and
 - (b) in the manner provided in subsection (3) and, subject to the provisions of paragraph (c) of that subsection, by establishing that the voter has not already voted at the election.
- (3) (a) A voter shall not be given a ballot paper if he or she bears the identification mark or his or her voter's eligibility document bears the mark contemplated in subsection (4)(b).
- (b) Each party voting agent shall have the right to observe the procedure of establishing whether—
- (i) a voter bears the identification mark; and
 - (ii) the voter's eligibility document bears the mark contemplated in subsection (4)(b).
- (c) The provisions of subsections (2)(b) and (4)(a)(i) shall not apply in the case of a voter who suffers from a physical defect which, in the opinion of the presiding officer, makes the application of the said provisions impractical.
- (4) Where the provisions of subsection (3)(a) have been complied with—
- (a) the voter shall in the presence of the presiding officer or a voting officer—
 - (i) be marked by means of the identification mark on the right hand; or
 - (ii) where that is impracticable, be marked in the prescribed manner; and
 - (b) the voter's eligibility document shall be marked in the prescribed manner.
- (5) Subject to subsection (4)(a)(ii), a voter who refuses—
- (a) to have the identification mark administered to him or her in accordance with subsection (4)(a)(i); or
 - (b) to have his or her voter's eligibility document marked in the prescribed manner,
- shall not be issued with a ballot paper and shall be ordered by the presiding officer to leave the election centre and inner perimeter forthwith.
- (6) When the provisions of subsection (4) have been complied with, the presiding officer or a voting officer shall—
- (a) tear out a ballot paper from the ballot paper book and another voting officer shall mark that ballot paper on the back with the official mark; and
 - (b) hand that ballot paper to the voter.
- (7) When the voter has received the ballot paper, he or she shall—
- (a) take it to the voting compartment;
 - (b) indicate the registered party for which he or she wishes to vote by placing a cross or any other mark which denotes a clear choice for a particular registered party with the instrument provided in the space provided on the ballot paper;
 - (c) display the ballot paper at the ballot box in such manner that the presiding officer or a voting officer designated by him or her may recognize the official mark; and
 - (d) place the ballot paper in the ballot box.
- (8) In the event that a voter—
- (a) spoils any ballot paper inadvertently; or
 - (b) casts a vote by mistake for a party which is not of his or her choice,
- he or she shall return it to the presiding officer, who shall, if he or she is satisfied that the circumstances described in paragraph (a) or (b) have occurred, provide the voter with another ballot paper and cancel the discarded ballot paper, which shall be kept separately.
- (9) The Commission shall make such provision to assist voters with official interpreters as it may consider practicable: Provided that if no such official interpreter is available, a voter shall be permitted to make use of his or her own interpreter.

Voters who cannot read or who are incapacitated by blindness or other physical disability from voting

36. (1) Subject to the provisions of section 35, the presiding officer, on the application in person of any voter who is unable to read or who is incapacitated by

blindness or other physical disability from voting in the manner prescribed by the other provisions of this Act, shall then and there, before at least two party voting agents, mark the vote of that voter on the ballot paper in the manner directed by the voter, and place the ballot paper in the ballot box.

(2) Subject to the provisions of section 35, the presiding officer, on the application in person of any voter who is incapacitated by blindness or other physical disability from voting in the manner prescribed by the other provisions of this Act, who has not applied to have his or her vote marked by the presiding officer in terms of subsection (1), and who is accompanied by another person, shall, if such presiding officer is satisfied that such person has attained the age of 18 years, permit such voter to vote with the assistance of the person accompanying him or her, and upon such permission being granted, anything which is by this Act required to be done to or by the said voter in connection with the casting of his or her vote may be done to or with the assistance of the person accompanying him or her. 5
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(3) (a) A voter who is incapacitated by blindness may apply to the Commission for the issue to him or her of a special ballot paper in which the text is printed in braille: Provided that the Commission shall not be obliged to accede to such request in the event that it considers it impracticable: Provided further that the Commission may prescribe such other matters as it may consider relevant in respect of voting by blind persons. 20

(b) Any vote contemplated in paragraph (a) shall be deemed to be a special vote which shall be cast on the day prescribed by section 39 and otherwise in accordance with the provisions of section 40.

(4) The secrecy of the voting as contemplated in section 33 shall *mutatis mutandis* be preserved in the application of this section. 25

Objection to voting

37. (1) Any party election or voting agent present at a voting station may object to any voter on any of the following grounds:

- (a) That the voter is not the person described in the voter's eligibility document which he or she has submitted; 30
- (b) that the voter has already voted in the election; or
- (c) that the voter is not entitled to vote.

(2) Upon an objection having been lodged under subsection (1) the presiding officer shall deal with the objection in the prescribed manner. 35

Sealing of ballot boxes and other election material by presiding officer

38. (1) Immediately after the closing of the voting on each voting day, the presiding officer shall, in the presence of such party voting agents as may be in attendance, make up into separate packets, sealed with his or her own seal and the seal of any party voting agent and, in the discretion of the Commission, any 40 international and other observer who wishes to attach his or her seal to it—

- (a) each ballot box entrusted to him or her, unopened;
- (b) the unused ballot papers;
- (c) the ballot papers discarded in terms of section 35(8)(a) and (b); and
- (d) the counterfoils of used and the said discarded ballot papers. 45

and shall in accordance with the instructions of the Commission mark each sealed packet and deliver the sealed packets to the district electoral officer for the electoral district concerned without delay, or cause them to be so delivered, in accordance with the instructions of the provincial electoral officer.

(2) The packets shall be accompanied by a statement in the form prescribed by 50 the Chief Director in which the presiding officer accounts for—

- (a) the number of ballot papers entrusted to him or her;
- (b) the number of ballot papers issued; and
- (c) the number of ballot papers not issued.

(3) The district electoral officer shall seal all the packets received from the presiding officers concerned with his or her own seal and the seal of any party voting agent and, in the discretion of the Commission, any international and other observer who wishes to attach his or her seal to it.

(4) The district electoral officer shall furnish to the provincial electoral officer a statement in the prescribed form in accordance with the instructions of the Commission in which he or she accounts for the number of ballot papers entrusted to him or her. 5

(5) The district electoral officer shall in the prescribed manner deliver into safe-keeping all the packets received by him or her in terms of subsection (1). 10

Special voters

39. (1) A voter who because of his or her illness or physical infirmity or physical disability or pregnancy will not be able to attend a voting station at any time during the voting hours on any day for general voting, shall be entitled, subject to subsection (2), to cast a special vote as provided in section 40. 15

(2) A presiding officer shall at all times on the day before the first day for general voting, during the hours determined in terms of section 21(1) on the said day, take the necessary steps to enable special voters to cast their votes at the place where the office of the presiding officer is situated.

(3) A presiding officer—

(a) may at the request of a special voter who in his or her opinion is unable to attend at the place contemplated in subsection (2), call upon that voter at any time on the day and during the hours referred to in that subsection at any address in order to enable that voter to cast his or her vote as a special voter; and 20

(b) shall, at some time on the day and during the hours referred to in subsection (2), visit all registered hospitals and old age homes in the electoral district concerned in order to enable any special voter at such places to record his or her special vote: Provided that prior notice of such presiding officer's intention to visit such places for such purpose and of the address at which and the date on which and the time when he or she will be present thereat, has been given to every party election district agent in the electoral district in which such place is situated. 25

(4) Any party voting agent shall upon request be entitled to information in regard to special voters and upon such request be entitled to be present during the casting of special votes. 30 35

(5) A place where special voters may cast their special votes under this section shall, for the purposes of this Act, be deemed to be a voting station.

(6) The Chief Director shall as soon as practicable cause a notice to be published in the *Gazette* indicating the places, except the places referred to in subsection (3), where voters referred to in subsection (1) may cast their votes. 40

(7) (a) Any convicted prisoner or person awaiting trial being detained who is not excluded from voting in terms of section 16(d) may only vote by special vote under this section: Provided that such a vote shall be taken—

(i) at the prison or place where he or she is detained; and 45
(ii) on the date determined for the casting of special votes.

(b) No personal party political canvassing shall be allowed in respect of persons referred to in paragraph (a).

Procedure for casting special votes

40. (1) A special voter shall, when he or she intends to cast his or her special vote, by means of a declaration under oath or affirmation in the prescribed form convince the presiding officer that he or she— 50

(a) will not be able to attend a voting station at any time during voting hours on any day for general voting; and

(b) is entitled to cast his or her vote as a special voter as provided in section 39,

and shall at the same time submit his or her voter's eligibility document.

(2) The provisions of section 35(2) to (5), inclusive, shall *mutatis mutandis* apply to a special voter casting his or her special vote.

(3) When the presiding officer has satisfied himself or herself that the voter is entitled to vote and that he or she has not voted in the election previously, he or she shall tear from the ballot paper book a ballot paper, mark it on the back with the official mark and hand the ballot paper to the special voter concerned, together with a ballot paper envelope and covering envelope.

(4) When the special voter who wishes to vote has received the ballot paper, he or she shall—

(a) mark it in secret in accordance with his or her choice;

(b) fold the ballot paper so that the official stamp is visible and the manner in which he or she has marked his or her ballot paper is not visible;

(c) place the marked ballot paper in the ballot paper envelope, close the ballot paper envelope and thereafter place it in the covering envelope; and

(d) hand the covering envelope to the presiding officer.

(5) The presiding officer shall take the covering envelope into his or her custody, place it in a sealed ballot box as soon as possible and, if he or she is not the district electoral officer, transmit the sealed ballot box in the prescribed manner to the district electoral officer for the electoral district concerned after the closing hour for special votes.

(6) The provisions of section 36 shall apply *mutatis mutandis* to special voters who cannot read or are incapacitated by blindness or other physical disability.

CHAPTER VIII

Preparation for Counting, and Counting of Votes

Notice of place and time of counting of votes

41. (1) The Commission shall determine the places where and the date on and time at which the counting of votes is to be commenced and inform the party liaison national committee accordingly not later than seven days before the first voting day: Provided that the Commission may alter such determination or date of notification, in which event it shall notify all the registered parties accordingly whenever it may consider it appropriate.

(2) In the application of subsection (1) due regard shall be had to the requirement to have separate counts of votes in respect of provincial legislatures and provisionally defined areas.

Counting stations

42. (1) A counting station shall comprise—

(a) a counting centre, representing that area of the counting station consisting of an area bound by a circumference with a radius of 100 metres, or such lesser area as practical circumstances may necessitate, so designated by the provincial electoral officer, within which the counting of the votes cast at the election shall take place;

(b) an inner perimeter, representing that area of the counting station consisting of an area around the counting centre bounded by a circumference with a radius of 600 metres, or such lesser area as practical circumstances may necessitate, so designated by the provincial electoral officer, in respect of which access and other permitted activities may be prescribed; and

(c) a controlled area, representing that area of the counting station consisting of an area around the counting centre bounded by a circumference with a radius of 1 100 metres, or such lesser area as practical circumstances may necessitate, so designated by the provincial electoral officer, in respect of which access and other permitted activities may be prescribed.

(2) No counting station shall be located at any premises ordinarily occupied by or under the control of any defence or police or armed force, or any political organization, save where the Commission may consider such premises to be a necessary location for the purposes of conducting a free and fair election.

Verification of ballot paper statement by counting officer

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43. (1) After the provisions of section 38 have been complied with, the counting officer in the presence of the district electoral officer concerned shall examine whether the seals of the packets referred to in section 38 are intact and afford the district electoral officer concerned and any party voting agents who are present and such monitors and international and other observers as may be permitted by the Commission to be present, an opportunity to do likewise and shall thereafter open all the packets. 10

(2) The counting officer shall separately verify each presiding officer's ballot paper statement referred to in section 38(2) by comparing it with the contents of the packets received from a voting station concerned, and shall for that purpose open all the ballot boxes from that voting station and cause the ballot papers contained therein to be counted. 15

(3) The counting officer or enumerator shall examine each ballot paper to ascertain whether it bears the official mark.

(4) If there appears to be any— 20

(a) irregularity in respect of the seals;

(b) discrepancy in the verification of the ballot paper statement referred to in subsection (2); or

(c) ballot paper which does not bear the official mark, the matter shall be recorded, the Chief Director shall be informed forthwith and 25 the counting officer shall deal with the matter in the prescribed manner.

Counting of votes

44. (1) After the provisions of sections 38 and 43 have been complied with, the counting officer shall forthwith cause—

(a) the ballot papers to be sorted with due regard to the provisions of 30 subsections (3) and (4) on the basis of the individual votes cast for each registered party; and

(b) the votes cast to be counted in respect of each registered party.

(2) The counting officer shall, as soon as practicable, after all the votes at such counting station have been counted and the number of votes in favour of each 35 registered party has been determined, inform the Chief Director in the prescribed manner of the number of votes so determined to have been cast in favour of each registered party.

(3) The counting officer shall reject and not count any ballot paper—

(a) on which is cast votes for more than one registered party; 40

(b) in respect of which he or she has reasonable grounds to believe that it has not been officially issued to a voter in terms of this Act;

(c) which is unmarked or on which it is impossible to determine with certainty in favour of which registered party the vote is cast; or

(d) which does not bear the official mark on the back thereof. 45

(4) Subject to subsection (3), the counting officer shall not reject and shall cause to be counted any ballot paper on which there is a mark or writing by means of which a voter has clearly indicated his or her choice otherwise than by a cross on the ballot paper concerned.

(5) In the event that the acceptance or rejection of a ballot paper by the counting officer, as the case may be, is disputed by any party voting agent, the counting officer shall endorse thereon the word "disputed" and shall reflect such ballot paper on a form and in a manner prescribed, and shall keep separately the accepted and rejected ballot papers disputed. 50

(6) The counting officer shall endorse the word "rejected" on any ballot paper rejected in terms of subsection (3). 55

(7) When the counting officer has complied with the provisions of this section and section 45 he or she shall, as soon as practicable, enclose in separate packets—

(a) all counted ballot papers;

- (b) all rejected ballot papers;
 - (c) all disputed ballot papers rejected;
 - (d) all disputed ballot papers accepted;
 - (e) all unused ballot papers with their counterfoils;
 - (f) all ballot papers discarded in terms of section 35(8)(a) and (b); and
 - (g) all counterfoils of ballot papers issued.
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and shall seal such packets and cause them to be delivered to the Chief Director in the prescribed manner.

(8) On receipt of the packets referred to in subsection (7) the Chief Director shall take charge of them, cause to be examined whether the seals are intact and afford any party voting agent and, in the discretion of the Commission, any international and other observers who are present an opportunity to do likewise.

Alleged irregularities or inaccuracies, and challenges of tally

45. (1) Before the determination of the result at any counting station a party voting agent shall have the right to bring to the attention of the counting officer forthwith any alleged irregularity or inaccuracy, and the counting officer shall record such allegation in the prescribed manner, determine such measures as he or she may consider necessary in order to deal therewith, and report such allegation and determination to the Chief Director in the prescribed manner.

(2) Upon the completion of the counting process the counting officer shall forthwith advise the voting agents of the tally, whereupon any such agent shall have the right to challenge the tally determined.

(3) If no challenge is made forthwith, all party voting agents present at the counting station shall be required to sign the tally indicating that no irregularity was identified during the counting process, and the tally shall be deemed to be accepted by all registered parties concerned and shall not be subject to appeal: Provided that such acceptance shall not preclude any interested party from lodging a formal objection in terms of section 46.

(4) If a challenge is duly made, the registered party concerned shall state the grounds for such challenge, and the counting officer shall make a determination as to whether a recount is to be ordered.

(5) Upon refusal by the counting officer of a recount, any registered party shall be entitled to lodge an appeal to the Commission, which shall make such order thereon as it may consider appropriate, which order shall not be subject to appeal.

Formal objections 35

46. (1) Any interested party shall have the right to object in the prescribed manner within 48 hours after the closing of the voting to any aspect of the election which is relevant to the certification of the results thereof, save for such aspects as are provided for in section 45.

(2) The Commission shall investigate any objection referred to in subsection (1) and shall make a final determination thereon, which shall not be subject to appeal.

Powers of Commission in event of serious voting irregularity

47. (1) In the event of the Commission making a determination that a serious irregularity has occurred in the voting at any voting station, whether in consequence of any allegation or challenge made in terms of section 45 or objection made in terms of section 46, or as a result of any other reason, including—

- (a) the cause for the closure of a voting station under section 24(5); or
- (b) violence, intimidation, fraud or any other irregularity of a material nature in the voting process,

the Commission may on good cause shown make such order in respect of the counting of votes as it may consider appropriate in the circumstances, including an order declaring—

- (i) that the votes cast at a particular voting station shall not count in whole or in part; or

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- (ii) that any such deduction as it may determine shall be effected in whole or in part to the votes counted in favour of any registered party or parties concerned in respect of any particular voting station.
- (2) Any order made by the Commission under subsection (1) shall not be subject to appeal or review.

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CHAPTER IX

Announcement of Results of Election, Determination of Number of Candidates of Registered Parties Duly Elected and Supplementation of Lists of Candidates, Subject to Schedule 2 to Constitution

Declaration of support by one registered party of another 10

48. Any registered party that wishes to make a declaration of support of another registered party as contemplated in item 22 of Schedule 2 to the Constitution, shall do so in the prescribed manner at the time of submission of its lists of candidates in terms of section 22(1).

Determination of results of election for National Assembly 15

49. (1) After 48 hours of the closing of the voting and after all alleged irregularities, challenges or objections, if any, have been dealt with in accordance with sections 45, 46 and 47, the Commission shall cause the tallies received from all counting stations to be combined in the following manner:

- (a) The tally of votes cast in respect of each provincial legislature in favour of registered parties contesting the election for the National Assembly; 20
- (b) attribute votes cast in a province in favour of a registered party not contesting the election for the National Assembly and which has made a declaration of support in accordance with item 22(1) of Schedule 2 to the Constitution, as contemplated in that item; and 25
- (c) discard votes cast in favour of any registered party not contesting the election for the National Assembly and which has not made a declaration of support in accordance with item 22(1) of Schedule 2 to the Constitution.

(2) (a) For the purpose of filling the 200 seats in the National Assembly contemplated in item 2(a) of Schedule 2 to the Constitution, the total number of votes cast in a province shall be divided by the number of seats plus one in that province, and the result plus one, disregarding fractions, shall be the quota of votes per seat. 30

(b) The total number of votes cast in favour of a registered party in a province shall be divided by the quota of votes per seat, and the result shall, subject to paragraph (c), determine the number of seats allocated to that registered party. 35

(c) Where the calculation set out in paragraph (b) yields a surplus not absorbed by the number of seats allocated to the registered party concerned, such surplus shall compete with other similar surpluses accruing to any other registered party or parties, and any undistributed seat or seats shall be awarded to the registered party or parties concerned in sequence of the highest surplus. 40

(3) (a) For the purpose of filling the 200 seats contemplated in item 2(b) of Schedule 2 to the Constitution, the total number of votes cast in the election shall be divided by 400 plus one, and the result plus one, disregarding fractions, shall be the quota of votes per seat. 45

(b) The total number of votes cast nationally in favour of a registered party, shall be divided by the quota of votes per seat, and the result shall, subject to paragraphs (c) and (d), determine the number of seats allocated to that registered party. 50

(c) Where the calculation set out in paragraph (b) yields a surplus not absorbed by the number of seats allocated to the registered party concerned, such surplus shall compete with other similar surpluses accruing to any other registered party or parties, and any undistributed seat or seats shall be awarded to the registered

party or parties concerned in sequence of the highest surplus to be a maximum of 5 seats so allocated: Provided that subsequent allocations shall be made in sequence to those registered parties having the highest average number of votes per seat already gained.

(d) The number of seats allocated to a registered party in accordance with the provisions of paragraphs (a), (b) and (c) shall be reduced by the number of seats a registered party gained in accordance with the provisions of subsection (2), and the result shall be the seats allocated in terms of item 2(b) of Schedule 2 to the Constitution. 5

(4) (a) Where a registered party— 10

(i) submitted lists of candidates as contemplated in item 4(i) of Schedule 2 to the Constitution, its representatives in the National Assembly shall be allocated from provincial lists in accordance with the provisions of subsection (2) and from the national lists in accordance with the provisions of subsection (3); 15

(ii) submitted lists of candidates as contemplated in item 4(ii) of Schedule 2 to the Constitution, its representatives in the National Assembly shall be allocated in accordance with the provisions of subsection (2), with the remainder of its seats in terms of subsection (3) being allocated from provincial lists in the same proportion as those allocated in terms of subsection (2): Provided that surplus fractions shall be disregarded, save that unallocated seats shall be allocated in sequence of the highest surplus fractions. 20

(b) In the case of a list of candidates containing fewer candidates than a registered party is entitled to, that party— 25

(i) shall only be allocated the number of representatives on its list; and
(ii) shall forfeit its entitlement to any further allocation of representatives in excess of the representatives so allocated.

(c) The provisions of paragraph (b) shall *mutatis mutandis* apply individually to each provincial list referred to in item 4(i) and (ii) of Schedule 2 to the Constitution in respect of which a list of candidates was submitted by the registered party concerned. 30

(d) In the event of a registered party forfeiting its entitlement to further representation in terms of paragraph (b) or (c)—

(i) a new quota shall be determined on the following basis: 35

(aa) The total number of votes cast, minus those votes cast in favour of all registered parties referred to in the said paragraph, shall be divided by the seats plus one, still to be allocated to the other registered parties; and

(bb) the quotient of such division plus one, disregarding fractions, 40 shall be the new quota; and

(ii) a new determination of the allocation of representatives in respect of such other registered parties shall then *mutatis mutandis* be made as provided for in subsections (2) and (3), respectively.

(e) In the event of a registered party being entitled to an additional number of representatives in terms of the provisions of paragraph (d), and its lists of candidates then do not contain a sufficient number of candidates, the process as provided for in paragraphs (b), (c) and (d) shall repeat itself until all representatives have been allocated. 45

Determination of results of election for provincial legislatures

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50. (1) After the provisions of section 49 have been complied with, the Commission shall cause the tallies received from the counting stations concerned to be combined in the following manner:

(a) The tally of votes cast in respect of each province in favour of registered parties contesting the election for the provincial legislature concerned; 55

(b) attribute votes cast in a province in favour of a registered party not contesting the election for the provincial legislature concerned and which has made a declaration of support in accordance with item 22(2)

and (3) of Schedule 2 to the Constitution, as contemplated in that item; and

- (c) discard votes cast in favour of any registered party not contesting the election for the provincial legislature concerned and which has not made a declaration of support in accordance with item 22(2) or (3) of Schedule 2 to the Constitution. 5

(2) (a) The provisions of section 49(2) shall *mutatis mutandis* apply to the election of the members of any provincial legislature.

(b) The quota of votes per seat shall be determined by dividing the total number of votes cast in respect of each province by the number of seats plus one for each province and to such result, disregarding fractions, one shall be added. 10

(3) (a) In the case of a list of candidates containing fewer candidates than a registered party is entitled to, that registered party—

- (i) shall only be allocated the number of representatives on its list; and
(ii) shall forfeit its entitlement to any further allocation of representatives in excess of the representatives so allocated. 15

(b) The provisions of paragraph (a) shall *mutatis mutandis* apply individually to each provincial list referred to in item 4(i) and (ii) of Schedule 2 to the Constitution in respect of which a list of candidates was submitted by the registered party concerned. 20

(c) In the event of a registered party forfeiting its entitlement to further representation in terms of paragraph (a) or (b)—

- (i) a new quota shall be determined on the following basis:
(aa) The total number of votes cast, minus those votes cast in favour of all registered parties referred to in the said paragraph, shall be divided by the seats plus one, still to be allocated to the other registered parties; and
(bb) the quotient of such division plus one, disregarding fractions, shall be the new quota; and
(ii) a new determination of the allocation of representatives in respect of such other registered parties shall then *mutatis mutandis* be made as provided for in section 49(2) and (3), respectively. 30

(d) In the event of a registered party being entitled to an additional number of representatives in terms of the provisions of paragraph (c), and its lists of candidates then do not contain a sufficient number of candidates, the process as provided for in paragraphs (a), (b) and (c) shall repeat itself until all representatives have been allocated. 35

Designation of representatives

51. (1) After the counting of votes has been concluded, the number of seats to which each registered party is entitled has been determined and the election has been certified by the Commission as having been substantially free and fair— 40

(a) the Commission shall within two days thereafter designate from each list of candidates published in terms of section 23 the representatives of each registered party in each legislature; and

(b) following the designation in paragraph (a), if a candidate's name appears on more than one list for the National Assembly or on a list for both the National Assembly and any provincial legislature and he or she is available for designation as a representative in more than one case, the registered party concerned shall within two days thereafter indicate to the Commission in which legislature the candidate shall serve, or from which list he or she shall be allocated, as the case may be, in which event his or her name shall be deleted from the other lists. 45 50

(2) The Commission shall forthwith cause to be published in the *Gazette* the lists of names of representatives in all legislatures.

Supplementation of lists of candidates

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52. (1) No lists of candidates of a registered party for any legislature shall be

supplemented prior to the designation of representatives as contemplated in section 51.

(2) Lists of candidates may, after the designation of representatives in terms of section 51 has been finalized, be supplemented by the addition of an equal number of names at the end of the applicable list, if—

- (a) a representative is elected as President or to another executive office as a result of which he or she resigns as a representative of a legislature;
- (b) a representative is elected as a member of the Senate;
- (c) a name is deleted from a list in terms of section 51(1)(b); or
- (d) a vacancy has occurred and the appropriate list of candidates of the registered party concerned is depleted.

(3) Lists of candidates of a registered party published in terms of section 23 may be supplemented on one occasion only at any time during the first 12 months following the date on which the designation of representatives in terms of section 51 was finalized, in order to fill vacancies which may subsequently occur: Provided that any such supplementation shall be made at the end of the list.

(4) The number of names on lists of candidates as supplemented in terms of subsection (2) shall not exceed the difference between the number of seats in the National Assembly or a provincial legislature and the number of representatives of a registered party in any such legislature.

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Review of lists of candidates by registered party

53. A registered party may review its undepleted lists as supplemented in accordance with section 52(1), (2) and (3), within seven days after the period referred to in section 52(2), and annually thereafter, until the date on which it has to submit lists of candidates for an ensuing election, in the following manner:

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- (a) All vacancies may be supplemented;
- (b) not more than 25 per cent of candidates may be replaced;
- (c) the fixed order of lists may be changed.

Vacancies

54. In the event of a vacancy having occurred in the representation of a registered party in any legislature—

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- (a) such vacancy shall forthwith be filled by the Secretary of that legislature, by the designation of the candidate at the top of the appropriate list of unallocated candidates of the registered party concerned, as a representative in that legislature; or
- (b) if the registered party concerned no longer exists at the time the vacancy has to be filled, the vacancy shall be filled in the manner *mutatis mutandis* as provided for in section 49(2) and (3) in respect of the remaining registered parties represented in that legislature.

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CHAPTER X

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Offences and Penalties

Undue influence

55. (1) Any person who, directly or indirectly, uses or procures the use of, or threatens to use or procure the use of, any force, violence or sexual harassment, or inflicts or threatens to inflict any injury, damage, loss or disadvantage to or upon any other person or property—

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- (a) with intent thereby to compel, induce or influence any person—
 - (i) to vote or refrain from voting, either at all, or for any particular registered party, or in any other manner; or

- (ii) to attend or participate in, or to refrain from attending or participating in, any political meeting, march, demonstration, or other event of a political nature, or in some other manner lending support to or for any registered party or any candidate; or
 (b) on account of any person having—
 (i) voted, attempted to vote or having refrained from voting, either at all, or for any particular registered party, or in any other manner; or
 (ii) attended or participated in, or having refrained from attending or participating in, any such political meeting, march, demonstration, or other event of a political nature, or from lending support as aforesaid,
 shall be guilty of an offence.
- (2) Any person who induces, influences or procures any other person to vote in the election, in the knowledge that such other person is not entitled to vote in the election concerned, shall be guilty of an offence.
- (3) Any person who, directly or indirectly, by duress or intimidation—
 (a) impedes or prevents or threatens to impede or prevent the free exercise of the franchise by any voter; or
 (b) in any manner influences the result of any election,
 shall be guilty of an offence.
- (4) Any person who, directly or indirectly, by duress, intimidation or otherwise, compels or induces any voter who has already voted at the election—
 (a) to inform such or any other person of the name of the registered party for which the voter has voted; or
 (b) to display the ballot paper on which such voter has marked his or her vote, in such a manner as to make known to such or any other person the name of the registered party for which the voter has voted,
 shall be guilty of an offence.

Bribery

56. (1) Any person who, directly or indirectly—
 (a) accepts or contracts for any valuable consideration, for himself or herself or for any other person, in order that he or she or such other person votes or agrees to vote, or refrains or agrees to refrain from voting, either at all or for any particular registered party or in any other manner; or
 (b) after the election, accepts any valuable consideration, for himself or herself, or for any other person, on account of having induced or influenced any person to vote or refrain from voting as aforesaid;
 (c) gives, lends or procures, or agrees, offers or promises to give, lend or procure, any valuable consideration to or for any voter, or to or for any other person, in order to induce or influence any person—
 (i) to vote or refrain from voting, either at all or for any particular registered party or in any other manner; or
 (ii) to attend or participate in, or refrain from attending or participating in, any political meeting, march, demonstration, or other event of a political nature, or in some other manner lending support to or for any registered party or candidate; or
 (d) on account of any person having voted or refrained from voting, either at all or for any particular registered party or in any other manner, gives, lends or procures, or agrees, offers or promises to give, lend or procure, any valuable consideration to or for any other voter, or to or for any other person,

shall be guilty of an offence.

(2) Any person who, in consequence of his or her acceptance of any valuable consideration, votes or refrains from voting, either at all or for any particular registered party or in any other manner, shall be guilty of an offence.

Personation

57. Any person who, at the election—
 (a) applies for a ballot paper in the name of any other person, whether living, dead or fictitious;
 (b) applies for a temporary voter's card in the name of any other person, whether living, dead or fictitious;
 (c) save as provided in section 36, casts a vote in the name of any other person;
 (d) having voted in the manner provided in this Act, again votes or applies for a ballot paper in the same election; or
 (e) votes in the knowledge that he or she is not entitled to vote in the election concerned,
 shall be guilty of an offence. 15

Infringement of voting secrecy

58. Any person who—
 (a) obtains any information relating to voting at any voting station, or counting of votes at any counting station, and, save as permitted by or under this Act or any other law, discloses such information to any other person;
 (b) save as authorized by or under this Act or the Commission Act, opens or breaks the seal of any packet, envelope or ballot box sealed in terms of this Act; or
 (c) interferes with a voter in contravention of section 33,
 shall be guilty of an offence. 25

Prohibition on interference with voting materials and election material

59. Any person who removes, destroys, conceals or mutilates or assists the removal, destruction, concealment or mutilation of any voting materials or election material, save on the authority of the Commission or under the provisions of this Act, shall be guilty of an offence. 30

Prohibition on unauthorized printing, manufacture and supply of voting materials and election material

60. Any person who, directly or indirectly, prints, manufactures or supplies or procures the printing, manufacture or supply of any voting materials or election material in connection with the election, save on the authority of the Commission, shall be guilty of an offence. 35

Prohibition on interference with free political canvassing and campaigning

61. Any person who—
 (a) directly or indirectly, by the use or threat of force, violence, sexual harassment or otherwise, prevents the conduct of any political meeting, march, demonstration or other event of a political nature, or any other person from attending or participating therein;
 (b) creates a material disruption with the intention of preventing a registered party from holding a public political meeting;
 (c) impedes or prevents or threatens to impede or prevent the right of any representative of any registered party to gain access, in the manner and during the hours prescribed, to voters in any particular area, whether public or private, for the purposes of conducting political canvassing and campaigning, and of soliciting membership and support; or
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- (d) impedes or prevents or threatens to impede or prevent any member of the Commission, any representative of the Commission or any other person or organization engaged in voter education to gain access, in the manner and during the hours prescribed, to voters in any particular area, whether public or private, for the purposes of conducting voter education.
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- shall be guilty of an offence.

Prohibition on non-compliance with lawful directions, instructions and orders, and obstruction of electoral officers and party election or voting agents

62. Any person who—

- (a) refuses or fails to give effect to any direction, instruction or order lawfully issued by or on behalf of the Commission, the Chief Director or any electoral officer;
- (b) refuses or fails to leave an election or counting centre or inner perimeter when so ordered in terms of section 10(1)(b), 12(1)(b) or 35(5);
- (c) enters or remains in an election centre or inner perimeter in contravention of section 10(2); or
- (d) obstructs or hinders any electoral officer or party election or voting agent in the execution of his or her lawful duties,
- shall be guilty of an offence.

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Prohibition on making intentional false statements or publishing false information

63. Any person who—

- (a) makes a false statement or furnishes false particulars in any statement which is required in terms of this Act in the knowledge of such statement or particulars being false or without reasonable grounds for believing the same to be true; or
- (b) publishes, repeats or disseminates in any manner whatsoever false information with the intention of—
- (i) disrupting or preventing the election;
 - (ii) creating hostility or fear in order to influence the process or outcome of the election; or
 - (iii) otherwise influencing the process or outcome of the election,
- shall be guilty of an offence.

Miscellaneous offences

- 64. Any person who contravenes or fails to comply with any provision of section 71, 72 or 73, shall be guilty of an offence.**

Penalties

- 65. Any person convicted of any of the offences referred to in this Chapter shall, if convicted of a contravention of any provision of—**

- (a) section 55(1), (3) or (4) or 57, 60, 61(a) or 63(b), be liable to a fine not exceeding R100 000 or to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment;
- (b) section 56, be liable to a fine not exceeding R80 000 or to imprisonment for a period not exceeding four years, or to both such fine and such imprisonment;
- (c) section 55(2), 58, 59 or 61(b), (c) or (d), be liable to a fine not exceeding R60 000 or to imprisonment for a period not exceeding three years, or to both such fine and such imprisonment;
- (d) section 62(d) or 63(a), be liable to a fine not exceeding R40 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment; or
- (e) section 62(a), (b) or (c) or 64, be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding 12 months, or to both such fine and such imprisonment.

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CHAPTER XI

*General Provisions***Ownership of voting materials and election material**

66. In any indictment, summons or charge sheet for any offence in relation to any voting materials or election material, the property in such voting materials or election material, as well as the property in the counterfoils thereof, if any, may be stated to be vested in the Commission or the Chief Director or any other electoral officer, as the case may be, in respect of such election. 5

Forfeiture of deposit paid by registered party

67. (1) The deposit paid in terms of section 19(2) shall be forfeited to the State by any registered party in respect of each election which it contested if it was unsuccessful in obtaining sufficient support for the allocation of at least one representative in such election. 10

(2) Save as is in this section and section 70(c) expressly provided, the sum deposited in terms of section 19(2) shall be refunded to the depositor. 15

Destruction of election material

68. The Commission shall be responsible for the destruction of all election material, which shall be effected as soon as possible after 30 days of the date of the certification of the results of the election or the declaration that it was unable so to certify by the Commission in terms of section 18 of the Commission Act, save where the Special Electoral Court determines, on application by any interested party, that any part of such material may be relevant to a justiciable dispute relating to the election: Provided that in the latter case such destruction shall commence as soon as possible after the final determination of such dispute. 20

Electoral Code of Conduct and implementation thereof

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69. (1) The Electoral Code of Conduct (hereinafter in this section and in section 70 referred to as "the Code") set out in Schedule 2—

(a) shall be subscribed to by—
 (i) every party registered in terms of section 19; and
 (ii) every candidate nominated in terms of section 22, 30
 as a condition of their respective rights to be so registered or nominated;
 and

(b) shall, in so far as it is applicable, be binding on any party or on the leader or any office-bearer, member or supporter of such party or candidate.

(2) Subject to section 70, any party referred to in subsection (1) which, or the leader or any office-bearer, member or supporter of such party or candidate so referred to who, infringes any provision of the Code shall, upon a finding that any such provision has been so infringed, be liable—

(a) in the case of any party which has infringed the provisions of the Code, to one or more of the following penalties or sanctions, of which any or 40 all may be suspended on specified conditions:

(i) A formal warning;
 (ii) a fine not exceeding R100 000;
 (iii) the forfeiture of any deposit paid by such party in terms of section 19 or any part thereof;

(iv) an order prohibiting such party, whether permanently or for a specified period, from utilizing any media time, including any such television or broadcasting services as have been or may be made available to such party for electoral purposes by the Independent 45

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- Media Commission established by section 2 of the Independent Media Commission Act, 1993 (Act No. 148 of 1993);
- (v) an order prohibiting such party—
- (aa) from holding particular public meetings, demonstrations or marches, or any kind of such meetings, demonstrations or marches;
 - (bb) from entering any specified electoral district or area for purposes of canvassing for membership, or for any other electoral purpose;
 - (cc) from erecting placards or banners, or from publishing and distributing campaign literature;
 - (dd) from publishing or distributing campaign literature and electoral advertising,
- or limiting such party's rights to do so;
- (vi) an order prohibiting such party from receiving, whether wholly or partly, State or foreign funding contemplated in section 74, including an order requiring the repayment, within a specified period, of any such funding or any part of such funding already received;
- (b) in the case of a party which has infringed the provisions of the Code—
- (i) by any act or omission involving violence or intimidation or a gross or systematic violation of the rights of any registered party, candidate or voter, an order cancelling the registration of a party in terms of section 19, and consequently its right to participate in the election concerned;
 - (ii) by any fraudulent act by virtue of which votes have been obtained, an order reducing the number of votes counted in favour of that party by a specified number of votes;
 - (iii) by any act by virtue of which free and safe access by any other registered party has been prevented, an order excluding such party from any voting station situated in the area where such other registered party has been prevented free and safe access;
- (c) in the case of the leader or any office-bearer, member or supporter of such party or of any candidate—
- (i) who has infringed the provisions of the Code, to one or more of the penalties or sanctions referred to in paragraph (a)(i), (ii) or (iii);
 - (ii) who has infringed the provisions of the Code by any act or omission involving violence or intimidation or a gross or systematic violation of the rights of any registered party, candidate or voter, an order disqualifying, in the case of a person who is a candidate, such person from being a candidate or deleting the name of such candidate from the list or lists of candidates concerned.

Institution of proceedings by Chief Director: Monitoring in Electoral or Appeal Tribunal

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70. (1) The Chief Director: Monitoring may, either on his or her own motion or in consequence of any report made to him or her at any time, institute proceedings in—
- (a) in the case of an alleged infringement of the Code which in his or her opinion is of such a serious nature that it may be subject to a penalty or sanction referred to in paragraph (a)(iv), (v) or (vi), (b) or (c)(ii) of subsection (2) of section 69, the Appeal Tribunal in whose area of jurisdiction such infringement has allegedly been committed;
 - (b) in the case of any other alleged infringement of the Code or any alleged prescribed electoral irregularity or contravention of, or failure to comply with, any provision of this Act, the Electoral Tribunal in whose area of jurisdiction such infringement, irregularity, contravention or failure has allegedly occurred.
- (2) An Electoral Tribunal adjudicating an alleged infringement of the Code in terms of subsection (1)(b) may only impose a penalty or sanction contemplated in section 69(2)(a)(i), (ii) or (iii): Provided that such Tribunal may in the prescribed manner refer a matter which in its opinion may warrant a penalty or sanction in

excess of its jurisdiction, to an Appeal Tribunal for consideration and a recommendation of the appropriate penalty or sanction to be imposed by the Commission.

(3) An Appeal Tribunal adjudicating an alleged infringement of the Code in terms of subsection (1)(a) or (2) may only impose a penalty or sanction contemplated in section 69(2)(a)(i), (ii) or (iii) in respect thereto, or recommend to the Commission in the prescribed manner the imposition of any other penalty or sanction contemplated in section 69(2).

(4) (a) Upon the recommendation of the Appeal Tribunal in accordance with subsection (3), the Commission may impose the recommended penalty or sanction or impose any other penalty or sanction contemplated in section 69(2) which it may consider appropriate.

(b) There shall be no appeal from an order of the Commission imposing a penalty or sanction under paragraph (a), save for a power of review of such order, which shall lie with the Special Electoral Court.

(5) In making its decision regarding appropriate penalties or sanctions, the relevant Tribunal or the Commission, as the case may be, shall have regard to any other legal consequence that may result from civil or criminal proceedings instituted by reason of the same occurrence.

Bills, placards, etc., to bear publisher's name 20

71. During the election period—

(a) every bill, placard, poster, pamphlet, circular or other printed matter having reference to the election shall bear upon the face thereof the name and address of the printer and publisher thereof;

(b) no person shall print, publish or post or cause to be printed, published or posted or in any other manner disseminate any such printed matter which fails to bear upon the face thereof the name and address of the printer and publisher;

(c) the proprietor and publisher of every newspaper shall cause the word "advertisement" to be printed as a headline to each article or paragraph in his or her newspaper which originated from a registered party or its agents or supporters, the insertion of which is, or is to be, paid for, or for which any reward or compensation, or promise of reward or compensation, is or is to be made;

(d) the articles or paragraphs referred to in paragraph (c) shall include all such text as may *prima facie* appear to be intended or calculated to affect the result of the election, and shall include any paid advertisement or report of the speech of a candidate, if the insertion thereof is, or is to be, paid for;

(e) every report, letter, article, bill, placard, poster, pamphlet, circular, cartoon or other printed matter (hereinafter in this subsection referred to as an "election article") which, *prima facie*, is intended or calculated to affect the result of the election, is inserted in any newspaper or otherwise produced and is published in the Republic, shall bear at the foot thereof the full name and address of the person or persons by whom such election article was written or produced: Provided that—

(i) any such election article which is inserted in any newspaper as aforesaid and which has been altered materially by the editor of such newspaper, shall also bear the full name of the editor;

(ii) in the case of any such election article which is written jointly by two or more persons, it shall be sufficient for the purposes of this paragraph if the report as a whole bears the full names and addresses of the persons by whom it was written; and

(iii) in the case of headlines to any election article which is inserted in any newspaper as aforesaid, and of bills, placards or posters having reference thereto and which are issued in the ordinary practice of a newspaper, it shall be sufficient for the purposes of this paragraph if the full names and addresses of the persons by whom such headlines, bills, placards and posters were written, are published in the issue of the newspaper in which such election article is inserted: 60 and

- (f) subject to the provisions of subparagraph (iii) of the proviso to paragraph (e), no person shall print or publish any newspaper or other printed matter in which is inserted or produced any election article which fails to comply with the provisions of paragraph (e).

Prohibition on publication of opinion polls

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72. (1) No person shall during the period commencing 21 days prior to the voting period until after the certification of the results of the election by the Commission or the declaration that it was unable so to certify by the Commission in terms of section 18 of the Commission Act, publish in the electronic or printed media the results of any opinion poll purporting to reflect the level of support enjoyed by registered parties or candidates or the policies they advocate. 10

(2) The provisions of subsection (1) shall not prohibit the conduct of opinion polls by registered parties for the purposes of their election campaign, the obtaining of opinions in the course of canvassing for votes on behalf of such registered parties or candidates or the publishing in the electronic or printed media of the results so obtained after the election period. 15

Prohibition on certain political activities during certain period prior to and during voting period

73. No person shall—

- (a) during the period 48 hours prior to until the end of the voting period hold or take part in any public demonstration or march; or 20
- (b) during the period 12 hours prior to until the end of the voting period hold or take part in any public meeting or rally of a political nature.

State Electoral Fund

74. (1) There is hereby established a fund to be known as the "State Electoral Fund", which shall be under the administration of the Commission and which shall comply with the following requirements: 25

- (a) The capital of the said Fund shall be constituted by—
 - (i) money appropriated by Parliament for that purpose, the amount of which is to be determined by the Transitional Council in consultation with the Minister of State Expenditure; and 30
 - (ii) such further amounts, if any, as may be contributed by donors, including foreign governments, inter-governmental and non-governmental organizations.
- (b) The object of the said Fund shall be to provide registered parties with financial assistance for the purposes of conducting their electoral campaigns: Provided that no such assistance shall be utilized for the purposes of entertainment or for the purchasing of any immovable property. 35
- (c) The Chief Executive Officer of the Commission shall be the accounting officer charged with the responsibility of accounting for all money received by the said Fund and the utilization thereof.
- (d) The said accounting officer shall cause such records of account to be kept as are necessary to present fairly the state of affairs of the said Fund and to explain the transactions and financial position thereof. 40
- (e) The Auditor-General shall audit the books of account, accounting statements and annual financial statements of the said Fund. 45
- (f) Subject to the provisions of the Exchequer Act, 1975 (Act No. 66 of 1975), the Commission may invest any unexpended portion of the money in the said Fund.
- (g) The Commission may utilize the interest on investments referred to in paragraph (f) in pursuance of the object mentioned in paragraph (b). 50
- (h) If a person who is or was in the employment of the Commission caused

- the said Fund any loss or damage, the said accounting officer shall determine the amount of such loss or damage and order the recovery thereof in accordance *mutatis mutandis* with section 34 of the Exchequer Act, 1975.
- (i) In the event of the Commission or the said Fund being dissolved all remaining assets of the said Fund shall be utilized in accordance with the recommendation of the Commission for the purposes of the encouragement and promotion of democratic values. 5
- (2) The Commission shall at regular intervals report to the Transitional Council on all income and expenditure in respect of the State Electoral Fund. 10
- (3) The Commission shall make the following forms of financial assistance available to any registered party which qualifies therefor:
- (a) An initial grant payable to all registered parties on an equal basis and without discrimination, on the basis provided in subsection (4); and
 - (b) a grant payable to such registered parties after the results of the election have been determined, on the basis provided in subsection (5). 15
- (4) (a) The initial grant referred to in subsection (3)(a) shall only be payable to a registered party if an independent opinion poll recognized and accepted by the Commission for that purpose shows that such a party has—
- (i) in respect of an application for financial assistance to contest the election for the National Assembly, the potential support of at least 2 per cent of the voters for that legislature; or 20
 - (ii) in respect of an application for financial assistance to contest the election for any provincial legislature or legislatures, the potential support of at least 2 per cent of the voters for the legislature or legislatures concerned. 25
- (b) The requirements for the acceptance of an opinion poll contemplated in paragraph (a), shall be prescribed by the Commission: Provided that no such poll may have been conducted earlier than six months before the final date on which parties have to submit their lists of candidates in terms of section 22: Provided further that the Commission may have an opinion poll conducted for the purposes of this section. 30
- (c) (i) A party may, when applying for registration as a participant in the election in terms of section 19, furnish the prescribed information in respect of the opinion poll on which that party intends to base its application for a grant.
- (ii) The Commission shall not later than seven days after the application has been submitted to it notify the party concerned whether the poll is accepted by the Commission or not. 35
- (d) If the opinion poll referred to in paragraph (c) is rejected by the Commission, or if a registered party so decides of its own accord, such a party may prove its potential support by voters by submitting a list containing— 40
- (i) 10 000 signatures of voters, of which at least 1 000 signatures shall be by voters from each of at least five provinces, if that party applies for a grant to contest the election for the National Assembly; or
 - (ii) 3 000 signatures by voters from each such province in respect of which such party applies for a grant with a view to contesting the election in such province or provinces. 45
- (e) (i) Subject to subparagraph (ii), the procedures for the collection of signatures referred to in paragraph (d) and the circumstances under which a party may be disqualified from receiving such a grant, shall be prescribed by the Commission. 50
- (ii) A voter—
- (aa) may only sign the support list of one party;
 - (bb) may sign both the lists referred to in paragraph (d) of a party;
 - (cc) shall state his full names, home address and identity number on the list or lists; and 55

- (dd) shall, if he or she cannot sign or write his or her name, place his or her mark on the said list or lists, which mark shall be witnessed by a voter by placing his or her signature next to that mark.
- (f) (i) The initial grant referred to in subsection (3)(a) shall be payable from the money referred to in subsection (1)(a)(i); Provided that only 50 per cent of that money shall be utilized for that purpose. 5
- (ii) A registered party who is contesting an election for one provincial legislature only, may, notwithstanding the provisions of subparagraph (i), only receive one quarter of the amount of the grant payable to a registered party contesting the election for the National Assembly. 10
- (g) A registered party making use of the method provided for in paragraph (d) in its application, may only receive 50 per cent of the amount of a grant payable to a registered party referred to in paragraph (a) of this subsection.
- (h) No party shall be allowed to apply for assistance under this subsection unless it has submitted the list or lists of candidates referred to in section 22, and no registered party shall be eligible for a grant if its qualifying application has not been received by the Commission before the expiry of the period of 30 days referred to in section 22(1). 15
- (5) The grant referred to in subsection (3)(b) shall be payable from the remainder of the said Fund referred to in subsection (1)(a) in the following manner: 20
- (a) 50 per cent shall be distributed equally among those registered parties which in terms of the total number of votes cast, are entitled to at least one seat in the National Assembly or any provincial legislature; Provided that a party which contested the election for one provincial legislature only, may only receive one quarter of the amount of the grant payable to a party which contested the election for the National Assembly; and 25
- (b) the other 50 per cent shall be payable to each such registered party proportional to the number of votes cast nationally and provincially in favour of such party. 30
- (6) With a view to ensuring that the object as set out in subsection (1)(b) is pursued by registered parties, it shall be a precondition for the payment of the grants that—
- (a) registered parties which are recipients of the grants shall be obliged to deposit such funds in an account specially opened for that purpose, and to keep separate books, accounts, financial statements and vouchers of all financial assistance received and so deposited and expenditure incurred from that account; 35
- (b) the Commission shall prescribe a requirement for audit in respect of the said account, and may further require that the books, accounts, financial statements and vouchers relating to that account be submitted for scrutiny and audit by the Auditor-General, who shall have full and unrestricted access to such documentation as may be considered relevant by him or her. 40
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Application of Act in event of conflict with other laws

75. This Act, including the regulations and the orders, directions and decisions of the Commission in terms thereof, shall prevail in the event of any conflict with the provisions of any other law, including statute law, common law, subordinate legislation and customary or indigenous law, in so far as the conduct and supervision of the election within the Republic are concerned. 50

Regulations

76. (1) The Commission shall make regulations regarding—

- (a) voting and counting stations, including access and activities permitted in—

- (i) a voting or counting centre;
 - (ii) an inner perimeter; and
 - (iii) a controlled area.
- which regulations may differ according to the part of the voting or counting station involved; 5
- (b) foreign voting stations, including—
- (i) the hours during and day or days during the voting period on which votes may be cast;
 - (ii) the procedures regulating the casting of votes;
 - (iii) the issuing of a ballot paper envelope to a voter on which the name 10 of the province referred to in section 25(3) shall be indicated; and
 - (iv) the counting of votes cast:
- in respect of foreign voting stations;
- (c) special votes and voters, including the counting of votes cast by special voters; 15
- (d) voting stations for and the procedures regulating the casting of votes by prisoners and persons awaiting trial being detained, and who are not excluded from voting in terms of section 16(d), and the counting of such votes;
- (e) the manner in which and conditions under which the canvassing of 20 persons referred to in paragraph (d) by registered parties may be permitted;
- (f) State and foreign funding of registered parties as contemplated in section 74;
- (g) the application *mutatis mutandis* of the provisions of section 71 to the 25 electronic media, including any television or radio broadcasting service;
- (h) the safe-keeping and transportation of voting materials and election material, including—
- (i) security during the production of voting materials;
 - (ii) safe-keeping of voting materials after printing or manufacturing and 30 during distribution thereof to voting stations;
 - (iii) distribution of voting materials prior to and during the voting period;
 - (iv) safe-keeping of voting materials after distribution to voting stations;
 - (v) safe-keeping during the course of the voting period, including the 35 safe-keeping of election material pending the counting of votes;
 - (vi) safe-keeping of voting materials and election material after the voting period, including the transportation to counting stations and the provision of security during the counting period;
 - (vii) security of voting stations and staff employed therein; 40
 - (viii) security of voting materials and election material at foreign voting stations; and
 - (ix) security of voting materials and election material in respect of special votes and special voters;
- (i) the rights and duties of party voting and election agents; 45
- (j) the demarcation of the Republic in electoral districts for the purposes of the election with due regard to the requirement to have separate counts of votes in respect of provincial legislatures and provisionally defined areas;
- (k) the procedures to be followed and manner in which a voter shall be 50 marked if the provisions of section 35(4)(a)(ii) apply;
- (l) the procedures to be followed and manner in which a voter's eligibility document shall be marked in terms of section 35(4)(b);
- (m) voting and counting of votes in respect of provisionally defined areas, including, subject to the Constitution—
- (i) the counting procedure in order to have separate counts of votes in respect of provincial legislatures and provisionally defined areas;
 - (ii) the manner in which the votes cast within each such provisionally defined area may be required to be deducted from the votes cast for 55

the legislature of the province in which such area is situated and may require to be added to the votes cast for the legislature of the province in which such area may be incorporated:

- (iii) if necessary, the manner in which the seats and representatives for each provisionally defined area shall be determined; and
- (iv) such matters as may be necessary to implement the provisions of the Constitution in respect of any provisionally defined area;
- (n) any matter required or permitted to be prescribed in terms of this Act; and
- (o) generally, all matters which in its opinion are necessary or expedient to be prescribed to achieve the objects of this Act.

(2) A regulation in terms of subsection (1) may prescribe penalties for any contravention of the provisions thereof, or any failure to comply therewith, of a fine not exceeding R40 000 or imprisonment for a period not exceeding two years.

(3) Regulations in terms of subsection (1) affecting State expenditure shall be made only after consultation with the Minister of State Expenditure.

(4) The Commission shall make such provision as it may consider necessary in order to ensure the widest possible publicity of the regulations.

Repeal of laws, and savings

77. (1) The laws specified in Schedule 3 are hereby repealed to the extent set out in the third column thereof.

(2) Notwithstanding the repeal of the Filling of Casual Vacancies in Parliament Act, 1992 (Act No. 148 of 1992), by subsection (1), the said Act shall, for the purposes of the filling of casual vacancies in Parliament, be applicable as if it had not been so repealed until the first National Assembly has been validly constituted in terms of the Constitution.

Short title and commencement

78. This Act shall be called the Electoral Act, 1993, and shall come into operation on a date fixed by the State President, on the advice of the Transitional Council, by proclamation in the Gazette.

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SCHEDULE 1

(Section 29)

MAKE YOUR MARK NEXT TO THE PARTY YOU CHOOSE

PARTY NAME	PARTY SYMBOL	PARTY ACRONYM	PHOTO OF LEADER(S)
OPQ PARTY			
RST PARTY			
UVW PARTY			
XYZ PARTY			
ABC PARTY			
DEF PARTY			
GHI PARTY			
JKL PARTY			
MNO PARTY			
PQR PARTY			
STU PARTY			

SCHEDULE 2

(Sections 69 and 70)

ELECTORAL CODE OF CONDUCT

1. The object of this Code shall be to promote conditions conducive to the conduct of a free and fair election, and a climate of democratic tolerance, in which political activity may take place without fear of coercion, intimidation or reprisals.
2. All registered parties and other persons bound by this Code shall endeavour to promote its object in order to enable free political campaigning and open public debate to take place in all parts of the Republic throughout the election period.
3. Registered parties and candidates further commit themselves—
 - (a) to give wide publicity to this Code;
 - (b) to promote voter education campaigns;
 - (c) to condemn violence and intimidation;
 - (d) to instruct their candidates, office-bearers, members and supporters accordingly; and
 - (e) generally, to affirm the rights of all participants in the election—
 - (i) to express divergent political opinions;
 - (ii) to debate and contest the policies and programmes of other parties;
 - (iii) to canvass freely for membership and support from voters;
 - (iv) to hold public meetings;
 - (v) to attend public meetings convened by others;
 - (vi) to distribute electoral literature and campaign materials;
 - (vii) to publish and distribute notices and advertisements;
 - (viii) to erect banners, placards and posters; and
 - (ix) to promote free electoral campaigns by all lawful means.
4. All those bound by this Code in terms of subsection 69(1)(b), shall throughout the election period give effect to the following undertakings and stipulations:
 - (a) To publicly and repeatedly condemn violence and intimidation, and to avoid the use of language or any kind of action which may lead to violence or intimidation, whether to demonstrate party strength, gain any kind of political advantage, or for any other reason;
 - (b) to refrain from any action involving violence or intimidation;
 - (c) to ensure that no arms or weapons of any kind are carried or displayed at political meetings or in the course of any march, demonstration or other event of a political nature;
 - (d) to refrain from publishing or repeating false, defamatory or inflammatory allegations concerning any person or party in connection with the election;
 - (e) to co-operate and liaise in good faith with other parties to avoid, in so far as possible, arrangements involving public meetings, demonstrations, rallies or marches taking place at the same time and venue as similar political events organized by other parties;
 - (f) to do nothing to impede the democratic right of any party, through its candidates, canvassers and representatives, to have reasonable access to voters for the purposes of conducting voter education, fund raising, canvassing membership and soliciting support;
 - (g) to avoid plagiarizing the symbols, colours or acronyms of other parties; and to discourage and, if possible, prevent the removal, disfigurement or destruction of political campaign materials of any party;
 - (h) to refrain from offering any inducement or reward to any person in consideration of such person either joining or not joining any party; attending or not attending any political event; voting or not voting (either at all, or in any particular manner); or accepting, refusing or withdrawing such person's nomination as a candidate in the election;
 - (i) to refrain from any attempt to abuse a position of power, privilege or influence, including parental, patriarchal or traditional authority, for political purposes, including any offer of reward or threat of penalty;
 - (j) to avoid any discrimination based on race, sex, ethnicity, class, gender or religion, in connection with the election and political activity;
 - (k) in relation to the role of women—
 - (i) to facilitate full participation by women in political activities on the basis of equality;
 - (ii) to ensure free access by women to all public political meetings, facilities and venues;
 - (iii) to respect the right of women to communicate freely with political parties and organizations; and
 - (iv) generally, to refrain from forcing women to adopt a particular political position or to engage in, or to refrain from engaging in, any political activity otherwise than in accordance with their free choice;

- (l) in relation to the Commission—
 - (i) to acknowledge its authority in the conduct of the election;
 - (ii) to ensure the attendance and participation of representatives at meetings of any party liaison committee and other forums convened by or on behalf of the Commission;
 - (iii) to implement its orders and directions;
 - (iv) to facilitate its right of access through official monitors or other representatives to all public political meetings or other electoral activities;
 - (v) to co-operate in the official investigation of issues and allegations arising during the election period; and
 - (vi) to take all reasonable steps to ensure the safety of monitors and other representatives of the Commission from exposure to insult, hazard or threat in the course of their official duties;
- (m) to reassure voters with regard to the impartiality of the Commission, the secrecy and integrity of the ballot, and furthermore, that no one will know how any other person has voted;
- (n) to take reasonable steps to discipline and restrain their party office-bearers, employees, candidates, members and supporters from—
 - (i) infringing this Code;
 - (ii) committing any offence in terms of this Act or any other law;
 - (iii) committing any prescribed electoral irregularity; and
 - (iv) contravening or failing to comply with any provision of this Act;
- (o) to establish and maintain effective lines of communication with the Commission, and with other registered parties, at national, provincial and local level, including the exchange of names, addresses and contact telephone and facsimile numbers of party election agents and of other relevant office-bearers and representatives; and
- (p) to accept the final outcome of the election, and the Commission's declaration and certification of the results thereof.

SCHEDULE 3

(Section 77)

LAWS REPEALED

NO. AND YEAR OF LAW	TITLE	EXTENT OF REPEAL
Act No. 45 of 1979	Electoral Act, 1979	Repeal of the whole.
Act No. 89 of 1980	Electoral Amendment Act, 1980	Repeal of the whole.
Act No. 35 of 1981	Electoral Amendment Act, 1981	Repeal of the whole.
Act No. 104 of 1982	Elections Amendment Act, 1982	Repeal of so much as has not been repealed.
Act No. 41 of 1983	Electoral Amendment Act, 1983	Repeal of the whole.
Act No. 103 of 1984	Population Registration and Elections Amendment Act, 1984	Repeal of so much as has not been repealed.
Act No. 36 of 1985	Electoral and Related Affairs Amendment Act, 1985	Repeal of section 1.
Act No. 92 of 1989	Elections and Identification Amendment Act, 1989	Repeal of sections 1 to 115, inclusive.
Act No. 112 of 1990	Application of Certain Laws to Namibia Abolition Act, 1990	Repeal of the amendment of the Electoral Act, 1979 (Act No. 45 of 1979), in the Schedule to the Act.
Act No. 129 of 1992	Electoral Amendment Act, 1992	Repeal of the whole.
Act No. 148 of 1992	Filling of Casual Vacancies in Parliament Act, 1992	Repeal of the whole.

**MEMORANDUM ON THE OBJECTS OF THE
ELECTORAL BILL, 1993**

The object of this Bill is to make provision for the conduct of the first fully democratic elections in the history of South Africa and for matters in connection therewith.

Nomination of candidates and compilation of party lists

1. Parties registered in terms of the Electoral Act, 1993, shall nominate candidates for election to the National Assembly and the provincial legislatures on lists of candidates in accordance with the Electoral Act, 1993, and compile such lists in accordance with this Schedule.
2. The 400 seats in the National Assembly shall be filled as follows:
 - (a) 200 seats from regional lists, with a fixed number being allocated to each region by the Independent Electoral Commission taking into account available scientifically based data in respect of voters and representations by interested parties and with due regard to the following distribution:

Western Cape	— 21 seats
Eastern Cape	— 26 seats
Northern Cape	— 4 seats
Natal	— 30 seats
Orange Free State	— 15 seats
North-West	— 17 seats
Northern Transvaal	— 20 seats
Eastern Transvaal	— 14 seats
Pretoria-Witwatersrand-Vereeniging	— 43 seats
 - (b) 200 seats from the national list, or regional lists if a national list was not submitted, in order to restore proportionality in accordance with the total number of votes cast for each party in the national election.
3. Lists of candidates submitted by a party for election to the National Assembly shall together contain the names of not more than 400 candidates and each such list shall denote such names in such fixed order of preference as that party may determine.
4. A party's lists of candidates may consist of—
 - (i) both a national list and regional lists; or
 - (ii) regional lists only,
 and in such proportions as the party may determine.
5. For the purpose of filling the 200 seats in the National Assembly contemplated in item 2(a), the total number of votes cast in a region shall be divided by the number of seats plus one in that region, and the result plus one, disregarding fractions, shall be the quota of votes per seat.
6. The total number of votes cast in favour of a party in a region, shall be divided by the quota of votes per seat, and the result shall, subject to item 7, determine the number of seats allocated to that party.
7. Where the calculation set out in item 6 yields a surplus not absorbed by the number of seats allocated to the party concerned, such surplus shall compete with other similar surpluses accruing to any other party or parties, and any undistributed seat or seats shall be awarded to the party or parties concerned in sequence of the highest surplus.
8. For the purpose of filling the 200 seats contemplated in item 2(b), the total number of votes cast in a general election shall be divided by 400 plus one, and the result plus one, disregarding fractions, shall be the quota of votes per seat.
9. The total number of votes cast nationally in favour of a party, shall be divided by the quota of votes per seat, and the result shall, subject to items 10 and 11, determine the number of seats allocated to that party.
10. Where the calculation set out in item 9 yields a surplus not absorbed by the number of seats allocated to the party concerned, such surplus shall compete with other similar surpluses accruing to any other party or parties, and any undistributed seat or seats shall be awarded to the party or parties concerned in sequence of the highest surplus to be a maximum of 5 seats so allocated: Provided that subsequent allocations shall be made in sequence to those parties having the highest average number of votes per seat already gained.
11. The number of seats allocated to a party in accordance with the provisions of items 8, 9 and 10 shall be reduced by the number of seats a party gained in accordance with the provisions of items 5, 6 and 7, and also by the number of seats forfeited in terms of item 14, and the result shall be the seats allocated in terms of item 2(b).
12. Where a party—
 - (i) submitted lists of candidates as contemplated in item 4(i), its representatives in the National Assembly shall be allocated from regional lists in accordance with the provisions of items 5, 6 and 7 and from the national lists in accordance with the provisions of items 8, 9, 10 and 11;
 - (ii) submitted lists of candidates as contemplated in item 4(ii), its representatives in the National Assembly shall be allocated in accordance with the provisions of items 5, 6 and 7, with the remainder of its seats in terms of items 8, 9, 10 and 11 being allocated from

regional lists in the same proportions as those allocated in terms of items 5, 6 and 7; Provided that surplus fractions shall be disregarded save that unallocated seats shall be allocated to regions in sequence of the highest surplus fractions.

13. (a) In the case of a list of candidates containing fewer candidates than a party is entitled to, that party—
 - (i) shall only be allocated the number of representatives on its list; and
 - (ii) shall forfeit its entitlement to any further representation in excess of the representation so allocated.
- (b) If the numbers or boundaries of provinces are altered pursuant to the provisions of section 124, the Independent Electoral Commission shall review the allocations made in terms of items 2 and 17, and such revised allocations shall be the basis of any further elections for the National Assembly or the provincial legislatures.
14. The provisions of item 13 shall *mutatis mutandis* apply individually to each regional list referred to in item 4(i) and (ii) in respect of which a list of candidates was submitted by that party.
15. In the event of a party forfeiting its entitlement to representation in terms of items 13 and 14—
 - (i) a new quota shall be determined on the following basis:
 - (a) The total number of votes cast, minus those votes cast for all parties referred to in the said items, shall be divided by the seats plus one, still to be allocated to the other parties; and
 - (b) the quotient of such division plus one, disregarding fractions, shall be the new quota; and
 - (ii) a new determination of the allocation of representatives in respect of such other parties shall then *mutatis mutandis* be made as provided for in items 5, 6, 7 and 8, 9, 10 and 11, respectively.
16. In the event of a party being entitled to an additional number of representatives in terms of the provisions of item 15, and its lists of candidates then do not contain a sufficient number of candidates, the process as provided for in items 13, 14 and 15 shall repeat itself until all representatives have been allocated.

Election of members of provincial legislatures

17. A fixed number of seats shall be allocated to each provincial legislature by the Independent Electoral Commission taking into account available scientifically based data in respect of voters and representations by interested parties: Provided that no provincial legislature shall have fewer than 30 and more than 100 seats and that due regard shall be taken of the following distribution:

Western Cape	— 42 seats
Eastern Cape	— 52 seats
Northern Cape	— 30 seats
Natal	— 80 seats
Orange Free State	— 30 seats
North-West	— 34 seats
Northern Transvaal	— 40 seats
Eastern Transvaal	— 30 seats
Pretoria-Witwatersrand-Vereeniging	— 86 seats

18. A list of candidates submitted by a party for election to a provincial legislature shall contain the names of not more than the number of seats allocated to such legislature in terms of item 17.
19. A list of candidates of a party shall consist of a single list in such fixed order of preference as that party may determine.
20. The provisions of items 5, 6 and 7 shall apply *mutatis mutandis* to the election of the members of a provincial legislature. The quota of votes per seat shall be determined by dividing the total number of votes in each region by the number of seats plus one for each province, and to such result, disregarding fractions, one shall be added.

Manner of casting and counting votes

21. The manner of casting and counting of votes in the election of the National Assembly and the election of each provincial legislature shall be in accordance with the provisions of the Electoral Act, 1993.

Declaration of support by one party of another party

22. (1) If a party wishes to contest the election of one or more provincial legislatures, but does not wish to contest the election in the National Assembly, the party may, within the time and in the

manner prescribed by the Electoral Act, 1993, declare that it supports another party which has entered the election of the National Assembly, and if it makes such declaration, all votes cast in its favour shall, for the purpose of the election of the National Assembly, be deemed to be a vote in favour of such other party.

(2) If a party wishes to contest the election of the National Assembly, but does not wish to contest the election of one or more of the provincial legislatures, the party may, within the time and in the manner prescribed by the Electoral Act, 1993, declare that it supports another party which has entered the election of a provincial legislature, and if it makes such declaration, all votes cast in its favour shall, for the purpose of the election of the relevant provincial legislature, be deemed to be a vote in favour of such other party.

(3) If a party wishes to contest the election of one or more provincial legislatures but does not wish to contest the election of all provincial legislatures, the party may, within the time and in the manner prescribed by the Electoral Act, 1993, declare that it supports another party which has entered the election of the provincial legislatures that it is not contesting, and if it makes such a declaration, all votes cast in its favour shall, for the purposes of the election of the provincial legislatures that it is not contesting, be deemed to be a vote in favour of such other party.

(4) For the purposes of subitems (2) and (3), a party may support different parties in the different provincial legislatures.

Designation of representatives

23. After the counting of votes has been concluded, the number of representatives of each party has been determined and the election has been certified by the Independent Electoral Commission as having been free and fair—
- (i) the Independent Electoral Commission shall within two days thereafter designate from each list of candidates published in terms of section 23 of the Electoral Act, 1993, the representatives of each party in each legislature;
 - (ii) following the designation in paragraph (i), if a candidate's name appears on more than one list for the National Assembly or on a list of both the National Assembly and a provincial legislature and he or she is due for designation as a representative in more than one case, the political party concerned shall within two days thereafter indicate to the Independent Electoral Commission in which legislature the candidate shall serve or from which list he or she will be allocated, as the case may be, in which event his or her name shall be deleted from the other lists; and
 - (iii) the Independent Electoral Commission shall forthwith publish the list of names of representatives in all legislatures.

Supplementation of lists of candidates

24. No lists of candidates of a party for any legislature shall be supplemented prior to the designation of representatives as contemplated in item 23.
25. Lists of candidates may, after the designation of representatives in terms of item 23 has been finalised, be supplemented by the addition of an equal number of names at the end of the applicable list, if—
- (i) a representative is elected as President or to any other executive office as a result of which he or she resigns as a representative of a legislature;
 - (ii) a representative is elected as a member of the Senate;
 - (iii) a name is deleted from a list in terms of item 23(i); or
 - (iv) a vacancy has occurred and the appropriate list of candidates of the party concerned is depleted.
26. Lists of candidates of a party published in terms of section 24 of the Electoral Act, 1993, may be supplemented on one occasion only at any time during the first 12 months following the date on which the designation of representatives in terms of item 23 was finalised, in order to fill vacancies which may subsequently occur: Provided that any such supplementation shall be made at the end of the list.
27. The number of names on lists of candidates as supplemented in terms of item 25 shall not exceed the difference between the number of seats in the National Assembly or a provincial legislature and the number of representatives of a party in any such legislature.

Review of lists of candidates by a party

28. A party may review its undepleted lists as supplemented as provided for in items 25, 26 and 27, within seven days after the period referred to in item 26, and annually thereafter, until the date on which a party has to submit lists of candidates for an ensuing election in the following manner:
- (i) All vacancies may be supplemented;
 - (ii) not more than 25 per cent of candidates may be replaced;
 - (iii) the fixed order of lists may be changed.

Publication of supplemented and reviewed lists of candidates

29. Candidates' lists supplemented in terms of items 25 and 26 or reviewed in terms of item 28 shall be published by the Secretary to Parliament and the Secretaries of the provincial legislatures within 10 days after the receipt of such lists from the parties concerned.

Vacancies

30. In the event of a vacancy having occurred in the representation of a party in any legislature—
(i) such vacancy shall forthwith be filled by the Secretary of that legislature, by the designation of the candidate at the top of the appropriate list of unallocated candidates of the party concerned, as representative of that legislature; or
(ii) if the party concerned no longer exists at the time the vacancy has to be filled, the vacancy shall be filled in the manner *mutatis mutandis* as provided for in items 5, 6 and 7 as well as items 8, 9, 10 and 11 in respect of the remaining parties represented in a legislature.

GOVERNMENT GAZETTE, 3 MARCH 1994

No. 15550 13

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA
AMENDMENT ACT. 1994

Act No. 2, 1994

- (a) by the substitution for the name "Natal", wherever it occurs, of the name "KwaZulu/Natal"; and
 (b) by the substitution for paragraph (d) of Part 2 of the following paragraph:

5 "(d) Northern Transkei/Pondoland— Consisting of the Bizana, Flagstaff, [Llibode,] Lusikisiki, Mt Ayliff, Mt Frere, Mt Fletcher, Matatiele [Nqeleni, Port St Johns] and Tabankulu districts of Transkei, as they were defined on 26 October 1976."

10 Amendment of Schedule 2 to Act 200 of 1993

12. Schedule 2 to the principal Act is hereby amended—

- (a) by the substitution for the name "Natal", wherever it occurs, of the name "KwaZulu/Natal";
 (b) by the substitution for item 15 of the following item:

15 15. "Ballot papers

16 15. There shall be separate ballot papers for the election of members of the National Assembly and of members of the provincial legislatures; and

- 20 (c) by the insertion in item 25 after the definition of "regional list" of the following definition:
- "votes" means—

- (a) where it occurs in items 5, 6, 7 and 9, votes cast in the election for the National Assembly;
 (b) where it occurs in items 13 and 14, votes cast in the election for the provincial legislature of a province concerned; and
 (c) where it occurs in item 16, votes cast in the election for the National Assembly and the provincial legislatures.

Amendment of Schedule 4 to Act 200 of 1993

13. Schedule 4 to the principal Act is hereby amended—

- 30 (a) by the substitution for Constitutional Principle XVIII of the following Principle:

"XVIII

- 35 1. The powers [boundaries] and functions of the national government and provincial governments and the boundaries of the provinces shall be defined in the Constitution.
 2. The powers and functions of the provinces defined in the Constitution, including the competence of a provincial legislature to adopt a constitution for its province, shall not be substantially less than or substantially inferior to those provided for in this Constitution.
 40 3. The boundaries of the provinces shall be the same as those established in terms of this Constitution.
 45 4. Amendments to the Constitution which alter the powers, boundaries, functions or institutions of provinces shall in addition to any other procedures specified in the Constitution for constitutional amendments, require the approval of a special majority of the legislatures of the provinces, alternatively, if there is such a chamber, a two-thirds majority of a chamber of Parliament composed of provincial representatives, and if the amendment concerns specific provinces only, the approval of the legislatures of such provinces will also be needed.
 50 5. Provision shall be made for obtaining the views of a provincial

INDEPENDENT ELECTORAL COMMISSION

South African Commissioners

Justice Johann Kreigler, Chairperson: Lawyer and judge in the Appellate Courts and former chairman of the Johannesburg Bar Council and of Lawyers for Human Rights.

Adv. E. Dikgang Moseneke, Deputy Chairperson: Senior counsel and former politician. Served on the technical committee for drafting the South African constitution.

Rev. Frank Chikane: Pastor of the Apostolic Faith Mission and the General Secretary of the South African Council of Churches since 1987.

Dr. Oscar Dhlomo: Educator, businessman, and politician. Founder of the South Africa's Institute for Multi-Party Democracy.

Mr. Johan Heyns: Attorney, politician, former deputy and chairman of the President's Council. Chairperson of the President's Council committee reporting on the new constitution.

Ms Rosil Jager: Politician, writer, township administrator, and former deputy mayor of Sasolburg in the northern Orange Free State.

Ms Dawn Mokhobo: Senior General Manager of human resources--Electricity Supply Commission (ESKOM) and former senior manager of health education for Anglo American Corporation.

Adv. Charles Nupen: Attorney and National Director of the Independent Mediation Service of South Africa (IMMSA). Independent member of the National Manpower Commission.

Dr. Helen Suzman: Former politician and Member of Parliament since the early 1950s.

Mr. Ben van der Ross: Director of housing for the Independent Development Trust and former executive director of housing for the Urban Foundation.

Adv. Zac Yacoob: Advocate, former member of the execution of the National Council for the Blind.

INDEPENDENT ELECTORAL COMMISSION

Non-Voting International Commissioners

Dr. Jørgen Elklit: Senior lecturer, Department of Political Science, University of Aarhus, Denmark.

Mr. Ronald Gould: Assistant Chief Electoral Officer, Canada.

Professor Walter Kamba: Professor of Law at the University of Zimbabwe.

Ms Gay McDougall: Director of the Southern African program of the Lawyers' Committee for Civil Rights under the Law in the United States.

Dr. Amare Teckle: Referendum Commissioner, Eritrea.

MEMORANDUM

TO: Rosalind Bush
Specialist Monitoring Division

FROM: Mary Burton
PEO - Western Cape

DATE: 13 April 1994

SUBJECT: RECOMMENDATION FOR THE SELECTION OF VOTING STATION OFFICERS

A voting station will have up to nineteen people staffing it, with six in reserve.

It is expected that the appointment of this team will be based on the following considerations:

- sensitivity to language, gender and population group, so that the team as a whole is representative of the whole population;
- a commitment on the part of all voting station officers to set aside any party political affiliation and act in a non-partisan manner;
- voting officers should not be persons who have had a high political party profile;
- the P.O. should endeavour to build a co-ordinated and mentally helpful team;
- When a voter enters the voting station he/she should be able to feel immediately safe and comfortable, secure in the knowledge that the officers are people to be trusted and relied on;
- voting officers must be over 18 years of age.

MARY BURTON
PEO - WESTERN CAPE

Provincial Office: _____

Commissioners Checklist

Version 1

#	/	Dir.	Dept.	Measurement Criteria	Achieved	Goal/Total	Comments/Observations
1		EAD	Staffing	Number of DEOs/Deputies appointed			
2		EAD	Staffing	Number of Presiding Officers Appointed			
3		EAD	Staffing	Number of Counting Officers Appointed			
4		EAD	Staffing	Number of Voting Officers Appointed			
5		EAD	Staffing	Number of Enumerators Appointed			
6		EAD	Training	Number of DEOs/Deputies trained			
7		EAD	Training	Number of Presiding Officers Trained			
8		EAD	Training	Number of Counting Officers Trained			
9		EAD	Training	Number of Voting Officers Trained			
10		EAD	Training	Number of Enumerators Trained			
11		EAD	Planning	Number of Voting Station Sites Confirmed (WIP)			
12		EAD	Planning	Number of Mobile Voting Stations Confirmed (WIP)			
13		EAD	Planning	Number of Voting Stations with sufficient Security arranged			

Provincial Office: _____

Commissioners Checklist

Version 1

#	/	Dir.	Dept.	Measurement Criteria	Achieved	Goal/Total	Comments/Observations
14		EAD	Planning	Number Mobile Polls with Place/Date/Time confirmed			
15		EAD	Planning	Number of Voting/Counting/Mobile Stations outfitted (WIP)			
16		EAD	Planning	Number of Temporary Voting Structures required (perm/temp)			
17		EAD	Planning	Number of Secure Ballot Box Holding Sites confirmed			
18		EAD	Provisioning	Number of Warehouses leased			
19		EAD	Provisioning	Number of Secure Warehouses leased			
20		EAD	Provisioning	Number of Districts with supply transport arrangements made			
21		EAD	Special	Number of Special Voting Sites Confirmed (WIP)			
22		EAD	Special	Number of Districts with Special Voting Schedules			
23		EAD	Prisons	Number of Prisons Coordinators confirmed			
24		EAD	Prisons	Number of Prison Presiding Officers confirmed			
25		EAD	Liaison	Number of District Party Agents Appointed			
26		EMD	Transport	Number of Monitoring Vehicles hired/deployed			

Provincial Office: _____

Commissioners Checklist

Version 1

#	/	Dir.	Dept.	Measurement Criteria	Achieved	Goal/Total	Comments/Observations
27		EMD	Logistics	Number of Monitors hired & trained (by types)			
28		EMD	Logistics	Number of Monitors (by types) deployed			
29		EMD	Logistics	Number of Observers (domestic/int'l) deployed			
30		EMD	Telecomm	Number of Sub-Provincial Offices with data/voice lines			
31		EMD	Telecomm	Number of District Offices with phones			
32		EMD	Investigations	Number of Investigations (WIP)			
33		EMD	Mediation	Number of Mediations (WIP)			
34		EMD	NOC	Incident Reporting by type/location			
35		EAS		Number of Adjudications cases & results (WIP)			
36		CEO	Op Access	Number of Operations Access programs (by type)			
37		CEO	V/Ed	Number of Voter Education Programs delivered			
38		CEO	V/Ed	Number of Voters Reached by program type			
39		CEO	V/Ed	Number of V/Ed pamphlets issued by type			

Commissioners Checklist

#	<input checked="" type="checkbox"/>	Dir.	Dept.	Measurement Criteria	Achieved	Goal/Total	Comments/Observations
40		CEO	Finance	Number of IEC staff paid			
41		CEO	Finance	Number of Elections staff (EAD) paid			
42		CEO	Finance	Number of Monitors (EMD) paid			
43		CEO	Finance	Cash Flow analysis report			
44		CEO	Finance	Number/value of cheques issued			
45		CEO	Finance	Commitments report (by directorate, by office)			
46		CEO	HR/Admin	Number of IEC staff documented (WIP)			
47		CEO	HR/Admin	Number of Monitors (EMD) processed			
48		CEO	HR/Admin	Number of Elections Staff (EAD) processed			
49		CEO	HR/Admin	Accommodation Bookings report (block/confirmed)			
50		CEO	HR/Admin	Travel Bookings (# flights) report (reserved/confirmed)			
51		CEO	HR/Admin	Security status & Incident report			
52		CEO	HR/Admin	Furniture orders - additional provisioning (# & \$)			

Provincial Office: _____

Commissioners Checklist

Version 1

#	✓	Dir.	Dept.	Measurement Criteria	Achieved	Goal/Total	Comments/Observations
53		CEO	HR/Admin	Other Equipment - additional provisioning (specify)			
54		CEO	IT	IT Equipment - additional provisioning (# PCs)			
55		CEO	IT	IT Network Performance Report			
56		CEO	IT	IT Systems implemented and operational			
57		CEO	ILO	Number of Foreign Visitors Received (by type)			

IFES/South Africa. Consultant Activity Report.

EAD Logistics--Kenneth Weinberg. March 22-May 4, 1994.

The Election in South Africa: An Analysis of the Logistics Effort

Background

In March, 1994 the International Foundation for Electoral Systems contracted with Kenneth P. Weinberg (henceforth referred to as the "consultant") to assist in the logistics effort for the first South African multi-racial election. During the period of residence in South Africa, the consultant was to be subordinated to the Independent Election Commission (IEC). The consultant's duties were outlined in the initial position description provided to IFES by the IEC through USAID/South Africa.

Summary

This report only addresses problem areas. It does not discuss the thousands of actions and plans which were completed by the IEC in an effective and efficient manner. It is not the intention of this report to criticize the personnel who led the logistics effort within the IEC, especially within the Election Administration Division (EAD). Most of those people were patriots keenly intent on building a new South Africa.

The election was a historic event and an achievement of epic proportions. The South African people have a great deal of which to be proud. No doubt historians and pundits will sing the praises of abolition of Apartheid and the establishment of a multi-cultural, democratic state.

Fortunately, the euphoria of this great achievement will eclipse the shoddy performance of the IEC's logistics effort, one which can only be characterized "too little, too late."

In its efforts to communicate to its citizens and to the world its intention to provide a forum for a free and fair election, the *IEC completely lost sight of its charter, namely, to plan and execute an election.* The IEC left the mechanics of procuring and distributing needed voting materials to well meaning, but incompetent and often arrogant people. There was a lack of adequate planning and a failure to recognize and react to blatantly obvious looming crises and equipment shortfalls.

The entire logistics effort can be summed as follows: no coordinated, integrated logistics effort, no inventory control, no transportation plan, no established deadlines for ordering and delivery of needed election materials, no distribution plans, no training for procurement and distribution people, no screening of warehouse personnel, and no plan to keep track of secure materials (ballot papers, seals, etc.).

Reality vs. Theory

Of special note were the comments made by Dr. Ellen Kornegay, the Director of the IEC's International Liaison Office, and Dr. Renosi Mokate, the IEC's Chief Executive Officer, to the consultant upon his arrival. Dr. Kornegay asked that the consultant formulate a logistics plan reminiscent of the U.S. effort during Operation Desert Storm. Dr. Mokate made a similar statement.

Although his contract contained specific tasking for the consultant and allowed the IEC to make assignments deemed necessary to support the logistics effort, in reality, the consultant was never assigned to tackle any of the problems listed in the compact. Instead, he responded to tasking from the executive assistant for logistics within the EAD. The sole exception was his independent action to construct and advocate the use of the automated data base.

Having been hired a scant six weeks prior to the election, the consultant was concerned that no preliminary logistics plans had been formulated. In order to arrive ready to support the logistics effort, the consultant arrived with tentative plans to:

- a. Set up a computer driven inventory system.
- b. Track the deployment of all necessary materials required to conduct and monitor the election.
- c. Define a list of supplies to support the voting effort in the field.
- d. Identify transportation requirements to move said equipment and people.
- e. Develop a communications plan to link all logistics personnel and voting stations.
- f. Devise a contingency plan to answer problems caused by logistics shortfalls, civil unrest, and loss of communications.

These plans were developed solely from the requirements set forth in the contract and based on the consultant's prior logistics experience. The IEC offered no other guide lines.

Scope of Actual Duties

Briefly summarized, the contractor's actual activities included:

- a. Preparing logistics plans for allocation and distribution of voting materials.
- b. Preparing a plan for the safeguarding and distribution of secure items (ballots, ballot box seals, and invisible ultraviolet stain, stamps, and stamp pads).
- c. Formulating contingency plans for materials distribution and storage.
- d. Working with moving contractors to find solutions to distribution problems.
- e. Design of a computer data base to be used for inventory control and tracking.
- f. Coordination of voting compartment and ballot box construction.
- g. Inspection of warehouses for security and fire hazards/prevention.
- h. Design of voting station supply kits.
- i. Devise plans to prevent and/or correct for supply short-falls.

- j. Direction of a crisis action team to assemble and deploy emergency stocks of secure materials to voting stations across the province of Pretoria-Witwatersrand-Vereeniging (PWV).
- k. Coordination of the action of the printing industry to meet last-minute demands for additional ballots.

Initial Inquiries

Arriving in Johannesburg on March 22, 1994, the consultant immediately set out to inquire about the status of the IEC logistics effort. After approximately four days of asking questions and meeting with cognizant people, the consultant discovered that there were two different logistics efforts underway. One of these operations was within the Election Administration Directorate (EAD). The second was based in the Election Monitoring Directorate (EMD). Surprisingly, there was no coordination between the two operations.

As can be expected, the lack of interaction caused undue duplication and disorder. The confusion factor was especially magnified during the last week of election preparations when the IEC did not know to whom it should turn for distribution of materials for voter education, monitor and observer training, and the explanation of communications procedures. In one bizarre case, EMD and EAD simultaneously tasked one another to deliver materials to voting stations the day before the election.

The Basic Questions

The procedural foundation of any election exercise is to provide service to the voter. In this regard, the consultant posed two fundamental questions upon arrival in South Africa:

1. *What is required to provide each voter in the field with a legal ballot and a means to mark that ballot and a place to cast the ballot, to collect the ballots, and to count and record each and every ballot paper?*
2. *What is the logistics plan necessary to fulfill question number 1?*

The consultant repeatedly posed these same two questions. Unfortunately, he never received an answer to either one. Therein lies the crux of the problems encountered during the course of the election--there was no "road map" of how the IEC was to achieve its goal of conducting an election.

If the IEC management had developed a plan, none of the operational staff in the IEC were familiar with it. Indeed, even the basic definition of what was needed to support the voter in the field was hardly ever answered as voting kits (Pack-ups of materials distributed to the voting stations containing stationary items and other supplies) continually changed in content and volume, often with no attending logic.

Staffing of EAD Logistics

It is interesting to note that *only two individuals were actually charged* by the IEC to formulate procurement and distribution plans within the EAD. This tiny staff was undermanned for that mammoth task, especially in light of the excessive manning in other departments. For example, the division responsible for ensuring that voting materials were sent to prisons consisted of five people.

The leader of the EAD logistics effort was a lawyer who had no idea about logistics and did not concern himself with the problem, except during the very chaotic days of the election. In essence, he was a non-player. His executive assistant, who served as a beer distributor in Johannesburg, carried the burden of formulating the procurement and distribution plans. He spent a great deal of time coordinating the arrival of the ballot papers from England and arranging for transportation of same. The junior member of the team was a recent university graduate with the equivalent of a masters' degree in business administration. He had no previous logistics experience.

By the time the ballot papers arrived from England, another member was added to the staff. His task was to accompany and to ensure the delivery of the ballots, UV inks, and ballot box seals. He had nothing to do with planning and distribution for any other materials, spent little time in the office, and was often difficult to reach.

Assisting the above described personnel were two men from the Home Affairs Office who undertook many tasks outside of the IEC headquarters. A "transportation coordinator" was assigned to the EAD logistics team from the Ministry of Home Affairs. He was never tasked by the EAD logistics people to assist in the transportation and distribution effort, an unfortunate waste of a potentially valuable asset.

Pack-Up or Voting Station Kits

The EAD logistics department decided early in the preparation phases to assemble voting station "pack-up kits." (Sample lists follow this report.) The idea behind the kit was to supply one voting station with all the materials it needed to service 3,000 voters. The 3,000 number was based on two criteria:

- a. Officials believed that each station could effectively service only 3,000 voters. For those stations expecting turnouts of over 3,000 voters, officials planned on opening additional voting streams at the same voting site.
- b. Each carton of ballot papers, whether provincial or national, contained exactly 1,500 ballot papers.

The EAD logistics people also decided to provide voting station kits to service 1,000 voters. The logic behind this decision was:

- a. To conserve materials.
- b. To supply limited quantities of materials for those stations with extremely low voter turnouts or with turnouts between 3,000 and 5,000 voters.

While the decision to make pack-ups for 1,000 voters may have been a wise one, it was made approximately one week before the election in the midst of the contractor's hasty packing operation. This change created confusion and generated ill-will with the packing firms that could have been avoided with proper planning.

The General Distribution Plan

The general distribution plan was relatively simple in concept. It called for the assembly of all voting materials, both secure (ballot papers, ballot box seals, UV stain, stamps, and stamp pads) and non-secure (stationery, UV lamps, armbands, etc.) by a contractor in Johannesburg. All materials needed were either purchased directly from domestic and international suppliers or were to be gathered from existing stocks in various Home Affairs warehouses. The employment of Home Affairs materials later became a major problem, as discussed below.

The first phase included packing the materials into voting kits. The second and subsequent phases called for movement of the kits to a central warehouse, distribution to one of 39-41 sub-provincial warehouses, and final distribution to the actual voting stations.

Unfortunately, the process was never really understood by the managers on the sub-provincial level, supplies were not delivered on time, conflicting directions were constantly passed by EAD to the packing contractor, the contents and volumes of the kits varied, and distribution plans were late and incomplete.

The Actual Distribution and Transportation Plans

One of the major logistics problems was the lack of a distribution plan. In all fairness to the logistics people, putting together a plan was a special challenge as the IEC never really knew the number or locations of the voting stations. The difficulty of materials estimation was compounded by the lack of accurate data on the population densities to be served by those voting stations. Nevertheless, there never seemed to be a sense of urgency in getting a plan promulgated. Time did not appear to be of the essence.

The individual designated to devise a distribution plan was inexperienced and reticent to push for updated population data. He received little guidance and no help in entering needed population data for formulation of the distribution model. He was also charged to formulate a transportation plan without ever having done one. The extensive problems the IEC experienced in transporting materials most likely could have been avoided seeing that a full time transportation coordinator was assigned to EAD. Sadly, he received no tasking from the IEC logistics chiefs. It is difficult

to believe, especially in view of the election's importance, that this full time, knowledgeable transportation coordinator was not tasked to solve the problems of distribution.

The lack of an experienced transportation coordinator was not only a problem during the election but will become a thorny issue when the government must pay the election bills. The packing and moving contractors called for a 60% increase in fees shortly before the election, from R5,757,716 to R9,525,715. This increase was challenged by EAD. The moving company submitted some kind of justification without any numerical support. The IEC accepted this increase--basically without questioning the transporter's logic. An experienced transportation coordinator was never consulted to investigate the validity of the cost increase nor to negotiate a change in the contract.

Further complicating the movement of materials into the field was:

- a. Tardiness in promulgating the actual distribution plan. A final plan was released only days before the actual election;
- b. The incompetence and inadequate numbers of people packing the trucks which ultimately distributed the voting materials into the field (the loading operation was run by an 18 year old young man having no prior experience);
- c. The difficulty some trucks had in safely transporting materials and actually locating the correct sub-provincial warehouses.
- d. The failure of the moving company to supply documentation to the truck drivers for transfer to the sub-provincial logistics personnel. Trucks arrived at their destinations with no inventory list.

Finally, there was no stock issuing system so that the IEC had no idea of the location of materials, a weakness which contributed to the problems encountered immediately before and during the actual election.

Management Systems

The IEC employed the use of various management systems. These included:

Computer Generated Time Lines. Time lines were established and printed by an international consultant in the EAD. Just where the input data came from, exactly how these time lines were used, and to whom they were promulgated was not common knowledge but among the senior management of the IEC. The consultant assumed that these time lines were some kind of progress chart. At no time was anyone in his immediate sphere of influence asked for any input. In short, information was guarded and not shared.

A Computer Data Base using Microsoft Access. The program was continually modified and, for logistics purposes, was ignored both by users and the programming personnel. Worthy of comment is the fact that the IEC never matched the correct computer with the software. Because of the complexity of the data base, a 486 processor running at 66 MHz was required. The IEC instead procured 486 processors running at 33 MHz. The wait-

time to access and capture data was slow and dissuaded people to use the system.

Networked Computer System. A wide area networked computer system was also set up, supposedly linking all areas of the IEC. Unfortunately, logistics personnel seemed to be on the bottom of the priority list both in terms of connectivity and hardware and software support. There was a failure by the IEC to interconnect the nine provincial logistics managers and 41 distribution points throughout the country. EAD did not attempt to secure dedicated data capture personnel and as a result, the data base was always inaccurate, making it just about useless.

Computer Automation

The IEC procured an incredible amount of computer hardware and hired scores of programmers and data capturers to take advantage of available technology. The computer automation greatly facilitated the election, however the overall system was not configured for efficiency.

There were two distinct computer divisions: an information technology (IT) and a computer automation division in EAD (EAD-IT). Unfortunately, the decision-makers in each group were often unable of reaching a consensus on decisions. A centralized computer/information management group would have eliminated duplication of efforts and the often-observed bickering.

Inculcation and Training of Logistics Personnel

There was inadequate training and limited indoctrination of logistics personnel. Warehouse people were not screened. One chief warehouseman proved to be almost illiterate. The nine provincial logistics managers received only one very brief overview of the country-wide procurement and distribution plan. Not one of the 41 sub-provincial managers received any organized training.

On the one occasion that the provincial managers were called to Johannesburg for briefings, the executive assistant in charge of logistics showed up one hour late for his own meeting. There was no published agenda to support this meeting or to aid in preparing preparations. The EAD deputy responsible for logistics had not been informed that the meeting was taking place.

The IEC never acknowledged the need for training its logistics personnel, even after the storm clouds of imminent distribution problems appeared on the horizon and training could no longer be supported. The resulting chaos caused by many well-intentioned people who did not know what to do was witnessed by the world.

Data Base and Bar Coding

IEC logistics officials never seemed to realize the importance of establishing and using a data base. They never insisted that the information technology people get a working data base

established nor did they ever push to obtain people to capture data.

The contractor repeatedly and vociferously recommended that EAD establish and exercise a data base. He designed the data base reference fields which, had they been used, would have provided a continuous chain of custody for all items, especially sensitive materials such as the ballot papers, seals, and UV inks. The data base reference fields are listed in the appendix to this report.

The failure to get the data base on line came back to haunt the IEC and hampered the election operations. There was no way to track serial numbers, the location, means of transportation or recipients of ballot papers. At no time did the IEC have an idea of the status of the voting station pack-up kits, and there was no way for either the provincial or sub-provincial procurement and distribution people to voice requirements, except when it was too late and the election was well underway.

A major mistake was not setting up and operating a data base terminal at the warehouse where the election materials were prepared and packed for distribution. It would have been logical for the preparing warehouse to immediately capture data as the pack-up kits were prepared. On multiple occasions, the consultant recommended that the warehouse be equipped and staffed to enter data as appropriate. Instead, the warehouse simply dropped items into boxes and mysteriously sent them to destinations determined by some unscientific IEC means.

The consultant suggested, early during the preparation phases, that *bar coding* be instituted to assist in entering inventory into the data base. This need was especially acute in maintaining the security and control of approximately 85 million ballot papers. Capturing individual serial number was obviously impossible, entering blocks of numbers which represented books of 100 ballot papers was nearly impossible, and entering carton contents would have prevented an accurate picture of ballot paper location. Bar coding would have allowed an accurate and rapid means of data entry.

Ideally, printing firms in the UK should have bar coded all ballot books and cartons. The bar coding should have contained, as a minimum, serial numbers, and final destination codes. Computers, with the data base program, should have been set up at arrival points, and the incoming materials immediately scanned for entry into the inventory system.

The IEC, even under continued prodding, never showed interested in the idea. The recommendation was subsequently dropped.

As in any logistics or supply system it is essential that all materials be entered into a working data base, from time of procurement through receipt, delivery to customers, and finally through reconciliation. The IEC refused, however, to establish any kind of inventory control for voting materials, *even one maintained by hand*. Had some kind of inventory control system, even a rudimentary one, been established, many of the problems which received so much attention would most likely have been avoided.

Procurement Problems

There was never a plan to ensure the *timely delivery* of materials. Many of the mundane items needed to execute an election came only at the last moment. Examples include string, paper towels, and writing tablets.

Of special note was the extremely late delivery of the official forms needed at the voting and counting stations. They arrived only two days before the actual delivery of voting materials was to be made. Because they were not included in the original voting station pack-ups, the executive assistant for logistics directed that they be included in pack-up boxes. His order meant that over 6,000 recently sealed boxes had to be opened so that the forms could be included. This action caused a one and a half day delay in delivery of materials to the sub-provincial warehouses.

Home Affairs Inventory Control

In order to save money the IEC decided to use voting materials, e.g. ballot boxes, stationary, UV lamps, in the possession of the home affairs offices. These materials were located in scores of warehouses throughout the country.

The IEC asked for and received lists of materials from the various warehouses. Unfortunately, *the lists were grossly inaccurate, both in terms of types, serviceability, amounts of materials.*

The means and methods used to verify Home Affairs materials were never clarified. In retrospect, the IEC should have insisted on a sight inventory. Furthermore, the IEC should have established a procedure for transferring serviceable materials to the central pack-up and distribution point in Johannesburg. As a result of these inactions, materials upon which the IEC had counted were not available for use. Local Home Affairs warehouse managers also did not know who was responsible for arranging transport of the materials to Johannesburg.

The sad case of the ultra violet lights serves to underscore the problems associated with Home Affairs stocks. One of the warehouses reported that they had some 9,000 brand new UV lights available for use. When the IEC logistics personnel ordered the lights transferred to Johannesburg, someone suddenly discovered that there were only about 1,500 lights, and not all of them were complete (the housing was missing on many and others did not have the UV lamp).

The shortfall was discovered only days before the election. The IEC tasked Home Affairs people to conduct an emergency search, which fortunately turned up several thousand additional lights. Unfortunately, many of these were unserviceable. As a result of this deficit, the IEC was forced to go on an international search for lights.

The South African government finally charged its ambassador in Hong Kong to find, purchase and arrange for transportation of 2,500 battery powered UV lights to Johannesburg.

Only a few days before the election it became apparent that the IEC had ordered too few lights. As a result, most stations had to make due with only two, and for many, only one, rather than the three originally recommended in the IEC's voting procedures.

Inadequate Controls for Secure Materials

From the very beginning there were questions about security for the ballot papers, UV inks, and ballot box seals. The contractor put together a "strawman" plan for the inventory, allocation, storage, and distribution of all secure materials. A copy of the plan follows this report.

The heart of the plan is a chain of continuous custody complemented by tight physical control of the materials. The consultant also designed a computer data base which would yield the location and status of all materials, from receipt through reconciliation. The scheme also outlined: a routing system, a contingency plan to get secure materials from a central point in Johannesburg to individual voting stations, a general training outline for handling secure materials, and a list considerations in selecting a secure warehouse.

The consultant submitted a memo asking the IEC to consider a contingency plan in case of a failure of the planned wide area logistics network. (Copy of memo follows this report.) There was no reaction by the IEC authorities to this proposition of a contingency plan in the case of computer failures.

None of the proposed plans or questions were ever discussed, considered, nor were portions implemented in any operations involving secure materials.

The lack of a plan to control and secure ballot papers, seals, and UV ink would later come to haunt the entire election process, and could have caused catastrophic national results with international implications.

Unforeseeable, Unplanned Logistics Problems

The election period was declared a national holiday by the South African government. Recognizing that the two day period was a paid vacation and seeking safety and comfort of friends and relatives, the working masses left their places of employment and migrated home. Their movement swelled the number of expected voters in outlying and rural areas, creating shortfalls of voting materials.

The government facilitated the issuance of temporary voters cards (TVC) during the course of the election. This decision provided an opportunity for fraud. Eligible voters with proper ID had to only present themselves at dedicated issuing points to obtain a TVC. In theory, people could have applied for and received any number of TVCs.

Invisible ultraviolet stain was employed in the voting stations to prevent double voting. However many voting stations ran out of UV ink early during the election and/or had inoperative/insufficient UV lights, making multiple voting by those in possession of more than one TVC a possibility.

In one case known to this consultant, a Zimbabwean gardener illegally employed in the Johannesburg voted and had no problems doing so.

Personal Observations---Too Little, Too Late

The entire logistics effort is a classical example of too little planning coupled with incomplete/late response to looming problems. IEC logistics personnel simply did not think big. They did not consider the whole picture of what an election entails. They did not consult with experienced personnel to gather information on how to supply the voter in the field his/her ballot. In short, they did not do their homework. The following deficiencies especially stand out:

Supplies Shortage. The IEC estimated that there would be some 9,000 voting stations scattered throughout the country. From the onset, IEC officials planned on supplying a maximum of 9,000 stations. There apparently was never any intention of ordering materials in excess, e.g. 135% of the expected number of voting stations.

During the final stages of preparation, the EAD determined that there would be 8,500 voting stations. This number did not include voting stations in KwaZulu-Natal, the home of the Inkatha Freedom Party (IFP).

The announcement of the IFP's inclusion into the election process was welcome news, especially to the IEC employees. Logistically, the IFP's entry into the race created a host of problems. It was at this time that the IEC officials realized that there were not enough provisions nationwide voting. The entire organization was launched into a frenzied effort to purchase what was needed. Unfortunately, there was inadequate time to mount any kind of acquisition effort and as a result, a decision was made to "rob Peter to pay Paul." Voting materials were removed from the pack-up kits and shuffled around such that two kits were used to make three kits. As expected, everyone ended up getting cheated.

UV lights shortage. UV light supplies posed a problem from the very beginning of planning process. There was no effort to ensure that an adequate stock was on hand, nor was there a contingency plan to obtain additional lights on short notice should they be required. The weak effort at the eleventh hour to secure lights from Hong Kong reinforces the notion of poor planning and a narrow perspective. Before the Hong Kong procurement, this consultant recommended that the IEC purchase at least 5,000 lights, with the option to return unused lights to the manufacturer. Instead, the IEC opted to order only 2,500 lights, which proved to be an insufficient quantity.

Ballot Paper Shortage. It became painfully obvious, two days before the first day of balloting, that there would be a shortage of ballot papers. Yet, the IEC did nothing to begin meeting emergency requirements. They did not task printers to standby to produce emergency stocks of supplies. Instead, they waited until rising tensions spread from voting station to voting stations across the country and reports of crowd-control problems and threats of violence targeting election administrators and workers were received in Johannesburg. Only during the first full day of elections did someone realize that something had to be done to get ballot papers into circulation. That decision apparently was made late in the afternoon of the first day.

Even after the IEC decided to commission the printing of ballots, the number which were ordered bordered on the ludicrous. The province of Pretoria-Witwatersrand-Vereeniging (PWV) reported a huge shortfall of ballot papers. Hundreds of voting stations requested thousands of ballot papers. The total number needed ran into the millions. Yet, the initial order to supply the PWV amounted to only 700,000 regional ballot papers and no national papers.

A member of the crisis action team immediately recognized this gross shortfall and unilaterally, i.e. without IEC approval, made the decision to order 3 million of each type of ballot paper. The decision was correct. About 11 hours later, another one million ballots were ordered. Those ballots were used not only in PWV, but were also transferred to the Northern Transvaal to meet unexpected shortages even after supplementary orders were placed by IEC officials in that province.

No Coordination. The entire EAD logistics organization worked in the dark. No one knew what his colleague was doing. The biggest practitioner of keeping "mum" was the executive assistant for logistics. He never informed his charges of the goals and objectives of the logistics effort. Nor did he share information on key contact people or any logistical guidance given by the commissioners. This individual was the institutional memory of the logistical operation--there was no back-up record for use in the event of an emergency. Had he had been taken ill or seriously injured, the entire EAD logistics operation would have come to a grinding halt.

Lessons Learned Not Recorded

During the course of the preparations the contractor repeatedly recommended that each department record a history of its efforts. The history was to include both successful and unsuccessful courses of action. The IEC would then have had a document which could be used by succeeding commissions in planning future elections.

Unfortunately, nothing was ever recorded before and during the process. In the rush to prepare for the aftermath of the elections, no framework was put in place to allow the recording of steps taken and facilitate the analysis of South Africa's first and most historic multi-racial election. Without a recorded institutional memory of the process, the next national election in 1999 will most likely be subject to same muddling and mistakes as experienced during 1994.

Recommendations

The function of any service organization is to service its clientele. Likewise, the most basic function of any election commission is to provide a service to the voter. The IEC's client was the voter.

To its credit, the IEC organized monitors and observers, established a complex communications system, communicated its goals and intentions to its populace and to the world, and performed many other extremely commendable actions to support the change of its government to a full fledged democracy. The pundits and historians who examine this election most surely must focus on this incredible precedence and the establishment of a people's government.

What the IEC did not succeed in doing was to provide ballots to its citizens in a timely and organized manner. The IEC later proved just as inept during the counting process. Thus it failed to fulfill its most basic mission. This failure was rooted in the IEC's loss of focus on the specific task of executing the election, their failure to employ technically competent logistics personnel, and finally, their failure to formulate a workable plan of action and milestones.

Karl Marx often spoke of the superstructure of the State. The IEC and many of its actions can also be characterized as superstructure. Much of it could have been avoided and allowed to whither away. Hopefully, South African election officials will have learned from the mistakes of this election and will structure an election commission which will deliver the goods on time, efficiently, and without the chaos which characterized the 1994 election.

In closing, it is important to reiterate some of the points made in the beginning of this report. Procedural improvement requires an investigation of the positive, and more importantly the negative aspects of an action or a process. This analysis focused on the problem areas of the logistical preparations for the April 1994 elections. It is not meant to be construed as a denigration of the whole of the South African elections, nor as an attack on any single individual or division of the IEC. This report did not discuss the thousands of actions and plans undertaken by the IEC in an effective and efficient manner. The majority of the people with whom this consultant interacted were patriots keenly intent on building a new South Africa.

The election was a historic event and an achievement of epic proportions. The South African people have a great deal of which to be proud.

**STRAWMAN LOGISTICS PLAN FOR
INVENTORY, ALLOCATION, AND DISTRIBUTION
OF SECURE VOTING MATERIALS**

Receipt of secure materials. (See appendix one for info on ballot paper pack ups.)

There are two alternatives for processing and receiving the secure materials received from overseas:

- a) Receipt of ballot papers and UV inks directly into the provinces for further transport into the sub-provinces
- b) Receipt of ballot papers and UV inks directly into the Johannesburg area

Discussion:

a) There are a number of **advantages** to sending secure materials directly into the sub-provinces. Officials in the sub-provinces best know:

- the secure storage facilities
- transportation companies/organizations
- incoming and outgoing routing
- officials of industry with whom they will most likely have to liaise

Furthermore, they will not have the volume of material to contend with that a centralise facility might have, e.g. Johannesburg.

The disadvantages include:

- the possibility that the materials will not be properly entered into the data base inventory
 - the requirement that the materials require handling and transportation from the provincial airports to the sub-provinces
- the requirement that secure storage facilities most probably would have to be found and used immediately prior to transport to the sub-provinces

b) The **advantages** of having the secure material sent directly to **Johannesburg** include:

- positive control of ballot papers and inks supplies
- proper and complete entry into the data base management system
- flexibility of meeting suddenly changing requirement for resources which might be generated from the field
- building a "master stock" of emergency supplies
- having the best developed command and control system in the country, i.e. telephones, computer wide area network, radio links
- direct liaison with IEC, SA military, and international officials.

Disadvantages include:

- large volumes of material sent directly to Johannesburg
- the need to build a large staff to handle the allocation, distribution, and inventory
- possible additional handling at lower levels

Analysis: In reviewing the above, it would appear that having the secure material sent directly to Johannesburg would allow the IEC to have initial positive control and, most importantly, allow a complete and thorough entry into the data base thus allowing tracking of all the secure items. Since the shipments from the UK will arrive over a period of some 9 days (April 6-15), the sorting, inventory, and distribution effort would be spread out over time, thus allowing Johannesburg crews time to schedule transport and package other secure materials, i.e. seals, stamps, and inks, for distribution to the polling stations (see page 3).

Recommendation: Have all the secure materials sent directly to a central secure warehouse in Johannesburg, preferably by the airport, for inventory, allocation, and distribution.

Handling of serialized stamps, seals, and UV inks

Johannesburg: Gather the stamps, seals, and ink supplies in individual packages to be enclosed in shrink wrap. A typical package might contain two national stamps and one provincial stamps, 10 sealing devices for the ballot boxes, and one bottle of UV ink. Mark the outside of the shrink wrap package with the serial numbers and quantities of the contents. Place the package(s) into a ballot box and seal and shrink wrap with the pre-determined color of that province (see Appendix 1, bullet six). Note the contents and serial number of the sealed ballot box into the data base inventory. Ship the box(es), along with the provincial and national ballots, to the sub-provincial warehouses.

This method allows the simultaneous shipment of all secure materials directly to the next level of distribution.

Sub-provincial level:

Break down and allocate secure materials by voting stations. Designate areas within the secure warehouse by districts. Keeping district material together within the sub-provincial warehouse will allow easy access for admin purposes as well as access for transportation directly to the polling stations. Create marking routing/identification labels for specific voting station as follows:

Province -- district number -- voting station number.

(NOTE: These numbers were taken directly from the document attached as Appendix Two). An example of a routing number would be:

WC-006-262

This number translates to:

West Cape Province
District 6
Polling Station Number 262

Recommended two letter province codes are presented in Appendix Three

If desired, routing indicators can be further broken down into sub provinces, districts and voting stations. The following is an indication of a routing number:

WC	-	CT	-	001	-	0049
Western Cape				District 1		

If this method is chosen, recommend the codes in Appendix Four be used for the sub provinces.

In any case, data base fields would have to be added to accommodate the routing indicators, thus allowing a cross reference to serial numbers of ballot papers, stamps, seals, and UV ink.

Since the ballot papers and inks will be shipped from overseas, it is recommended that they be sorted, inventoried, and distributed as they arrive. Waiting until all materials for all sub-provinces/polling station are complete would create bottlenecks and confusion.

SECURITY

- a) **Warehouses.** Appendix Five is a check list of considerations in renting secure storage areas.

Once the secure warehouse facility has been selected, it is recommended that a guard force be put in place. Guards are necessary to:

- prevent unauthorised access,
- allow random patrolling,
- check sealed entries,
- call authorities in the case of emergency.

Guards do not need access to the building, therefore they should not be given keys for entry.

All doors and windows must be sealable. It would be preferable if the windows were covered with secure metal bars and lock-wire sealed.

Two types of controlling access must be applied to the doors: positive control entry and an anti-tampering system.

- 1) locks - self explanatory
- 2) anti-tamper system -- doors should be sealed with a combination of tapes and waxes such that an unauthorized entry would be easily discovered by visual means.

An audible alarm system would be of benefit, but not at the expense of the anti-tampering system.

- b) **Transport containers:** Recommend that secure materials be transported in steel transport containers. The containers offer outstanding protection in the case of fire, accidents, and surreptitious entry. The containers come in a variety of sizes, thus allowing various volumes of materials to be delivered. The same containers could be used to transport filled ballot boxes and unused ballot papers to counting stations and again to repositories after the ballots have been counted. As in the case of the warehouses, two types of security systems must be employed:

- 1) positive control system -- locks

2) anti-tampering system -- seals, waxes, and other devices to indicate whether there has been surreptitious entry into the container.

c) **Transport escort:** All secure materials must be escorted by the appropriate IEC/UN officials. These personnel should also be charged to check the security devices. In addition, consideration should be given to:

- 1) armed guards
- 2) observation helicopters

in those areas which have been identified as having a high probability of violence/disruption.

d) **Transport communications:** If feasible, all transport vehicles and/or their escorts, should be outfitted with communications equipment, e.g. telephones, radios.

Whenever deemed feasible/appropriate transporters should report back either to a district or sub-provincial command and control center with the following information:

- a) location
- b) ETA to destination
- c) any unusual conditions
- d) present time

Since parties unfriendly to the election could eavesdrop on electronic transmissions, a simple system of waypoint/location codes should be promulgated. Way-points could be designated using a combination of pre-determined locations and codes. For example, if the distance material must be transported is 100km with an estimated travel time of 2 hours, the first way-point could be set as a village or geographical landmark 50km from the departure point, coded as waypoint "BLUE".

In all cases, the sub-provincial command center should be apprised of departures and arrivals of secure materials. The sub-provincial centers should enter the info into the data base as soon as it is received.

e) **Check lists:** All material which is about to be transported should be examined using a check list. The check list should include, as a minimum, the following items:

- 1) are all seals in place?
- 2) are all locks properly secured?
- 3) there been any evidence of tampering?

f) **Receipt Documentation:** A bill of lading must accompany all shipments. The paperwork should include:

- 1) a complete inventory, generated from the computer data base;
- 2) time of departure;
- 3) date of departure;
- 4) eta;
- 5) time of arrival;
- 6) date of arrival;
- 7) name of driver/pilot;
- 8) mode of transportation;
- 9) license plate number of truck;
- 10) side number of aircraft;
- 11) beginning mileage of truck;
- 12) ending mileage of truck;
- 13) name of accompanying official(s)
- 14) name of receiving official;
- 15) shipment received with no discrepancies (yes/no).

The documentation should be printed on NCR (Carbonless) paper so that each receiving/accompanying official can retain a copy of the shipment which he/she had in his/her custody. The original should be retained by the last recipient and transferred to the sub-provision command center.

Contingency plans

Definition of a contingency: "Not having ballot papers where and when you want them, regardless of reason."

Reasons for a contingency

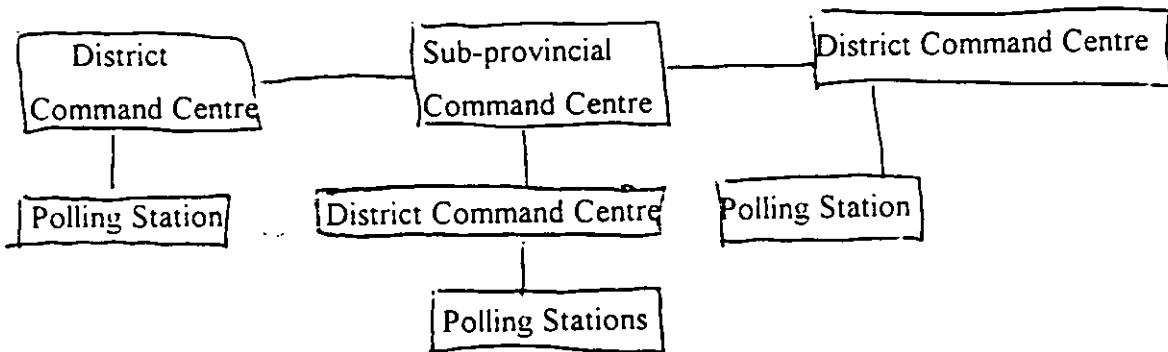
- 1) Compromise of storage/transport facilities;
- 2) Loss/damage due to accident, sabotage or tampering;
- 3) Non-punctual delivery;
- 4) More voters than ballots.

Definition of response: Getting balloting materials/supplies to the polling station(s) in an orderly and rapid action.

To meet contingencies which might arise an adequate stock of emergency supplies must be warehoused on the national (i.e. Johannesburg) and sub-provincial level.

Transportation assets should be identified and on immediate standby. Further a corps of IEC/UN officials must likewise be ready to accompany the materials to a location designated as having emergency conditions.

A communications network connecting specific command centers must be commissioned. On the most basic level, the command net structure might look like:



The lines of communication would most easily be established using telephone. For distant stations/command centres, a radio network would be necessary.

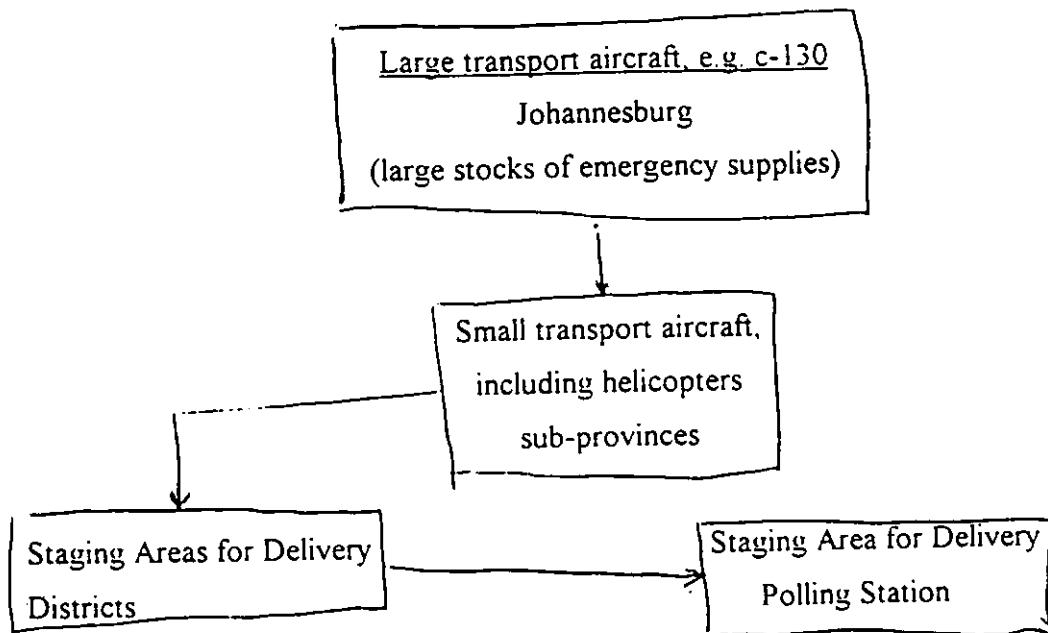
Polling stations should be encouraged to inform the district level command center on the following:

- 1) progress;
- 2) difficulties;
- 3) density of turnout;
- 4) request for additional supplies;
- 5) report excess supplies.

The district level could, depending on the sub-provincial level approval, organise the transport of materials, should it become necessary. **NOTE:** It is extremely important that transfers of any materials be entered into the computer data base.

Ideally, if transfers of materials are required, the transfer could be accomplished using land vehicles. If, however, major quantities are required over long distances, aircraft may also be called into use.

It is recommended that an emergency aircraft delivery system be set up. Such a system would appear as follows:



Explanation:

- 1) The bulk of emergency suppliers would ideally be located, in an airport warehouse in Johannesburg. Just prior to commencement of the election, at least two large capacity transport aircraft would contain emergency stocks of ballot papers, seals, stamps, and inks. IEC/UN officials would be on standby to accompany the material. The pre-disposed material will have to be identified as such in the computer data base.

If necessary, the aircraft would be deployed to sub-province where the trouble polling station(s) is/are located. The PEO would decide the most expedient method of deploying the required material to the emergency site. Deployment could be either by travel vehicle or aircraft.

2) The PEO must have emergency transportation resources designated and at hand. IEC/UN officials must also be present to accompany the material. If aircraft are needed, flight crews must be able to file emergency flight plans. In the event of air delivery, material can be off-loaded from the large transport aircraft and on-loaded to the small transport aircraft or helicopter.

Emergency landing sites must be pre-designated, inspected (if necessary) and approved, both for helicopter and fixed wing aircraft. In the case of helicopters, emergency landing sites such as roads and soccer fields can also be predesignated.

3) Land vehicles must also be identified to pick up materials from aircraft. This action must be co-ordinated between sub-provincial, district, and polling station officials.

In addition, all polling stations must be overstocked with materials at some predetermined excess, e.g. 150% of expected voter turnout. Most importantly, it is in command on the polling stations to communicate with the district/sub-provincial status for the purpose of giving regular progress reports and to advice of any short falls.

Training

The functioning of the entire organization will only be as good as its preparedness to do the job. Readiness is directly proportional to the quality and amount of training. In light of the complexity of the tasks at hand and the lack of experience throughout the entire organization, I recommend that a training program be set up and that the chief election officers from the sub-provincial level and up be included. The training program would be best administered from IEC headquarters where the members who would have to make entries into and make reports from the data base could get hands on experience.

I recommend the training program include:

1. Receipt and inspection procedure
2. Data base entries and report generation
3. Material Distribution procedures to include:
 - methods of allocation to the sub-provinces, districts, voting stations
 - package formulation: ballots, inks, stamps, seals, ballot boxes
 - repackaging procedures: shrink wrapping, containers, serialized routing indicators
4. Storage requirements
5. Security requirements
6. Transportation requirements
7. Secure site selection
8. Contingency Planning
9. Use of checksheets
10. Chain of custody receipt procedures

APPENDIX ONE BALLOT PAPER PACK UPS

The following information was gleaned during discussions with Delakue.

- There are 1500 ballot papers per carton (both material and provincial)
- Each pallet will hold 120 cartons of provincial ballot papers and 70 cartons of natural ballot papers
- Pallet load will be held together by "cling wrap"
- Each pallet will have a 900kg weight
- Each carton will have a unique identifying number which must be crossed to the packing list in order to obtain carton contents
- Cartons containing provincial ballots will be marked with the name of the province as well as a colour code for that specific province.
- No more than 50% of a province will be on an airplane load.
- The ballots might not all be in sequential numbering order.
- The first flight will contain 4 province and natural ballots. It is expected to depart 6 April.

APPENDIX THREE: Routing Codes for Provinces

<u>Code</u>	<u>Province</u>
WE -	Western Cape
EC -	Eastern Cape
NA -	Natal
PW -	PWV
OF -	Orange Free State
NC -	Northern Cape
NW -	Northwest
ET -	Eastern Transvaal
NT -	Northern Transvaal

APPENDIX FOUR: Routing Codes for Sub-Provinces

PROVINCE	SUB PROVINCE	SUB_ PROVINCE
Western Cape (WC)	Cape Town	CT
	Beaufort West	BW
	George	GE
	Vredendaal	VR
Eastern Cape (EC)	East London	EL
	Umtata	UM
	Port Elizabeth	PE
	Queenstown	QU
	Bisho	BI
Northern Cape (NC)	Kimberly	KI
	Uppington	UP
	De Aar	DA
	Springbok	SP
	Kuruman	KU
Natal (NA)	Durban	DU
	Empangeni	EM
	Pietermaritzburg	PM
	Newcastle	NE
	Port Shepstone	PS
Orange Free State (OF)	Bloemfontein	BL
	Welkom	WE
	Bethlehem	BE
	Kroonstad	KR
Northwest (NW)	Klerksdorp	KL
	Rustenberg	RU
	Vryberg	VR

	Mafekeng	MA
Eastern Transvaal (ET)	Nelspruit	NL
	Witbank	WI
	Ermelo	ER
	Kwamhlanga	KW
PWV (PW)	Johannesburg	JO
	Springs	SP
	Vereeniging	VE
	Randfontein	RA
	Pretoria	PR
Northern Transvaal (NT)	Pietersburg	PI
	Thoyandu (Office 1)	T1
	Thoyandu (Office 2)	T2
	Ellisras	EL
	Nylstroom	NY
	Phalaborwa	PH

APPENDIX FIVE: WAREHOUSE CONSIDERATIONS

1. What is total volume of ballot shipment?
2. How much volume is required by:
 - a. province?
 - b. sub-province?
 - c. district?
3. Must storage environment be controlled.
 - a. Air conditioning?
 - b. temp?
4. What is max height pallets can be stacked? (Note: If the pallets are stacked too high. The ballots could become compressed, causing the papers to stick together)
5. How long must the material be stowed @ each site?
6. Will adequate security be available during storage period?
7. How much time is required to breakdown/reallocate/ship packages.
8. Is there easy access to transportation docks, driveways, forklifts, etc.
9. Can the windows, if present, be sealed and locked.
10. Can the exterior premises be easily patrolled.
11. Is there a fence/wall surrounding the warehouse?
12. How many access roads are there to the warehouse?
Can excess roads be blocked off/sealed?
13. Does the facility have a
 - a) fire/alarm
 - b) sprinkle system:
14. Is there an alarm system connected to
 - a) doors?
 - b) windows?

Memorandum

Date: March 30, 1994

To: Mike Hoy
From: Ken Weinberg

Subject: Inventory control in the case of WAN failure

1. In regard to the question of a failure of the wide area network supporting the inventory of secure materials I recommend that each node having the computer capability be equipped with a fax. If the network fails, the node can fax requisite information to Jo'burg for reconciliation. Because the resident computer "gurus" will be in Jo'burg, they can quickly make entries.
2. Another alternative is for the node which experiences failure to transport changes to another closeby node for entry. That node, likewise, would have to pass updates and changes to its neighbor which has experienced problems.
3. Wherever and whenever feasible, I recommend that all changes and new inputs, in the face of WAN failure, be made by passing a floppy disk. The use of the disk would eliminate the need to make the entries by hand.

R/

Memorandum

Date: March 29, 1994

To: Mike Hoy
From: Ken Weinberg

Subject: Other logistics considerations for secure materials

1. In addition to the items discussed in my Strawman Logistics Plan For Inventory, Allocation, and Distribution of Secure Voting Materials (undated), the following additional points are hereby submitted for your consideration:
 - **additional battery packups-** I recommend that laptop computers be used in the field which can be plugged into a conventional electrical outlet. If, during the course of the election or election preparations power is disturbed, the laptop can be switched to a battery pack(s).
 - **time table-** Since the ballot papers begin to arrive on the evening of April 7, I recommend that we begin to pull together a time table for allocation, distribution, and transport. *Note: the critical path for this task remains designation of secure warehousing facilities.*
 - **data base debugging -** during the course of the past few days the importance of the data base has been repeatedly emphasized. Now is the time to ensure that the data base has been customized for this particular task (secure materials). In this regard, debugging has to begin.
 - **list of sub-polling stations -** There is the distinct possibility that a large polling station might, because of the high number of voters, have several sub-polling stations. If this is the case, it is imperative that those locations be identified to ensure that they have adequate stocks of materials, both secure and non-secure. If the polling station is being designed to accommodate 3,000 voters, it will receive a total of some 12,000 ballot papers (3,000 national, 3,000 provincial plus a 100% excess for contingency purposes). If, however, there are two sub-polling stations, the number of ballot papers required at that location suddenly jumps to 24,000.
 - **warehouse access authorization -** A list of authorized personnel access to the warehouse must be prepared by both national and provincial/sub-provincial officials. Furthermore, gatekeepers to enter and check access must be designated. Guards must be trained in procedures for access. It would be most embarrassing if the guard force refused access to authorized individuals! Some other considerations are:
 1. Will prior notification be necessary?

2. Who will maintain absolute control? IEC?

- **warehouse fire fighting capabilities** - If time permits, warehouses should be selected that have a combination of smoke detectors and dry chemical or CO₂ extinguishing systems. Wet systems could conceivably be set off by a minor event, soak, and ruin the ballot papers.
- **receipt documentation** - In addition to the data base fields already discussed in prior correspondence with you, perhaps consideration ought to be given to adding still another field which indicates total number of piece transferred and received. Recommend consideration to this suggestion and the possibility that the data base might just become too complex.
- **definition of contingency** - Recommend changing my definition of contingency to read "*Not having the voting materials, both secure and non-secure, where and when you want them, regardless of reason.*" (the words voting materials are substituted for ballot papers).

2. No doubt this list will continue to evolve as we discover new areas of concern.

R/

IFES/South Africa. Consultant Activity Report.

Training and Administrative Support--Alan Dahlo. April 4-May 2, 1994.

I was assigned to assist the IEC as a Sub-Regional Resource Officer to Deputy Provincial Election Officer (DPEO) in Northern Transvaal. My report follows the format of the report that I presented to the Commonwealth (COMSA) adding detail to the description of operations in Ellisras and Pietersburg.

Description of Duties and Advice/Support Provided

The scope of work that I undertook was broader than that originally outlined in my job description. Initially, I was heavily involved in training many of the Presiding Officers and Voting Officers in the region. However, as time went on and I developed a working relationship with my South African counterparts, this task took second place to the oversight and administration of the EAD at Ellisras. The DPEO and I had an excellent working relationship throughout the period. He depended on me to oversee much of the day to day detailed administration of the office. I oversaw many of the warehouse operations and supervised the preparation and distribution of ballots and voting materials. Frequently when the DPEO was attending IEC meetings in Pietersburg or other locations, I provided general supervision of the office. It is important to indicate that I never took any policy or procedure decisions without his knowledge or consent in discussions by fax or telephone. In most regards, my responsibilities were much like those that I assume in Canada as a Returning Officer.

Description of Problems Encountered

Problems encountered were many! They were generally caused by limited time and experience. The IEC was trying to do in about 3 months what it really needed about 9 months to prepare for. There was just too little lead time for everything. For myself, who has had a fair amount of electoral experience and knowing that one has to be a week or two ahead of each problem, it was a real shock to find that most people in Pietersburg and Johannesburg were operating on a day-by-day, solve-the-current-crisis mode for most of the 4 weeks I was there. If you asked questions regarding a procedure several days in the future, you usually could not find anyone who had thought that far ahead.

The presence of inexperienced and sometimes indifferent election officials at the IEC provincial and national offices had a negative impact on the electoral process. Frequently, I found that the only people with the capacity to respond to queries or provide general information were other international IEC advisors. We spent several, very frustrating days trying to obtain and distribute an adequate supply of ballots, ballot boxes, and other polling station materials around the sub-region to guarantee that voters reporting to a voting station would not be turned away due to shortages of staff, equipment, and materials. By the evening of April 28th we were able to achieve our goal and declare that in our area, all eligible voters had had an opportunity to cast their ballots. However, based on a decision handed down from IEC headquarters, the polls

remained open in the Lebowa I area through April 29th. Less than 50 voters reported to the polls on that last day.

Recommendations and Suggestions for Future South African Elections

One thing that I feel is very important is that the IEC not lose the institutional memory of this event. Knowledge of the positive and the negative aspects of the process that has just been completed will prove invaluable for the organization of future elections. While I do not know if the IEC will continue in its present form or mandate, whoever is responsible for future South African elections must be able to benefit from the knowledge gained in organizing and implementing the 1994 elections. I would suggest that a detailed questionnaire be distributed to all South Africans and international consultants who served in administrative and support positions. This form should be filled out, collected, and analyzed via some sort of evaluation meetings. I would suggest that this take place before the memory becomes too distant (e.g. this July or August).

Regarding the future structure of the IEC or its replacement, I would suggest that seriously rethink and redesign its bureaucratic framework. The IEC bureaucracy was too unwieldy and too compartmentalized. While I do not have actual data to support this conclusion, I do feel that when all the bills are in, the IEC, with little or no financial accountability, will prove to have been a fiscal disaster. In some cases, money was spent outside of authorization or controls. If what I saw in my small area was indicative of elsewhere, the real cost of this election will be much higher than anticipated, unless some of the costs are buried. An auditor would be aghast at the limited financial controls exercised by the IEC. I would also predict that many of the monitoring functions that were carried out by the IEC will not be necessary in future elections (at least not to the same degree). So much of the bureaucratic deadweight should be reduced.

The IEC's general problem was that it contained far too many levels. A national bureaucracy, designed to provide a policy and procedure framework with logistical planning for local regions (Sub-provinces) of reasonable size, similar to Elections Canada, would offer a more effective organizational structure for future elections.

In conclusion, I would like to make it clear that the entire experience working with the IEC was not negative. Much of it was very positive. The experience of working with many of the citizens of the Ellisras region was wonderful. I gained a strong positive feeling of being part of a very historic event, a feeling shared and expressed by the many South Africans and non-South Africans with whom I interacted in our offices and in the voting stations. It was an exasperating, but a very rewarding experience. If asked to do something like this again I would probably only pause for a few seconds before accepting. I felt that I was using all my knowledge, experience, and abilities toward achieving the goal of one person one vote--equality.

I hope and I feel that in one small region of South Africa, I helped to ensure that the election was "free and fair". That in itself was worth all of the problems that we had to overcome. I thank the South Africans and IFES for the chance to be involved, and I look forward to the next opportunity to assist.

MEMORANDUM

To:	Tom Bayer	Date:	25/05/1994
From:	Des van Eyssen	Ref:	Report

RE: Activity Report

My brief at the IEC was to help set up acceptance test procedures for, as well as test, the Vote Counting and Seat Allocation Programs. The IEC also needed documented procedures for the Vote Counting program.

What started out as a few days ended up being 14 days, averaging 15 hours a day even though IFES only paid us for 8 hour days. The IEC was very disorganised and decisions were being made on the fly which caused the staff working in EAD to be very frustrated and confused. I do believe that management had no concept of information systems and that these cannot just be changed at the flick of a button.

The positive side is that we all gained vast experience and came face to face with problems. We often tried to solve them as they arose, but were unable to in many cases due to the amount of time it would take. I really enjoyed working with the IFES staff and hope I get a similar opportunity again.

The Seat Allocation Program, I believe, was well tested. The method of testing the Seat Allocation and Vote Counting Programs left a lot to be desired. They should have had the test specifications, clearly showing the tests required to ensure the readiness of programs before development of these programs started. By the time I arrived to set up the Acceptance Test Plan, specifications and data the programs were complete. This resulted in my having to work long and exhausting hours to catch up and I was unable to always give my best attention to urgent tasks when required because of this. The program was tested according to the best test situation which can leave a lot of open gaps. The Vote Counting program was never properly tested as the program was changing all the time. I did attempt to test the program on four occasions and all failed to test OK. The first time I tested the program, it was calculated that the vote counting could take as long as 2 months.

In retrospect, I would make the following comments. All computer programs, however small or simple should be planned with a clear lifecycle. The development of the programs should never start until all (especially the management) are clear on what is required and how the final product is to be tested to ensure that the requirements are to be met. I am sure this would engender free and fair results.



Des van Eyssen
Software Quality Specialist

18 April 1994 INDEPENDENT ELECTORAL COMMISSION
EAD CONTINUITY PLAN
Head Office Access Options

Barriers preventing motor vehicle access to the structure of IEC Head Office Building

The vulnerability of building to vehicle bombs is of great concern particularly concerning the international significance of these elections. We are of the opinion that no vehicle access to the building and its structures must be possible.

Motivation:

This election is considered widely to be one of the twelve most significant global events this century. As such, there is considerable world focus on the activities of the IEC whose brief is to conduct the elections in a socio-political environment which can be demonstrated to be both free and fair.

We are not satisfied that sufficient vehicle search and monitoring equipment can be installed at the IEC Head Office Building to ensure that both military and hi-tech explosives can be detected on vehicles entering the building. Furthermore, the necessary training and procedures to bring such equipment into effect is both time-consuming and expensive.

We would like to focus the attention of the Commission on two international instances in which the attention of Government was sought by the detonation of bombs:

- World Trade Center bombing in February 1993; and
- City of London bombing in April 1993 (sequel to April 1992).

In each of these cases, the culprits sought the attention of the respective governments. Their demands were ignored and when government response did occur it was from officials who were placed too low in government to make decisions relating to the demands. The bombings were deliberately set to capture the attention of senior government and to solicit their response.

Recommendation:

- a. Arrange for the erection of a temporary concrete barrier (as used for highway maintenance) around the building. These barriers should be located on the barrier lines in the centre of the surrounding roads. Pedestrian access ONLY must be permitted near the entrance of the building.
- b. The barriers must be erected in such a way as to allow for the admittance of emergency vehicles to the area within the perimeter in the event that such an untoward event occurs eg fire.
- b. All IEC staff must be required to park at either King's Parking (Commissioner Street) or at the Carlton Centre during the two days of the election and the first day thereafter or for such extended period as the Directorate deems fit during the counting process.
- c. Sufficient IEC security or male staff should be available to escort IEC females to the designated parking if so requested by a female, during this period.

18 April 1994 INDEPENDENT ELECTORAL COMMISSION
EAD CONTINUITY PLAN
Head Office Access Options

During a meeting with the Commissioners on Thursday, 14 April 1994, we were requested to draft several options to the above recommendations. The reason for this is that the meeting were of the opinion that our recommendation above may be too severe.

Notwithstanding the above request, we are ethically bound to highlight the reasons, which have been presented in the above motivation and to ensure that the Commissioners fully understand that the options presented below represent a weakened security situation which may be penetrated.

Options

1. Erect a barrier as described above: permit limited access by Commissioners and listed individuals only. All vehicles entering the building must be subject to search.
2. Erect no stopping, tow-away zone signs and red painted barrier lines around the block: permit limited access by Commissioners and listed individuals only. All vehicles entering the building must be subject to search.
3. Erect no stopping, tow-away zone signs and red painted barrier lines around the block: allow free access to the parking area. All vehicles entering the building must be subject to search.
4. Permit parking in and around the building by nominated IEC staff only: security guards to patrol the block and ensure that no non-IEC persons park in areas adjacent to the building. All vehicles parking in and around the building must be subject to search.


NIGEL/I HENDRIKZ
EAD: Continuity Planner

IFES/South Africa. Consultant Activity Report.

Risk Management--Nigel Hendrikz. April 4-May 16, 1994.

This report follows certain work performed by myself at the head offices of the Independent Electoral Commission. The period of my employment being 4 April 1994 to 5 May 1994 inclusive. Certain wrapping up work was also performed. This work resulted in my working up to and including the 16 May 1994.

Although this was not included in my original contract with IFES specifically, I felt a duty to both IFES and the IEC to ensure that my area of endeavor was neatly concluded.

This report does not deal with this latter work.

1. ACTIVITIES UNDERTAKEN DURING MY CONSULTANCY

The scope of work as defined by the contract between IFES and myself was extended on 4 April 1994 by Yunus Mohammed, Director: EAD, to include as many aspects of EAD continuity/contingency planning as possible. At this stage it was clearly understood that time was of the essence and that this time constraint would impact heavily upon my ability to produce a comprehensive set of contingency plans. Nevertheless, I approached this seemingly daunting task with an overall objective of ensuring that the elections would be protected against as many materialising risks as possible.

My major activities were therefore to:

- a) Analyse the structure of EAD and to establish the areas of potential component failure.
- b) Identify the risk associated with each area of failure and to report upon each of these risks and to propose suitable alternatives for implementation.
- c) Design suitable contingency plans, ensure that they integrate with existing EAD/IEC structures and assist with their implementation.
- d) Ensure that all plans were tested and ready for use should an eventuality present itself.

The major responsibilities assigned to me were:

- a) Risk identification and prevention.
- b) Contingency planning.

- c) Design, implementation and management of the *physical* Results Control Center (this did not include the design, coding and testing of the software which was used in the RCC).
- d) Ad hoc problem resolution during the electoral period.

2. PROBLEMS ENCOUNTERED

The biggest problem encountered was that of the time constraint. It would have been better to have more time to devote to this subject as well as an earlier positioning in the overall planning process.

Examples of where this latter point would have facilitated my work are:

- * The logistics and deployment section of EAD were unable to provide me with the physical addresses of the provincial and sub-provincial warehouses and the deployment procedures until two days before the election took place! I attribute this to the immense workloads which all staff had and the resulting inability to service specific requests during that period.
- * The absence of an accurate assets register impacted upon my ability to ensure that there was sufficient computer capability installed in the Results Control Center. It was necessary to scout around the head office building and physically seek out unused computer and fax equipment.
- * I had to rely on the spoken word from managerial staff to point me towards the necessary resources to accomplish my analyses, investigations and plans. The absence of a clearly defined organigram was a severe impact.

3. OBJECTIVES ACHIEVED

A complete continuity plan together with risk management procedures was implemented. These plans interfaced with the NOG, POCs, and SPOCs.

The Results Control Center was established and performed well. (The frauds which were perpetuated are worthy of a separate paper and are therefore not discussed here. I am of the opinion that the discussion of the facts behind these frauds could result in compromising the security of domestic and international IEC technicians. Therefore, I am not willing to discuss these details in this report.)

4. RECOMMENDATIONS FOR FUTURE ELECTIONS

The change which I would make in dealing with this area during any future elections would be:

- a) Plan the elections at least two years in advance.
- b) Ensure that there is a database of all essential information available to all staff on a need-to-know basis.
- c) Ensure the availability of project management tools which are current and reflect state-of-the-art management practices.
- d) Ensure that working hours are maintained on a shift basis as opposed to a staff-overload basis.
- e) Ensure that the correct management interfaces are in place and that the need for meetings is substantially reduced.
- f) Improve the overall security awareness of the individuals and ensure that security breaches are near-impossible to attain.
- g) Improve the standard of training which is offered to staff.

This report has been submitted to The International Foundation for Electoral Systems, Inc. by:

(signed)

NIGEL I. HENDRIKZ

INDEPENDENT ELECTORAL COMMISSION
ELECTION ADMINISTRATION DIRECTORATE
DISASTER RECOVERY PLAN

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A. HOW TO USE THIS MANUAL

This manual has been structured to provide the Electoral Administration Directorate with a process which is designed to resolving untoward events during the election process.

Furthermore it is understood that communications links between EAD Head Office and the outlying voting stations may at times be erratic. Thus the purpose of this manual is also to reduce some of the traffic which would otherwise be required.

It must be understood the writer of this manual has assumed that the infrastructure which exists in the IEC and the EAD, in particular, is available for the resolution of untoward events.

It is necessary to note that the primary infrastructure for communications, reporting and information gathering is assigned to the National Operations Centre (NOC), Provincial Operations Centres (POC's), and Sub-provincial Operations Centres (SPOC's). The Information Crisis Control Centre is assigned an important information gathering and dissemination role within the scope of this plan.

Information specific to the untoward event which presents itself is always obtained from the Command Centre structure.

This manual contains a sequence of tasks which are arranged into the following planning areas and assigned to the individuals responsible for the execution of the task in most cases. These responsibilities have been chosen according to the areas in which the specified individuals have worked during the planning stages of EAD. There is scope for these assignments to be amended according to the specific needs of a particular event.

- MANAGEMENT FUNCTION
- ADMINISTRATION FUNCTION
- DATA COMMUNICATIONS FUNCTION
- DAMAGE ASSESSMENT FUNCTION
- DATA ENTRY FUNCTION
- GENERAL, ALL FUNCTIONS
- NEW HARDWARE FUNCTION
- END USER LIAISON
- SALVAGE FUNCTION

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TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
000	MANAGEMENT FUNCTION		
005	NOTIFY TEAM LEADERS	Notifies team leaders and activates damage assessment function and Management Team	Simon Ratcliffe Mike Hoy Maxine Hart NOC/POC/SPOC
010	INFORMATION CONTROL	Ensures that personnel refer all media contacts to management	Maxine Hart
015	ACTIVATE IAP	Activates the Initial Assembly Point.	PEO's at voting stations; or IEC building security
020	COORDINATES MEDIA	Coordinates with public relations function for contact with the media	Martie Meiring
025	ACCESS DISASTER SITE	Receives notification that the disaster site is available for access	NOC/POC/SPOC as appropriate
030	DISPATCH DAMAGE ASSESSMENT	Dispatches damage assessment function to the disaster site for initial assessment	Simon Ratcliffe
035	REVIEW STRATEGIES	Reviews recovery strategies which may be selected	Piet Colyn Tom Madiba Yunus Mohammed Simon Ratcliffe Maxine Hart Mike Hoy
040	ALERNATE SITE STAND BY	Notifies alternate site of possible plan activation	PEO's as applicable
050	INITIAL DAMAGE REPORT	Receives initial damage assessment report from damage assessment function	NOC/POC/SPOC
055	DECLARE DISASTER	Makes the decision to declare a disaster	Jorgen Elklitt Ron Gould Charles Nupen Ben van der Ross

TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
060	SELECT SHORT TERM STRATEGY	Selects the appropriate short term recovery strategy	Piet Colyn Tom Madiba Yunus Mohammed
065	NOTIFY MANAGEMENT	Notifies commissioners of activation of recovery plan and selected strategy	Yunus Mohammed Tom Madiba
070	ACTIVATE TEAMS	Activates recovery teams, advising them to report to the initial assembly point	Simon Ratcliffe Maxine Hart Mike Hoy
075	DISTRIBUTE CASH FUNDING	Ensures that necessary cash funding is distributed to appropriate personnel	Mark Pinnington
080	ACTIVATE COMMAND CENTRE	Ensures that the Command Centre is activated	Regional Directors: SPOC
085	NOTIFY ALTERNATE SITE	Notifies alternate processing site of disaster declaration and estimated arrival time of team(s)' arrival	PEO's & DPEO's as applicable
090	NOTIFY SUPPORT	Notifies appropriate support teams and support coordinators.	Yunus Mohammed Simon Ratcliffe Maxine Hart Mike Hoy
095	BRIEF TEAMS	Brief recovery teams on selected strategy	Yunus Mohammed Simon Ratcliffe Maxine Hart Mike Hoy
100	ALTERNATE OPERATING SITES	Activates alternate operating sites, as necessary	PEO's & DPEO's as applicable
105	DISPATCH TEAMS	Dispatches recovery teams to appropriate locations	NOC/POC/SPOC

TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
110	DISPATCH FINAL ASSESSMENT	Dispatches damage assessment function to disaster site for final assessment	NOC/POC/SPOC
115	ALTERNATE SITE REPORT	Receives report of alternate site activation from recovery teams	Yunus Mohammed Simon Ratcliffe Maxine Hart Mike Hoy
120	EXPENSE REPORTS	Ensures disaster expense reports are being formulated and submitted by recovery teams	Simon Ratcliffe
125	STATUS REPORTS	Receives periodic status reports from disaster teams	Piet Colyn Tom Madiba Yunus Mohammed
130	INFORM MANAGEMENT	Informs commissioners management of progress of recovery operations	Piet Colyn Tom Madiba Yunus Mohammed
135	FINAL ASSESSMENT	Receives final assessment report from damage assessment team	Simon Ratcliffe
140	SELECT LONG TERM STRATEGY	Selects appropriate long term strategy	Piet Colyn Tom Madiba Yunus Mohammed
145	DISPATCH SALVAGE	Dispatches salvage function to the disaster site	Mike Hoy Simon Ratcliffe NOC/POC/SPOC
150	ANNOUNCE STRATEGY	Notifies recovery teams and commissioners of strategic decision	Piet Colyn Tom Madiba Yunus Mohammed
155	OVERSEE SALVAGE	Oversees salvage operations and receives salvage report from salvage function	Mike Hoy

TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
160	RECEIVE SUPPORT REPORT	Receives resource availability report from support teams and support coordinators	Maxine Hart
165	MONITOR RECOVERY	Monitor recovery operations	Nigel Hendrikz
170	MONITOR END USER PROBLEMS	Monitors end user problems during recovery process	NOC/POC/SPOC
175	COORDINATE WITH SUPPLIERS	Coordinates activities with major suppliers	Mike Hoy
180	COORDINATES RESTORATION	Coordinates restoration process for primary facilities	PEO's & DPEO's as applicable
185	INFORM PERSONNEL	Ensures all personnel are informed of progress of operations	Kumi Naidoo
190	APPROVE EQUIPMENT PURCHASES	Approves new equipment purchases	Jorgen Elklitt Ron Gould Charles Nupen Ben van der Ross
195	APPROVE RESTORATION	Approves final restoration of primary facilities	Jorgen Elklitt Ron Gould Charles Nupen Ben van der Ross
200	COORDINATE MOVE	Coordinates move from alternate sites and resumption of normal operations	PEO's & DPEO's as applicable Simon Ratcliffe
205	FINAL EXPENSE REPORT	Coordinates final disaster expense report	Mark Pinnington
210	INSURANCE CLAIMS	Assists with the submission of insurance claims	Situation dependednt
215	NOTIFY MANAGEMENT	Notifies executive management of return to normal operations	Piet Colyn Tom Madiba Yunus Mohammed

TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
A00	ADMINISTRATION FUNCTION		
A05	COORDINATE NOC/POC/ SPOC	Coordinates activation of the NOC/POC/SPOC	Phirosaw Camay Eddie Hendrickx
A10	COMMAND CENTRE COMMUNICATION	Ensures voice communications are established at the Command Centre - at least two lines dedicated to incoming calls and two lines dedicated to outgoing calls	Johan Prinsloo
A15	COMMAND CENTRE OPERATIONS	Operates the Command Centre	Situation dependent
A20	PROMULGATE TELEPHONE NUMBERS	Promulgates incoming voice line numbers to all teams	Information Crisis Control Centre
A25	COORDINATE SUPPORT	Coordinates support requirements for all teams	Yunus Mohammed Simon Ratcliffe
A30	RECEIVE TELEPHONE LOGS	Receives telephone logs from team leaders	NOC/POC/SPOC/ ICCC as appropriate
A35	NOTIFY PERSONNEL	Ensures notification of all personnel of the status of the operation, passing on instructions for their required actions	Martie Meiring Maxine Hart
A40	FAMILY CARE	Ensures families of personnel involved are informed and cared for	Maryne Rossouw
A45	STATUS BOARD	Ensures "status board" is activated and kept up to date for all recovery activities	NOC/POC/SPOC

TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
A50	PERSONNEL LOCATION	Establishes control of personnel location information and ensures its currency, publish and maintain temporary telephone directory.	PEO/DPEO as appropriate
A55	TEAM LOCATIONS	Informs support teams and support coordinators of recovery teams' location	NOC/POC/SPOC/ICCC as appropriate
A60	NOTIFY HOSPITALS	Notify local hospitals of situation and ensure that personnel are cared for	SPOC appropriate to the local environment
A65	RECEIVE STATUS REPORTS	Receives status reports from teams and ensures they are passed to management in legible form	Hanan Yanny / Jenny Sewell
A70	CLERICAL SUPPORT	Provides clerical support at the Command Centre, as necessary.	As appropriate to the environment
A75	PERSONNEL UTILISATION	Tracks personnel utilization to ensure proper rest and attention to morale related aspects of the operation	Maxine Hart
A80	CLEAR RECOVERY INQUIRIES	Acts as clearing point for all inquiries regarding recovery operations	NOC/POC/SPOC
A85	LOG ACTIVITIES	Maintain a log of all recovery activities	NOC/POC/SPOC/ICCC as appropriate

TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
C00	DATA COMMUNICATIONS FUNCTION		
C05	COORDINATE TRANSPORT	Coordinates transport of appropriate personnel to the alternate site.	Zach Repsold Maxine Hart Roger Layton
C10	ANNOUNCE ARRIVAL	Notifies Command Centre of arrival at the alternate operating site	Team leader RCC: Roger Layton
C15	ALTERNATE SITE DATA LINES	Ensures that data communications lines are established at the alternate site	Geva Patz / Bob Wilcox
C20	LINE CHECKS	Completes line, modem and hardware checks	Etienne Posthumus
C25	FILE SERVER INTEGRITY	Verifies the integrity of the file server software and applications	Geva Patz
C30	DOCUMENT LINES AND CIRCUITS	Documents line lists and circuit definitions	Bob Wilcox
C35	END USER DATA LINES	Ensures that data communication lines are re-established to the end users	SABC: John Botes G.E.: Johann Prinsloo
C40	NETWORK SUPPORT	Provides on-going support for the data communications network	Geva Patz Etienne Posthumus
C45	PRIMARY SITE DATA LINES	Coordinates installation, testing and activation of data communications network at the primary site	Nigel Hendrikz SABC: John Botes G.E.: Johann Prinsloo Geva Patz Bob Wilcox Etienne Posthumus

TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
D00	DAMAGE ASSESSMENT FUNCTION		
D05	REPORT TO IAP	Reports to Initial Assembly Point	All EAD staff
D10	PROCEED TO DISASTER SITE	Proceeds to disaster site when access is granted to make initial assessment	Yunus Mohammed Simon Ratcliffe Nigel Hendrikz Roger Layton EAD staff as appropriate
D15	MAINTAIN COMMUNICATION	Maintains communication with Initial Assembly Point	NOC/POC/SPOC/ ICCC
D20	DAMAGE ASSESSMENT	Completes damage assessment within 1-2 hours	Yunus Mohammed Simon Ratcliffe Nigel Hendrikz Roger Layton EAD staff as appropriate
D25	DATA CENTRE COMPUTING EQUIPMENT	Completes assessment of computing equipment within the data centre	Nigel Hendrikz Roger Layton
D30	FORMS AND SUPPLIES	Completes assessment of data processing forms and supplies	Erik Nielsson Michelle Adler
D40	COMMUNICATION EQUIPMENT	Completes assessment of data and voice communication equipment	Geva Patz Bob Wilcox Johann Prinsloo
D45	NON-DATA PROCESSING EQUIPMENT	Completes assessment of non-data processing equipment within the data centre	Nick Kirkwood Pam McOnie Stuart Cunningham Richard Simpson John Olver
D50	DAMAGE ASSESSMENT REPORT	Documents assessment report and presents to EAD management	Nigel Hendrikz

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TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
E00	DATA ENTRY FUNCTION		
E05	COORDINATE TRANSPORT	Coordinates transport of team members to alternate processing site	Richard Batana
E10	ALTERNATE DATA ENTRY	Establishes alternate data entry facility, as necessary	Roger Layton Michael Yard Mario Tejada
E20	PREPARE INPUT	Prepares input transactions required for production processing	Nick Kirkwood Pam M'Onie Stuart Cunningham Richard Simpson John Olver
E25	KEYING INSTRUCTIONS	Provides instructions for keying of input data	Roger Layton
E30	PRIMARY SITE DATA ENTRY	Establishes data preparation and entry function at primary site	Nick Kirkwood Pam M'Onie Stuart Cunningham Richard Simpson John Olver
G00	GENERAL, ALL FUNCTIONS		
G05	RECEIVE NOTIFICATION	Receives activation notification from management	Yunus Mohammed Simon Ratcliffe
G10	NOTIFY TEAM MEMBERS	Notifies team members to report to appropriate location	Yunus Mohammed Simon Ratcliffe
G20	COMPLETE TELEPHONE LOG	Completes telephone log for all calls made	NOC/POC/SPOC/ ICCC
G25	RETRIEVE RESOURCES	Retrieves resources from off-site storage/warehouse as appropriate	Mike Hoy
G30	REPORT FOR ACTION	Reports to appropriate location	All personnel

TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
G35	PASS TELEPHONE LOGS	Informs administration of all team members not contacted, passing to them the completed telephone logs	ICCC
G40	CASH FUNDING	Receives cash funding from management, as necessary	Mark Pinnington
G45	STATUS REPORTS	Provides regular status reports to Commissioners	Tom Madiba Yunus Mohammed Simon Ratcliffe
G50	DOCUMENT EXPENSES	Compile and maintain documentation of all recovery expenses	Hannan Yanny Michelle Adler Mark Pinnington
G55	REQUEST REPLACEMENT PERSONNEL	Notifies management of any team members who are unavailable and requests replacements as necessary	Maxine Hart Team leaders as appropriate. PEO's & DPEO's.
H00	NEW HARDWARE FUNCTION		
H05	NEW HARDWARE REQUIREMENTS	Coordinates with the salvage team and vendors and compiles a listing of new hardware requirements, both for recovery operations and primary site restoration	Mike Hoy Ken Weinberg Roger Layton iro RCC.
H10	OBTAIN ACQUISITION APPROVAL	Obtains approval from management for acquisition of required new hardware	Piet Colyn Tom Madiba Yunus Mohammed
H15	PLACE ORDERS	Places orders with appropriate vendors for required new hardware	Mike Hoy Ken Weinberg Roger Layton iro RCC.
H20	COORDINATE DELIVERY	Coordinates delivery schedules for new hardware orders	Richard Batana

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TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
H25	DOCUMENT ACQUISITIONS	Maintains documentation on all acquisitions of new hardware including means of acquisition (purchase, lease, etc.), price and delivery schedule	Hanan Yanny Michelle Adler Mark Pinnington
H30	COORDINATE DELIVERY	Coordinates arrival and installation of new hardware with management	Richard Batana Mike Hoy Roger Layton iro RCC
H35	NEW HARDWARE STATUS	Provides status report to management on all new hardware	Mike Hoy Ken Weinberg Roger Layton iro RCC.
L00	END USER LIAISON		
L05	ESTABLISH LIAISON FUNCTION	Establishes end user coordination or "help desk" function at the Command Centre	NOC/POC/SPOC ICCC
L10	COORDINATE REQUESTS	Receives all calls for help from end users and passes on the requests to the appropriate personnel	NOC/POC/SPOC ICCC
L15	MAINTAIN PRODUCTION STATUS	Maintains current status information about primary processing	ICCC
L20	INFORM END USERS	Ensures information on status of production applications and their scheduling is passed on to the appropriate end users on a timely basis	Martie Meiring
L25	REPORTS REPLACEMENT	Coordinates replacement of lost reports for end user areas	Roger Layton Michelle Adler Jenny Sewell

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TASK	TASK NAME	DESCRIPTION	RESPONSIBILITY
V00	SALVAGE FUNCTION (This function is planned after all other processes are completed and is coordinated as a sub-project to be completed before the IEC is disbanded.)		
V05	REPORT TO IAP	Reports to Initial Assembly Point	
V10	PROCEED TO DISASTER SITE	Proceeds to disaster site when access is granted	
V20	SALVAGE RESOURCES	Arranges for removal, relocation or repair of salvageable items	
V25	SCHEDULE SALVAGE	Establishes time schedules for salvage activities	
V30	AVAILABLE EQUIPMENT LIST	Coordinates with new hardware function to build available equipment list	

C. PROCEDURES: MOST LIKELY SCENARIOS

4

C.1 Counting Stations

This section of the manual has been structured to provide the Counting Officer with a quick means to resolving certain expected problems. The purpose of this section is not to supply an in depth problem resolution and diagnostic plan, but rather to offer a "quick fix" to the most likely situations.

In situations in which a greater level of contingency management is required the procedures specified in Section B of this manual should be executed. Nevertheless, the information required by the individual scenarios must be obtained and utilised in the manner prescribed by each scenario.

This section has been previously published and should therefore be customised to each local area.

In order to bring this section into effect, each Counting Officer was advised to collect and note the following information, applicable to the individual Counting Station:

■ POLICE	_____
■ AMBULANCE	_____
■ FIRE BRIGADE	_____
■ HOSPITAL	_____
■ TRAFFIC DEPARTMENT	_____
■ NATIONAL OPERATIONS CENTRE (NOC)	<u>0800 101010</u>
■ PROVINCIAL OPERATIONS CENTRE (POC)	_____
■ SUB-PROVINCIAL OPERATIONS CENTRE (SPOC)	_____

The above information must be used when invoking the procedures contained in this section of the manual, as it is specific to each discrete area and therefore cannot be supplied in advance to each Counting Station.

C1.1. Access is denied to election station (voting or counting)

Contact Police if there is any sign of violence:

POLICE Tel: _____

Try to determine the anticipated duration event

Determine if critical functions can continue

Contact SPOC to determine EAD's position on the event

SPOC Tel: _____

Receive status on any negotiations

Determine if relocation is necessary and/or possible

Monitor the status of any negotiations on an on-going basis

Await response and further instructions from EAD.

C1.2. Documentation cannot be completed for replenishment of supplies

Contact SPOC to determine EAD's position on the event

SPOC Tel: _____

Describe the type and quantities of supplies requested

Await situational update from EAD

C1.3. Election materials cannot be delivered on prescribed route

Contact SPOC:

SPOC Tel: _____

Describe the event which precludes delivery along the prescribed route

Describe the prescribed route

Describe the alternative routes

If no alternative route is possible:

Determine whether relocation is necessary/possible

If relocation is ordered, follow the Relocation Plan

C1.4. Data communications to counting stations are incomplete

Contact SPOC to determine EAD's position on the event

SPOC Tel: _____

Inform the EAD Results Control Centre

In the event that the disruption to the communications is sustained, communicate the results telephonically to the Results Control Centre as and when they are available

RESULTS CONTROL CENTRE Tel: _____

C1.5. Data quality is suspect

Inform the EAD Results Control Centre

RESULTS CONTROL CENTRE Tel: _____

If the data originates from the Counting Stations:

Describe the circumstances under which the data is considered suspect

Describe the steps being taken to correct the data

Provide an indication of the time which must be allowed to correct the data

If the data originates from the Results Control Centre:

Describe the nature of the data which is suspect

Await further instructions from the Results Control Centre

C1.6. Media reports conflict with planned actions and procedures

Contact SPOC:

SPOC Tel: _____

Provide details of the planned actions and procedures

Provide details of the reports which conflict with the actions and procedures

Provide details of local news media and radio stations

Continue with the planned actions and procedures

Await a response from EAD

C1.7. Emergency deployment of logistics materials required

Contact SPOC:

SPOC Tel: _____

Contact POLICE:

POLICE Tel: _____

Identify the election station (voting or counting)

Describe existing security measures

Describe the circumstances surrounding the emergency deployment

Identify the feeding sub-provincial warehouse

Await response from EAD

C.2 Voting Stations

This section of the manual has been structured to provide the Presiding Officer with a quick means to resolving certain expected problems. The purpose of this section is not to supply an in depth problem resolution and diagnostic plan, but rather to offer a "quick fix" to the most likely situations.

In situations in which a greater level of contingency management is required the procedures specified in Section C of this manual should be executed. Nevertheless, the information required by the individual scenarios must be obtained and utilised in the manner prescribed by each scenario.

This section has been previously published and should therefore be customised to each local area.

In order to bring this section into effect, each Presiding Officer was advised to collect and note the following information, applicable to the individual Voting Station:

■ POLICE	_____
■ AMBULANCE	_____
■ FIRE BRIGADE	_____
■ HOSPITAL	_____
■ TRAFFIC DEPARTMENT	_____
■ NATIONAL OPERATIONS CENTRE (NOC)	<u>0800 101010</u>
■ PROVINCIAL OPERATIONS CENTRE (POC)	_____
■ SUB-PROVINCIAL OPERATIONS CENTRE (SPOC)	_____

The above information must be used when invoking the procedures contained in this section of the manual, as it is specific to each discrete area and therefore cannot be supplied in advance to each Voting Station.

C2.1. Access is denied to election station (voting or counting)

Contact Police if there is any sign of violence:

POLICE Tel: _____

Try to determine the anticipated duration event

Determine if critical functions can continue

Contact SPOC to determine EAD's position on the event

SPOC Tel: _____

Receive status on any negotiations

Determine if relocation is necessary and/or possible

Monitor the status of any negotiations on an on-going basis

Await response and further instructions from EAD.

C2.2. Documentation cannot be completed for replenishment of supplies

Contact SPOC to determine EAD's position on the event

SPOC Tel: _____

Describe the type and quantities of supplies requested

Await situational update from EAD

C2.3. Election materials cannot be delivered on prescribed route

Contact SPOC:

SPOC Tel: _____

Describe the event which precludes delivery along the prescribed route

Describe the prescribed route

Describe the alternative routes

If no alternative route is possible:

Determine whether relocation is necessary/possible

If relocation is ordered, follow the Relocation Plan

C2.4. Electoral queues exceed the capacity of the voting station

Contact SPOC:

SPOC Tel: _____

Provide a count of the current length of the queue

Provide an estimate of the expected increase in electoral queue

Provide details of the nearest alternative voting station

Provide details of the steps taken to restrict the size of the present queue

Provide details of the steps taken to service the current queue

Provide details on the potential to erect temporary or informal voting stations

Await a response from EAD

C2.5. Intimidation of voters occurring in the vicinity of a voting station

Report the circumstances of the intimidation to the Monitor stationed at the Voting Station

Contact Police if there is any sign of violence:

POLICE Tel: _____

Try to determine the anticipated duration of the event

Determine if critical functions can continue

Contact SPOC to determine EAD's position on the event

SPOC Tel: _____

Describe the form and type of intimidation occurring at/near the voting station

Describe the reaction of the voters to the intimidation

Monitor the status of the intimidation on an on-going basis

Continue with the electoral process

Await a response from EAD

C2.6. Media reports conflict with planned actions and procedures

Contact SPOC:

SPOC Tel: _____

Provide details of the planned actions and procedures

Provide details of the reports which conflict with the actions and procedures

Provide details of local news media and radio stations

Continue with the planned actions and procedures

Await a response from EAD

C2.7. Emergency deployment of logistics materials required

Contact SPOC:

SPOC Tel: _____

Contact POLICE:

POLICE Tel: _____

Identify the election station (voting or counting)

Describe existing security measures

Describe the circumstances surrounding the emergency deployment

Identify the feeding sub-provincial warehouse

Await response from EAD

IFES/South Africa. Consultant Activity Report.

Vote Tabulation and Process Development--Erik Nilsson. April 9-May 9, 1994.

From April 9 to May 9, I was in the Republic of South Africa assisting with that nation's historic, first fully enfranchised elections. As an IFES team member, I was first assigned to the Information Technology (IT) directorate. After several days I transferred to the Election Administration Directorate's IT division (EAD-IT) through the elections.

It was a privilege and an honor to have participated in these elections. The high level of confusion within the IEC and the number of tasks that I was asked to accomplish make it difficult to measure what my efforts actually accomplished. I believe that my efforts at two critical junctures particularly contributed to the proper conduct of the elections. The first was the conception and design of the paper and electronic information flows for the election results from the counting stations to EAD-IT and the other concerned divisions of the IEC. The second was the role that I found myself in during the first night of tabulation (The night of April 30th through the morning of May 1st). In the middle of the night, I was the only individual with elections experience awake in the tabulation operations center prepared to make decisions regarding the tabulation process. The provisional results that were publicized the next day led the ANC to feel confident enough to declare victory in the elections. Problems did later arise with the numbers, however, these early returns were accurate. I think that the possibility of protests and potentially more violent disturbances existed had accurate numbers, reflecting a sizable portion of total returns, not been made public on the night of April 30 and the morning of May 1.

In addition, I designed, implemented, and tested several databases that were used in the election, including the parties database.

I was only one person in a building full of people working very hard, but I have came away with a tremendous personal sense of pride over what I was able to achieve as part of EAD-IT. South Africa accomplished an electoral feat previously thought impossible, one that may never be replicated. The schedule was extreme, and the potential electorate to be served--estimated at 27,000,000--among the world's largest. The vast majority of the electorate and many of the over 200,000 elections workers had no previous experience with electoral processes. The technical and the logistical requirements were continually altered by the IEC in response to internal and external pressures and suggestions. In their quest to invite maximum participation by the electorate and the political parties the IEC took actions that electoral commissions normally refuse or avoid taking out-of-hand. Without a doubt, the best example of this was the IEC's acceptance of the participation of the IFP only days before voting was to begin.

Under these conditions, it was perhaps inevitable that confusion and under-organization would result in some wasted application of human and financial resources. However, the lessons learned from this experience must be compiled, catalogued, and observed by the organizers of

South Africa's future elections. Open discussion of this process with an eye on the future will hopefully reduce any "wasted effort" in the next elections for South Africa and donors and NGOs such as IFES.

Perhaps the single biggest mistake IFES consultants and several of their South African counterparts in EAD-IT made was working too many hours. We worked basically continuously for a month, with short breaks to sleep. Lack of sleep began affecting everyone's judgment and perspective. This was less of a problem for the IFES contractors than for some other IEC employees since our roles did not require or permit us to do our jobs and become heavily involved in and/or sidetracked by the IEC's internal bureaucracy. Several serious problems might have been avoided if we had had a little more sleep, and been more perceptive of our surroundings.

One of the most valuable roles the IFES contractors played was in liaising between, and within, different divisions, directorates, and offices of the IEC that were not communicating well. It might have been helpful to work more on that function. If IFES contractors could have committed meeting for breakfast twice a week, we could have shared what tasks we were engaged in and helped each other brainstorm potential solutions. In addition, a common strategy for EAD-IT might have emerged, which would have been helpful, as EAD-IT never managed to develop a strategy itself.

One or more of the IFES contractors should have tried to better support the South African IT specialist in charge of EAD-IT. If that individual had had someone to bounce ideas off of he might have been more a more effective manager and team leader. He faced large responsibilities essentially alone. The overwhelming workload facing EAD-IT and the constant second-guessing by upper-level management drove tensions and frustrations within the division to dangerously high levels. The last few days before his resignation, the EAD-IT manager was clearly casting about for someone he could work with on a close basis. Given the tensions, he may have perceived that his co-workers did not harbor positive feelings toward him, making this a frustrating search.

Several of us did try to build bridges, Michael Yard, Etienne Posthumus, and myself all attempted to work closely with the manager. My single greatest disappointment with IFES's presence in South Africa, and my own role in it, is that we were not able to help this individual find solutions to more of his problems, and through that process, improve the working relationship between EAD-IT and IT.

Recommendations for the Local Elections

According to available information, the local elections will have be conducted by a more decentralized administration. I felt that the national elections suffered from an over-centralized administration. The time necessary to assemble the regional structures to conduct these elections requires that work begin as soon as possible. Many South Africans now have experience administering most of the information technology aspects of a nationwide electoral process. However, because IT was heavily centralized, it is doubtful that without preplanning and training

at several levels, the right kinds of expertise will be available in the provinces for the local elections. This same problem will exist for other election functions as well.

The municipal elections will be held to a higher standard than the general elections. Hopefully, more time will be available for their preparation. Everyone knew that it was a phenomenal task, attempted under potential and real adversity. Consequently, the South African people permitted the IEC to indulge in a number of unavoidable irregularities. Further, the vast majority of South Africans wanted the election to be "Free and Fair," so the election was Free and Fair as much by an act of will of the South African people as by the secular actions of the IEC.

I did a fair amount of driving in South Africa, which was a challenge for me because I had never driven on the left side of the road before. When I first started, I had no idea where the edges of the vehicle were, or how to shift with my left hand. I got over those hurdles, to the point where I started to be comfortable driving on the left. That was the time of greatest danger, because my accommodation with the left-hand-side was still fragile: Yet, my expectation of my abilities led me to expose myself to greater risk.

The local elections for South Africa pose similar dangers. In some ways the local elections will not be nearly the big deal the April 1994 elections were, but thinking they are easy could set South Africa up for a nasty wreck. This time, South Africans will think they have this "election thing" under control. No problem, except there won't be a limitless infusion of international funding, or a huge international observer force, or an indulgent population. Although proportional elections are terrifyingly sensitive to small vote changes, at least there was some emotional distance to the general elections in that nothing closer to home than the provincial parliaments were to be decided, and the national election wasn't much of a mystery anyway. The local elections will be small races, close to home. Citizens will have larger personal stakes in how votes in small areas are counted. In this election, irregularities in one area will not be a small concern of the entire country, but a huge concern to a small area.

For IT, a technical team should be assembled to begin planning for the election. If such a team is assembled with international participation, I am certainly interested in assisting. Because the election will be decentralized, election administration IT systems will have to be decentralized as well. Standard systems should be spec'ed out as soon as possible, and development begun. Some of the development could be done in the States. Michael Yard and I have talked extensively about this possibility, and would be interested in working on such standard systems here or in South Africa.

"If only we had another month!" could have been the IEC motto as the election days drew near. Of course, it seems that had there been another month, the IEC would have found itself in the same situation.

Recommendations for The 1999 South African Elections

The 1999 election should be administered in a more decentralized fashion, building on permanent election bureaucracies in each of the provinces. The national role should be to provide expertise, tools, materials--and not least--oversight to the provincial electoral commissions. Elections in South Africa should henceforth be conducted provincially and monitored nationally.

The local elections will be able to make use of some of what the general elections produced in identifying and training staff, and identifying polling and counting locations. Ideally, the local elections will provide a sounder base for the 1999 elections, but a lot can be forgotten in four or five years. For IT, a continuity team should begin meeting monthly, with the team members gradually transitioning to full-time about six months before the election. For logistical and other reasons, such a team would be composed of people living permanently in South Africa over the next five years, so IFES would probably not have a direct role, but I see such a body as key for IT, as well as for other functions such as pollworker training and media.

In the general election, the granularity between the IEC national headquarters and the counting centers was too extreme. Communication problems were hard to resolve when IEC headquarters did not know the area or the people on the ground. Technology is organized human activity. The general election had all the right technical artifacts, but not the right technology. People had no personal relationship to the person on the other end of the phone or fax, and no history with them either. This could hardly have been avoided, and the situation will correct somewhat over time.

By conducting the elections provincially, a "technology" of successful election administration can more easily be fostered. Small permanent staffs can be assembled and begin to build up expertise about their respective provinces. Since they are located in the province, they will already have a wealth of practical information about the area. Over time, they'll get to know the "elections community" in the province: the poll and counting workers, party officials, candidates, and media people. With practice, the provincial electoral commissions will build smooth-running machines for conducting elections. Provided with the proper tools and personnel the provinces will stand to build such machines more quickly than a national IEC would.

Recommendations for other Elections in Other Nations

IT will play an increasing role in elections in the developing world. Large, simultaneous elections are simply not possible without IT. Careful use of IT can drastically speed the counting process, which reduces the expense and uncertainty of elections, and makes some kinds of fraud more difficult to perpetrate.

The tools chosen for the South African elections made particular sense there because of the extremely dominant position of Microsoft and the resultant base of experience with Microsoft tools. The chosen tools were not bad, but may not be suitable everywhere.

However, where a Windows-based solution would be accepted, it is interesting to contemplate a semi-standard set of election administration tools based on Microsoft Access. Such a system could be developed in the United States, and brought into a country and customized in a few weeks using local experts and a few of the tool developers. If such a solution were politically acceptable to several user nations, it would be a greater leverage on grant dollars than to send in people with their Access Basic manuals under their arms. I recommend that the opportunities for such a semi-standard electoral system be investigated. If such a system is developed, I recommend that it be tested for compliance with the U.S. Federal Election Commission Voting System Standards, as a way of assuring user nations of its quality. A standard set of operations and training manuals should be developed in English, Spanish, and French, with additional translations completed as needed.

Fraud in the South African Elections

It is extremely likely that a deliberate effort was made to defraud or discredit the April elections. This effort was very likely made inside the IEC by South African contractors with political motives.

This attempt was not very sophisticated, and so was easily detected. As South Africans gain experience with elections, some South Africans will gain experience with defrauding elections. Consequently, future fraud attempts may not be so easy to detect. Fortunately, the elections climate will be more stable in South Africa. There should be no more last-minute parties added to the ballot. There should not be voting and counting stations added nationwide after the election has already begun. This stability means that more controls can be built into the election process, to make it harder to defraud, as well as harder to just plain screw up.

However, better elections process by themselves will not guarantee honest elections. After all, the extreme instability of the elections process made it very difficult for anyone outside the IEC to defraud the process. The process was being redefined so rapidly, we often didn't know what it was, which made it difficult for an outsider to know what processes to spoof.

Fraud can never be eradicated from elections. As long as people are unhappy with losing elections, fraud will occur. But fraud must be limited below the point where it erodes the government's legitimacy. The establishment of two independent institutions could help South Africa to best minimize fraud: provincial electoral administrations and a permanent national election training and monitoring body.

Security in the South African Elections

The predominant security threats before, during, and after the South African elections were perhaps unique in their character, but not as unique as might be hoped in their menace. While in South Africa, 100kg of explosives were detonated a block from the Holiday Inn, where most IFES contractors and many international observers were staying. The force of this blast was

sufficient to shake the entire high-rise hotel and crack bulletproof windows on the hotel's thirtieth floor. Nine lives were reported to be lost at the blast site. The evening of that same day, a bomb was defused using a controlled detonation outside the Holiday Inn. Before the elections, a bomb was found and defused within the IEC itself, and some of the regional IEC and political party facilities were damaged or destroyed by bombs or fire.

Under the circumstances, the security at the IEC headquarters was drastically inadequate. Although security outside the building did improve as the election drew nearer, security inside the building was very poor. In fact, there was little control over people entering and leaving, until the SADF began checking IDs at the door, before the official IEC security checkpoint.

Security had an X-Ray machine. However, it was not always apparent that they knew how to use it. Security personnel were either untrained or disinterested in their jobs. While some mediocre controls were in place to prevent assets from being stolen, controls on entry were so bad that a small dedicated group could have smuggled a significant amount of explosives into the building. Apparently, bomb-sniffing dogs were deployed on a few occasions. In any case, the IEC did not become a physical target of aggressions.

Obtaining credible, apolitical, and experienced security people may have been a particular problem for the IEC. The same problem applied to background checks as well, where any relevant experience with security, policing, or politics served simultaneously as a qualification and disqualification, because such experience came only from service in military/police groups or political parties and affiliations such as the SAP, *Umkhonto we Sizwe*, Inkatha, AZAPO, APLA/PAC, KwaZulu Police, WenKommando--or COSATU, the Freedom Front, the National Party, ANC, PAC, or IFP--that were not perceived as neutral.

Security was an area that was underemphasized by the commission, most IEC employees, and the IFES contractors. Several times, I myself took unnecessary risks. While ultimately security was adequate, in that poor security did not cripple the election, we were extremely lucky that a catastrophic security failure did not occur.

Conclusion

Before I went to South Africa, I thought I knew quite a bit about elections administration. I suppose maybe I did, but that did not prepare me for an election of the domestic and international impact of the South African general elections. It still amazes me that the process actually occurred, and successfully. South Africans and monitors I have talked to or heard talk have praised the IEC for doing pretty well at a certified impossible, insane challenge. IFES contractors played an important role in meeting that challenge, and we should feel proud of what we did.

My experience made clear to me that bringing external experts in to provide technical advice and support makes sense. Even with my background in elections, my experience in South Africa gave me a perspective on "first" elections. For a country undergoing a first election, even a

country with a fairly sophisticated industrial base, it will be very difficult to find the necessary expertise internally to manage all aspects of the process to the satisfaction of all of the domestic actors.

Since my return, I've been asked a few questions repeatedly: "Were you concerned about your safety?" "Did you see Mandela?" "Did you get to see any of the country?" The answer to all of these questions is "yes." No one has asked me, "Would you do it again?" The answer is self-evident, of course I would do it again. Whatever small personal sacrifices I made are irrelevant to the importance of these elections, and the opportunity to be a part of them.

The U.S. Government, through IFES and other organizations, made a large contribution to the South African elections. Clearly, it was an investment well made. So many times, the elections seemed to hang by a thread. Enough times to be notable, that thread was an American: an American UNOMSA observer, an employee of a U.S. NGO, or an IFES contractor. South Africa did itself a tremendous service in the elections; showing to the world an honorable, heroic South Africa, aspects of which did and did not exist before the election itself.

IFES/South Africa. Consultant Activity Report.

Systems Development and Programming--Etienne Posthumus. March 30-May 5, 1994.

Scope of work performed

I was a member of the Election Administration Directorate-Information Technology (EAD-IT) division. EAD-IT established the following systems for the EAD:

- Personnel System
- Voting Station Database
- Counting Station Database
- Election Result Reporting System

I was tasked with aspects of the analysis, the design, and the implementation of these four systems. The EAD-IT team relied on the Microsoft Office suite of applications, MS Access 1.1, and the MS Visual Basic Professional Edition 3.0. The network installed was a MS Windows NT Advanced Server with MS Windows for Workgroups 3.11 clients.

Personnel System

The tracking system for the personnel employed by the IEC nationwide, including election administrators and voting and counting station staffs had to be established. This proved to be challenging due to the sheer volume of data and the insufficient amount of time available to accomplish the task. The assignment was further complicated by the lack of standard forms and documentation, making the incoming personnel data unusable for data entry. More staff time was spent clarifying the data codes than computer time to capture, tabulate, and report on the data.

The tracking of personnel at district level was completed successfully, under the circumstances. I was assigned to the voting station database before completion of the tracking of the voting and counting station staffs, thus I am not in a position to report on the completion of the nationwide EAD personnel database.

It is my opinion that information gathering should be standardized using an approach as simple as a pre-printed and numbered paper form distributed nationwide and collected at a central point for entry into a database. The ideal would be to set up a standard Excel or Lotus spreadsheet with pre-defined fields, to be distributed via electronic mail (or posted on a diskette via regular post or courier) to the regional level. Once completed at the regional level, the diskette would be returned to the head office. Of course, successful implementation of this system requires a degree of computer skill and literacy at the regional levels. I do not think that it would be a problem to complete the files considering the widespread availability of individuals skilled in

spreadsheet use. In order to have a successful system, one would need to take care in planning the layout of the computer files and the methods used to consolidate the files into one database. This must be done by someone with a thorough understanding of computer file formats and their cross-platform implications.

Voting Station and Counting Station Tracking

I performed an auxiliary function for this system, assisting in compiling reports on the existing database and importing data in various formats into the main database. Once again, the EAD-IT team faced the problem created by the poor quality of the source documents used to gather the data in the field to be entered in Johannesburg. The information provided to the data entry site at IEC headquarters was either being continuously revised or of such poor quality that it proved to be almost useless. Even after the list of voting stations was produced, the more populous regions continued to send revised voting station totals to Johannesburg.

The project managers responsible for coordinating this task had almost no knowledge of computer systems. In fact, one could say that they were somewhat computer-phobic. Incapable to clearly explain to IEC upper management, and to the Commissioners themselves, the capacity of information technology to handle the tasks at hand in the time available, the project managers permitted unrealistic expectations to be placed on EAD-IT. Demands were made at regular intervals to capture volumes of information, analyze it, and prepare a report on it by the following morning for distribution in a key meeting. These requests often came at the end of the work day. Clarification of ambiguous information or a poorly defined request was almost always necessary late at night, when the project managers were asleep and the EAD-IT team and supporting data capturers were trying to meet demands.

Results Reporting

I also wrote the software application for the transmission of results from the IEC headquarters to the South Africa Broadcasting Corporation (SABC) press center at Gallagher Estate. Specifications for the system required an almost real-time update on counting progress to enable a transparent count, ensuring that the South African public and the world at large were continuously informed of the results. This was a facet of the project that I enjoyed the most and was in fact very successful. I attribute this success to the fact that there were not volumes of uncontrollable information sources to deal with. The liaison with the SABC was very smooth and testing was completed ahead of schedule with no glitches.

Summary

In my opinion the major problems were:

- *Constantly changing goals.* The processes were in constant flux making it almost impossible to design an information system of any use.

- Corporate politics within the IEC.* People in the organization were trying to advance personal goals instead of working as a team.
- Lack of clear chain of command.* Too many people were making decisions, passing on confused or contradictory messages to us down at the ground level. Often, as we received a directive from the mouth of one manager in the office, another manager was sending a contradictory directive from upstairs.
- No standardization.* No procedures were in place to perform tasks such as pre-set forms to gather information.
- Lack of computer and database-literate manual designers.* The person(s) designing the manual processes should have had some knowledge of how paper forms influence computer systems and how to design the manual and computer systems to work together efficiently.

Under the extremely complicated and pressurized circumstances in which we worked, the EAD-IT team performed excellently. We worked far more than what was required, trying to correct mistakes that were initiated at the preliminary levels. The extra effort expended was the result of poor management from above.

IFES/South Africa. Consultant Activity Report.*Programming and Process Development--Mario Tejada. April 12-May 2, 1994.*

Date : May 2, 1994
To : Tom Bayer, IFES/South Africa
From : Mario C. Tejada Jr., Independent Consultant
Re : Short summary of my technical support responsibilities to the Election Administration Directorate Intermediate Technology division (EAD-IT) of the South African Independent Electoral Commission (IEC).

From the time of my arrival at the IEC's Kruis Street offices my duties have involved me in a number of different EAD-IT operations. I assisted in setting up of the EAD-IT computer system and connecting network fly leads. I also programmed and set up a table for the tracking of the mobile voting stations. Much of EAD-IT's efforts were focused on the entry and analysis of data and the production of reports. In an effort to standardize part of this effort, I wrote the data capture program to facilitate the entry of the mobile voting station data and the production of associated reports for the data capture supervisor.

I was assigned the task of cleaning up the data on the special voting stations where voting was to be conducted on April 26th. That data was entered into the computer using an Excel spreadsheet format without any thought to how, and in what way, the IEC would require access to the information. At the same time, I created or modified other data capture interfaces for other EAD and IEC databases.

The job that demanded the most of my time, energy, good humor, and my expertise was the creation of twenty-one different interface forms for the capture of the information noted on the voting tally sheets. The tally sheets were paper forms to be filled in at the counting stations during the counting process and faxed to the EAD-IT result reporting center for data entry. The EAD-IT team developed a detached form interface that, once the data from a form was entered into the computerized form, could not be modified. Once these forms were complete, we were required to modify the entire system due to a last-minute change demanded by the IEC commissioners.

Etienne Posthumus and I worked for a solid 24-hour shift, starting April 27th, to make the required changes in time for the count on April 29th. Changing this one series of complicated forms created a domino effect and other EAD-IT team members found themselves working a straight triple-shift to modify their portions of the system.

Mr. Posthumus and I returned to the EAD-IT on Friday, April 29th only to discover that again we were mandated by the Commission to change seventy percent of our program. Another triple shift and the system was ready as the first batch results arrived on the fax machines on Saturday, April 30th. In spite of these and other 180 degree decisions by the Commissioners, EAD-IT was able to assemble a quality program to count the votes.

I made various observations while working here. The most distressing realization was that the IEC top brass did not make the connection between the impact of their decisions, or of what was entailed by their requests, on the overall system being assembled by EAD-IT. The outright computer-phobia exhibited by select high-level IEC staff limited the success of the automation of the voting process through their holding EAD-IT and IT to unrealistic expectations. The absence of an information technology system analyst in the upper management allowed the Commission to conduct the elections without an adequate understanding of the capacities and the capabilities of the computers at their disposal. This comprehension problem radically diminished the efficiency of this high tech information equipment, to the detriment of the overall process.

Having the opportunity to play a small role in this historic process was an experience that I will never forget. However, if I were to be involved again, I would press for a more clearly defined decision-making/management hierarchy and a clear method of querying procedures.

Most of the men and women who I worked with during my short tenure were extremely beneficial to this project. Their efforts must not be forgotten. It is important that organizers of future South African elections learn from the experiences of those who worked on this process and consider their suggestions and their recommendations so that the electoral process can continue to improve with time.

IFES/South Africa. Consultant Activity Report.

*Systems Development/Design and Programming--Michael Yard.
April 3-May 5, 1994.*

I was met at the airport in Johannesburg on Easter Sunday, April 3, 1994 by IFES staffer Tom Bayer. Tom informed me that Sunday, Monday and Wednesday were legal holidays in South Africa, so things would be slow at the Independent Electoral Commission (IEC) offices. I indicated that I had slept most of the flight, and was awake and ready to begin working immediately. Tom gave me phone numbers to contact Roger Layton, a South African computer expert with whom I would be working. Roger was at the IEC on Easter Sunday, and was pleased that I was willing to begin that day. I met with Roger, read through an orientation paper, "The Big Picture of EAD and the role of IT", and spent fourteen hours designing the database structures which would be required. The task of creating all the required automated systems within four weeks seemed impossible, yet absolutely necessary for the success of the election. The fourteen hour-day signaled to me how hard the entire Election Administration Directorate-Information Technology (EAD-IT) team would be working. This report will detail the systems we created, their strengths and weaknesses, and recommendations for automating future elections.

Voting Stations

The voting stations table stored information on each of 10,000 voting stations. According to the constitution, each voting station was to be "within walking distance" of at least one other voting station. Walking distance was finally set to 20 kilometers. Information collected on each voting station included a description, the address in English, the address in Afrikaans, and the district. Separate tables included a list of districts, subprovinces, and provinces. By linking the separate tables, a report on voting stations could be broken down by province, by subprovince, or by district. Each of these breakdowns was required by different users of the voting stations list, including the Election Administration Directorate (EAD), Election Monitoring Directorate (EMD), the South African Police, the South African Defence Force, and the press.

The tasks of accurately breaking down South Africa by magisterial district and subprovince were difficult because the interim constitution changed the definition of magisterial districts. Even the District Election Officers (DEO) were frequently unaware of whether a particular voting station fell within their district or an adjoining one, or which subprovince their district was in. As stated in the orientation paper "*The Big Picture...*", the definitions are not completed in the constitution, and several "affected areas" will have the option of choosing which province they are in by referendum after the election. These definitions kept changing throughout the programming and tallying processes. The final breakdowns seemed to be determined more by consensus between the different users of the data rather than by any authoritative definition. On the other hand, at the conclusion of the process we had what may be the best list in existence of

subprovinces and districts. This list undoubtedly has additional applications, but I am unsure of how best to let the right people know it exists. The list as it finally was printed is included in the IFES project report.

A significant obstacle to accurately recording voting station data was the form in which the data was transmitted to the EAD. The DEO's were given a stack of blank forms, and instructed to fill out one for each new voting station. The paper forms were not well designed.

Consequently, the data was very hard to decipher. For example, there were four (4) lines given for *English Address*. Some DEO's listed the city, then the address, then a description of the voting station location. Others listed a description first, then the city, then the address. Some listed only a city. Some put *English Address* first; others put *Afrikaans Address* first; some had only one language, with the result that data capturers mixed up the English and Afrikaans addresses in the database. Rather than rehearse all the various permutations, I will simplify by stating that every possible interpretation of how to fill in the form was used by at least one DEO. Refer to Annex I of this report for a copy of the voting station form.

There are basic principles which ought to be followed when designing a paper form which will be used as the basis for computer data entry. Procedures must be carefully defined so that there is only one correct way to fill out the form, and that way is clear to any user of the form. It is also helpful on handwritten forms to give a separate box for each character to ensure that the handwriting is clearly spaced and legible. The best recommendation I can give regarding the creation of the voting station form will also apply to every other paper form used in the election process--*it is imperative to have someone competent with data processing principles involved at an early enough stage so that every source of data may be defined clearly and guidelines created to ensure that the data is received in a useable format*. In this case, one extra hour spent defining procedures and forms for the DEO's would have saved hundreds of person-hours spent deciphering, proofreading, and editing the data.

Counting Stations

The counting stations table was nearly identical in form to the voting stations table, with data including a description, the address in English, the address in Afrikaans, and the district. As with the voting stations, reports were required broken down by each of these geographical levels.

Unlike the voting stations, the counting stations data was to be secured and made available only upon authorization by one of the EAD Planners.

Problems with the counting stations data were encountered for the same reasons as with the voting stations, and again, the lack of involvement of a data processing specialist in the earliest planning stages resulted in dozens, maybe hundreds, of wasted person-hours deciphering, proofreading, and editing.

A further problem with the counting stations was that the number of legitimate requests for lists of counting stations were not anticipated ahead of time. Dozens of ad hoc queries were required, and each of the entities requiring reports wanted the data in a different format, including a variety of electronic formats including, dBase, Lotus 1-2-3, Quark Express, and ASCII. In retrospect, a

great deal of time could have been saved by analyzing ahead of time who would need the data, and in what format. All the various needs resulted in the creation of approximately 20-25 reports, which could have been satisfied by the creation of 3-4 pre-defined generic reports and a simple data conversion program. By anticipating the needs ahead of time, a list of legitimate users who should have access to the data could have been prepared, eliminating the need to locate and obtain the approval of an EAD official each time that a request was received.

Communication

The number of entities who needed access to pieces of information stored in the EAD database was great enough to justify treating communication as a separate function. This was not considered ahead of time, and the result was a chaotic flow of information in which users who made the most noise received higher priority for their information needs. Finally during the last few days of the election, a number of standard reports and data export functions were available to be published via a turnkey system, freeing up programmers from the task of defining and printing reports on demand.

As an extreme example of the kind of increasing demand, the Commissioners requested reports on the vote tally progress every 2 hours; then modified the request to hourly, and finally to every 15 minutes. A programmer had to stop whatever task he or she was doing every 15 minutes to run the report, until a procedure was defined and a workstation dedicated to creating the printouts automatically. The same machine could have been meeting the information needs of nearly all users if adequate planning had been done beforehand to anticipate the frequency of needed reports.

Following is a list of users and the format in which they required information:

- SADF - ASCII file
- Police - dBase
- Government Gazette - Hard copy
- Domestic and International Press - Quark express
- Planners - Hard copy and Excel
- Directors - Hard copy
- Election Commissioners - Hard copy (every 15 minutes)
- Media analysis - complex set of data every hour in Lotus format

Note that the media analysis report required a complicated set of queries (12 separate queries) driven by a macro. However there was no discussion of scope of the media analysis need until the vote tally process was underway. It took 3 days to develop the export functions for this need because the data was not structured with the media's needs in mind. If their needs had been explained at design time, the data structures could have been altered in about fifteen minutes, allowing immediate access to the media analysis report.

Vote Tally System

The original design of the Vote Tally System (VTS) involved six programmers and emphasized security. The design assumption was that, even if two of the six wanted to sabotage the process, we would design the security of the system in such a way that we would be protected from ourselves. The security system included the following security measures:

- 1) Validation checks on the data as it was being entered, sufficient to guarantee that every typographical error would be caught by the system and would not be entered into the database.
- 2) Data "mirroring" combined with mathematical integrity checking would catch any attempt to alter the data once it was entered into the database.
- 3) Any need to alter a transaction, once entered into the database, would require approval by at least 3 persons, and would be recorded as a separate "repair" transaction. A report of any such modification would be immediately submitted to the Commissioners including the reason for such modification.
- 4) Password protection would be applied both at the database and at the network level to prevent any unauthorized access to or modification of the data.

Several last-minute changes undermined the "total security" approach that was originally designed into the system.

First, the decision was made to run the VTS on a separate network from the one that had been used by the entire IEC enterprise for several weeks. The reason for the decision was presumably to create an extra barrier against tampering by making the data available only to workstations within a secure Result Control Center (RCC). Unfortunately, this also required relaxing some security at the network level due to the shortage of available time in which to setup the network.

Second, the political parties reached a compromise which allowed the Inkatha Freedom Party (IFP) to enter the election at a very late date, requiring changing 20 different data entry forms.

Third, an agreement was reached to allow the Freedom Front (FF) party to have a special count of votes in some voting stations (*volkszählung* analysis). This agreement required the addition of a "special batch number" which would be assigned at the counting stations to indicate to the RCC that this batch contained votes which fell into the FF special category.

Fourth, a number of voting stations failed to affix the IFP stickers to their ballots, so a decision was made to create a new category of votes - "irregular", which would designate all votes on any ballot which did not have the IFP sticker affixed to it. We now had "Regular Undisputed", "Regular Disputed", "Irregular Undisputed", and "Irregular Disputed" votes to keep track of, with no clear understanding how the counting stations were to record the data.

The original form created to capture this data was discovered to have a fatal flaw which made it unusable, so a revision B and a revision C were produced - with no clear instructions for their use, and no adequate plan for communicating to the counting stations which form to use or how to complete the form. The result was that tally sheets were faxed in from the counting stations on at least 4 different batch forms, and 4 different total forms, with little regard for the appropriate choice of a batch versus a total form. *Again, several hundred hours were spent recovering from the lack of one to two hours of advance planning.*

Fifth, a decision was made to allow the IT department to tap back into the tally network because they were unable to establish another method for communicating "Special Votes" to the media. This link was made via a router using TCP/IP protocol. The link also made it possible to circumvent the secured RCC, and access the data from any workstation in the IEC building, or via the WAN link to most of the provincial offices, or even through a dial-up connection to the IEC.LAN. This combined with the lack of time to adequately setup the tally network destroyed the security at the network level, leaving us with only database-level security.

Sixth, five new programmers were recruited to help meet the demands of all the last-minute changes, and no attempt was made to familiarize the newcomers with the security design. Consequently, in the ensuing chaos, the database-level security was abandoned, leaving the system wide open to any knowledgeable user on any workstation in the IEC building, any of the IEC's provincial offices, or virtually anywhere in the world via the dial-up connection.

After 24 hours of using the VTS, in an attempt to recover some level of integrity, a series of validation reports was defined. It is my opinion that the validation reports were sufficient to guarantee that any breach of the system would be detected. Although there was no longer any way to prevent someone from unauthorized alteration of the tally data, at least there was a guarantee that any attempt would be discovered.

Such an attempt was in fact discovered on Tuesday, May 3. At 6:20 a.m. on that day, someone altered the VTS data, adding approximately 6 million votes, spread between 3 different political parties. The attempt was noticed immediately, and calls were made to the different press agencies which were receiving data updates to inform them of an error in the last numbers they had received. Moments later, the data was again altered, reducing the number of votes back to what seemed a normal level. The temporary increase in votes was initially attributed to a programming error, and the tally process continued. About two hours later one of the validation reports indicated a discrepancy between the total national votes reported by every counting station and the total national votes recorded in the database. Further investigation revealed that the second alteration of the data, though reducing the total number of votes, had in fact, left nearly 1.5 million fraudulent votes in the database, still spread between the same 3 political parties. This discovery resulted in the abandonment of the original VTS database, and the total reliance on a fallback system using an Excel spreadsheet to tally the votes from the counting stations.

Platform

The hardware used throughout the IEC was a combination of IBM compatible and IBM clone machines, running on a 10-Base-T network. Operating System was Microsoft Windows for Workgroups v. 3.11 on the workstations, and Windows NT Advance Server running on the file server. Primary applications were Microsoft Office (Word, Excel, Powerpoint, and Access). There was general disagreement between the IT division and EAD-IT regarding which version of Access to use. Version 2.0 of Access was released on March 31, 1994, with many valuable enhancements. The IT division felt the enhancements were valuable enough to justify using this version, while EAD-IT followed the adage that newly released software is rarely adequately tested and therefore should never be used for "mission critical" applications. Consequently EAD-IT chose to use Access version 1.1. The inability to agree upon a common database created recurring problems as data had to be repeatedly translated back and forth between the two versions. It is my opinion that it is preferable to err on the side of caution, so if I had to choose which database to use for such a critical application, I would choose one that has been thoroughly proven in actual use. However, I also feel that a compromise position which allowed the entire organization to use one common database application would have been more productive.

It was clear from the entire selection of software that in the issue of "proven reliability" vs. "cutting edge technology", the newest technology won every time. Novell Netware is a proven network platform with a broad base of knowledgeable technical experts, but with fewer features than the unproven cutting-edge Windows NT Advanced Server. Access 1.1 is a proven database application with thousands of knowledgeable "experts" available via Compuserve or the Internet to help solve any problems, while Access 2.0 was still in beta test when we began using it. Microsoft's SQL Server is newer and more exciting, but less proven than any of a dozen alternatives. Fortunately, we did not run into any unsurmountable problems from the choice to use all the latest software gadgets, and the entire process was a lot more fun as a consequence of this choice. However, in future projects, particularly when there is such a limited time in which to implement solutions, I would recommend choosing a hardware and software platform that has been in use long enough to at least uncover most of the bugs. (Within 6 months, all the software used in this election will fall into this category, and consequently, would be an excellent choice for future projects.)

Summary

A great many recommendations may be made regarding the improvement of the processes used in automating this election. A detailed analysis of all the paper forms used would result in a long list of recommendations about form design. A more concise version of these recommendations is probably more appropriate - all forms designed for use in collecting data which will be entered into a computer database should be designed by or in conjunction with a data processing (DP) professional who will be involved in the actual database design.

Many of the problems with efficiency and security also stemmed from a lack of the appropriate advance planning. The problem was not necessarily with the quantity of advance planning, but with the quality of planning which was crippled by the conspicuous absence of anyone with a data processing background.

DP planning involves from the onset the definition of Data Sources, Data Flows (how the information is transmitted), Data Processes (validation, summarization, encryption, etc.), Data Stores, and Data Recipients. Many of these reflect entities and processes outside the computer system, but which have a profound impact on the total collection, storage, and communication of data. The identification of sources and recipients of data, if done before the system is defined, takes only a fraction of the time required to respond to unexpected sources and recipients after the system is defined.

With regard to security, each change which is introduced into any system must also be addressed with regard to the effect upon the security of the system. In the April 1994 South Africa election, changes were made by the political parties, and demands made by the press, with no regard to the amount of time required to implement the changes. These changes and demands were accepted by the Commissioners, and passed on to an Information Technology department with no authority to modify the demands or the timeframe for meeting those demands. The result was a mad last-minute scramble which compromised the security and quality of the database, and nearly compromised the overall election results.

The prescription to avoid this disaster has two parts. First, it is essential to involve someone with a solid DP background early in the process of defining procedures for collecting and communicating information. Second, throughout the process it is important to have a DP person involved at a decision-making level, so that modifications to the process are only accepted with a thorough understanding of the implications to the integrity and security of the data, and with appropriate consideration to the additional costs in terms of time and/or manpower.



FACSIMILE MESSAGE

TO : ALL PEOs

FROM : ROD OOSTHUIZEN -
EAD PLANNING DEPARTMENT

DATE : 28 MARCH 1994

SUBJECT : VOTING STATIONS -
METHOD OF PROVIDING THE
PLANNING DEPARTMENT WITH
INFORMATION ON NEW VOTING
STATION SITES

The following procedure is to be followed in providing information on New/Additional Voting Station Sites:-

- 1) Fill in specimen list of new Voting Stations (see attached)
- 2) Fax list of New Voting Stations to the Planning Department
(fax no 011 353-1522)
- 3) The list of new Voting Stations will be the only acceptable format for communicating information for New/Additional Voting Station Sites.

Regards
ROD OOSTHUIZEN

Commissioners: Judge J.C. Kriegler (Chairperson), Adv E.D. Moseneke (Vice Chairperson), Rev F. Chikane, Dr O. Dhlomo,
Mr J.H. Heyns, Ms R. Jager, Ms D.N.M. Mokhobo, Adv C. Nupen, Dr H. Suzman, Mr B. van der Ross, Adv Z. Yacoob
International: Mr R. Gould (Canada), Professor W.J. Kamba (Zimbabwe),
Ms G. McDougall (USA), Mr A. Teckle (Eritrea)

DETAILS OF ADDITIONAL VOTING STATION SITES

PROVINCE	
MAGISTERIAL DISTRICT	
ADDRESS	
PROPERTY OWNERS NAME	
PROPERTY OWNERS	
POSTAL ADDRESS	
NAMES OF PERSONS APPROVING SITE	PEO/DPEO: POLICE: TELKOM:
STATUS OF AGREEMENT WITH OWNER (Tick whichever applicable)	AGREED <input type="checkbox"/>
	NOT AGREED <input type="checkbox"/>

IFES/South Africa. Consultant Activity Report.*Network Management--Bob Wilcox. April 5-May 4, 1994.*

The historic, first multiracial elections in South Africa were supported by a networked computer system usually seen only in countries whose long history of elections has allowed them to build the people infrastructure to effectively use these systems. For South Africa, these systems made a difference in the conduct of the elections. The computer systems were essential in supporting rapid reporting and analysis of election incidents, allowing prompt certification of "freedom and fairness". The computer systems supported personnel & payroll records for over 250,000 employees. Finally, the systems allowed the reporting of elections results on a real-time basis to the world press--although not without hitches. IFES was instrumental in providing key "people infrastructure" that allowed the computer systems to be used successfully.

Much of the groundwork for the computer systems and networks had been put in place when I arrived April 5, 1994. Each of the 32 sub-provincial IEC offices was provided with about 12 computers, an ethernet network hub, wiring and printers. These sub-provincial offices were connected by routers and telecommunications circuits to the 8 provincial offices. An additional provincial office was co-located in the elections headquarters in Johannesburg. The provincial offices had larger networks, 50-100 computers, plus a server, ethernet hubs and wiring and printers. The routers in the provincial offices connected the provincial offices and the sub-provincial offices to the IEC national headquarters [NHQ] in Johannesburg. The NHQ LAN supported about 600-700 computers, dozens of printers and 6 file servers. Completing the system were connections to networks in the Gallagher Estate media center in Midrand and the secret alternate vote counting site provided for disaster recovery.

The computer systems were used for office automation (word processing, spreadsheet, calendar) including electronic mail in all sites. A set of large databases residing on the Johannesburg server were accessible in all of the IEC offices. These databases included the election events/incidents database, the people & payroll databases, equipment inventory and telephone directory. Computer systems also supported the vote counting process.

My role for IFES was to ensure these networked computer systems were reliable and effective. To do so, I worked in 3 areas: interdepartmental communications & "people networking", technical support in NHQ and finally field visits to many of the outlying IEC offices.

I quickly developed a good working relationship with the telecommunications department. This was essential. The telecommunications department installed and maintained the inter-building computer network links. Through them, I was able to quickly find out if a link was working or not, or whether it was overloaded. This excellent working relationship allowed us to get the Gallagher Estate media links and the alternate site links installed quickly. I worked to bring the NHQ network and telephone wiring contractor in closer communication with the IT department. This speeded the installation of network connections in the NHQ building which was one of the most common requests by computer users there. It also allowed quick installation of the counting

LAN in the Elections Administrations Division [EAD] and the manufacture of cables for the alternate site and Gallagher. I worked closely with the EAD vote counting group (RAD-IT) to successfully meet their network needs. The teamwork across organizational boundaries by IFES consultants in EAD, telecommunications and in the Information Technology group [IT] was a huge contribution to the elections. IFES should continue to expand this activity.

The bulk of my work, 3 of the 4 weeks, was in providing technical support of the networked systems in the NHQ. I first trained a technician to test network connections and work with the wiring contractor to correct problems. He was able to perform this task without supervision. I arranged a network analyzer and determined that the network was sound. I trained the off-hours support staff so they could recognize major faults with the analyzer. I was able to analyze the database application showing that the poor application performance was due to the application software. I arranged for additional equipment to be delivered and installed. Finally I designed and installed the network in EAD and at the alternate site for vote counting and the Gallagher Estate network.

Two days after arriving, I undertook a one week trip to 12 sub-provincial IEC offices and 2 provincial offices. Travel was by private plane with air costs covered by the IEC and the telephone vendor. In site, I identified the computer contact we could work with on an ongoing basis and provided training and information on network technology, installation & troubleshooting. The field contacts learned who at IEC headquarters to contact for technical assistance 24 hours a day. At each site, I fixed any LAN problems and installed and tested the router. I collected provincial and sub-provincial network and floor plan diagrams to facilitate remote problem resolution over the telephone from IT or Telecom in NHQ. Our visits succeeded in bringing the remote sites on-line and enabling communication between the IEC staff at NHQ and the remote sites. The remote personnel appreciated the training. They were excited and proud to take on the responsibility of supporting the network.

The IFES team spanned several functional groups. As has been widely reported, the IEC was disorganized. There was little or no management or business culture in many divisions. Further, there was not a management structure for communications between groups. Some projects that required cooperation between departments were crippled. The informal communications between IFES consultants and Tom Bayer had a critical positive impact on projects like the EAD-IT counting LAN. I recommend that this "people networking" role--informal or formal--be stressed in future elections projects in South Africa. The consultants should meet regularly as a group with the program manager, as often as once every other day. An effort should be made to place a consultant in each of the major departments. Even if it isn't appropriate for the IFES group to take a leadership role in these departments, they can serve a very effective facilitation role. It would be useful for the consultants to arrive on site earlier, or to at least have an IFES role in each department of the election administration almost the beginning of the election process.

In summary, I believe IFES made major intended and non-intended contributions to the South African election. I think our team operated in an open, non-discriminatory manner, setting a good example for our counterparts. I found the work personally fulfilling and I would repeat the trip with no hesitation.

APPENDIX G10

IFES/South Africa. Consultant Activity Report.

Information Processing--Anne Gordon Drabek. April 3-May 15, 1994.

I. Consultant's Scope of Work

Quoted from contract: "Consultant will serve as an Information Processing Officer within the Monitoring Directorate, Information and Operations Department, of the South African Independent Electoral Commission. Contractor will be responsible for gathering data for the IEC Monitoring Directorate. Contractors responsibilities will include, but will not be limited to:

- (1) Liaising with political parties, media, South African Police and others having information, and feeding it to a central operations structure;
- (2) Presenting information on a daily basis to the Co-ordinator such that monitoring operations staff can be deployed effectively;
- (3) Receiving hourly reports from these monitors in the field;
- (4) Analysing data and presenting it to the Co-ordinator on a daily basis; (5) Liaising with the Operations Officer.

Contractor will be responsible for the coordination and oversight of daily briefing papers for commissioners and directorate directors. Contractor will be responsible for the management of daily activities of information gathering staff. Contractor will undertake additional tasks as directed by IFES staff."

II. Consultant's Activities

The original scope of work turned out to be relatively accurate in terms of my actual responsibilities. I was assigned to work in the Information Unit (IU) in the National Operations Centre (NOC) of the Monitoring Directorate (EMD). The IU played a general facilitative role gathering information and conveying it in different report formats to a range of individuals and departments within the IEC: operations, logistics and accreditation (of monitors), analysis, mediation, investigation, special monitoring, voter education, intelligence, security, the South African Police, media, telecommunications, transport, international observers, and ultimately, the IEC commissioners themselves. Had it turned out to be necessary (if the election had been seriously challenged), these reports would have formed the basis of any in-depth assessment of the freeness and fairness of the election. As it is, they will be available for historical analyses of the election process.

The substance of the IU reports varied, but focussed on media coverage of the election process (national and international press, TV and radio); summaries of provincial (POC) and sub-provincial (SPOC) operations centres' situation reports of routine situations, incidents and complaints, filed either by monitors or direct to the operations rooms by political parties, other monitoring Organizations, the public, etc.; and calendars of political campaign events (prior to voting) and their monitoring requirements. All of these reports were prepared on a daily basis in the run-up to the election. The first two types of report were prepared on an hourly basis (24 hours) during the election itself. (See: *IEC NOC Hourly Election Report Sheet*.)

The reports were used to determine monitor deployments during the campaign and to ascertain whether monitors were actually being deployed and submitting reports as instructed. They also informed decisions on appropriate actions to respond to incidents or complaints (eg. mediation or investigation), or in some cases, to more serious situations such as civil servants' strikes or sit-ins and security threats to IEC offices, political parties' offices or voting/counting stations (referred to SAP, intelligence, etc.).

The IU was responsible for developing formats for all of the reporting systems and fine-tuning them over time to accommodate changing information needs. Each time a change occurred at the request of another department or director (and this was far too often), the IU spent quite a bit of time working with the POCs and SPOCs to help them understand why and when the information was needed. The IU also had to ensure, as much as possible, that other departments in IEC H/Q were not creating other information flows which were either duplicative or inconsistent with the Info/ops efforts. This became a real problem immediately prior to and during the election itself, and the IU had to work hard to minimise confusion at the POC/SPOC levels.

Every morning prior to the election, the IU presented its daily situation reports ("sitreps") [See: *Situation Report*] to the operations committee, chaired either by Phiroshaw Camay (head of information/operations) or Francis Wilson (head of logistics and accreditation). The committee provided additional feedback on any issues arising from the reports and then reviewed the monitor deployment requirements for that day. The reports were then revised by the IU and distributed to all key participants in the committee.

During the month of April, daily briefings were held at 5:00 pm to discuss security and intelligence matters related to the electoral process. The objective of these briefings was to ensure that all information sources were shared within the Commission, especially with a view to verifying reports regarding trouble spots or threatened violence, civil servant strikes (Lebowa, Bop), AWB action, or other disruptions. These sessions were convened and chaired by the IU, and were attended by the SAP liaison, and the following IEC departments: intelligence verification, special monitoring, analysis, info/ops. Key information shared and confirmed as a result of these meetings was then presented the next morning in a special section of the sitreps, labelled "Confidential", to the entire operations committee. Relevant information was also passed to the Chiefs of Operations (COOs) at the POC or SPOC concerned.

POCs and SPOCs varied considerably in the quality of their sitreps, and the IU was responsible for liaising with the POC COOs and heads of information units to resolve any problems. During the second and third weeks of April, I spent a large portion of my time reviewing and

commenting on their reports, over the phone and in writing, until the quality was acceptable. This was an extremely useful investment of time in the short and medium term because I was able to develop personal relationships with the key people in the POCs, thus facilitating communication later during the election crunch period. It also meant that by the time of the election, our reporting systems were working quite well.

A persistent problem was the difficulty in obtaining adequate monitors' reports (in terms of quality, quantity and regularity) at the POCs and SPOCs which persisted more or less until the election. Info/ops had to repeatedly press the Logistics and Accreditation (L&A) department to enforce this requirement with effective sanctions. Finally, they imposed a "no report, no pay" rule on monitors which resulted in somewhat more consistent performance. However, information flows were also hampered by lack of communication facilities in the more remote areas of the country and by turf battles among departments at the POCs and SPOCs, with some L&A field staff withholding written monitors' reports from the operations rooms. This problem was eventually resolved -- in some regions, just before the election.

My relationships with three of the POCs were greatly facilitated by the fact that I was able to visit them early on (April 7-9) with Phiroshaw Camay, in order to assist them in setting up their operations rooms and info units, clarify their tasks, and try to resolve logistic, equipment or bureaucratic problems (reports attached). We visited Bloemfontein (Orange Free State), Pietersburg (Northern Transvaal), and Nelspruit (Eastern Transvaal) over the three days and met with their COOs and regional directors, as well as other staff. In Pietersburg, we attended a training workshop for the COOS of the SPOCs in the Northern Transvaal region and made presentations on the information/operations system and on reporting requirements. It was also enormously helpful for me to have actually seen the situations in which they were working, meet some of their staff, and generally appreciate the challenges they faced.

The IU was also expected to collect information from sources outside of the IEC, including political parties, human and legal rights groups, international observers, peace monitors and committees, the media, etc. This activity was shared among the IU team, depending to some extent on individual's contacts. Information obtained from these sources was useful in confirming other reports, and where verified, was included in our sitreps as appropriate.

As the election drew near and the IU identified monitoring and reporting requirements, it became evident to me that there was a lack of clarity as to who was responsible for receiving and reporting on monitors' reports from the foreign voting stations. Several departments were playing roles in developing systems for this, but there was no regular liaison among them. The attached memo on foreign voting (See: *Reporting on foreign voting*.) was the result of my contacts with the departments involved. While I did not in the end write the report on foreign voting (it was prepared by the foreign voting officer in L&A who was more familiar with the entire process), at least my efforts helped to achieve some clarity about division of labour and sharing of information. This especially informed the NOC (National operations Centre) about its responsibilities in terms of receiving monitors' reports from abroad, and forwarding them to the appropriate departments.

Over the election period itself, in addition to the hourly reporting processes, the IU handled a variety of requests for clarification or action from the POCs and SPOCs as they were trying to cope with the chaos resulting from maldistribution of voting materials. On the second day of voting, when serious problems arose because large numbers of voters in the East Rand and in Natal/KwaZulu were not able to cast their votes, we gathered feedback from the field to inform decisions which had to be made by the Commissioners about extending the vote for a third day in some areas.

Over the entire counting period, when monitor reports were inadequate, we assisted the NOC in the count verification process, by tracking down lead monitors at counting stations to confirm vote tallies. We also answered many queries from POCs and SPOCs (or passed them to the appropriate department) about how to handle problems regarding possible irregularities with ballot boxes, etc.

As the counting process was being completed, and the POCs/SPOCs winding down, I prepared an evaluation questionnaire (See: *Final Evaluation Questionnaire*) which was then faxed from Phiroshaw Camay to all COOs and heads of information units in the POCs/SPOCs. Our unit also responded to the questionnaire. (Refer to the attached reply from NOC information unit which was drafted by me, based on consultations with two colleagues.) Responses were received from approximately 75% of the POCs/SPOCs (30 out of 40), and I subsequently analysed the responses and wrote the attached summary report. This report has been submitted via Phiroshaw Camay to the Director of the Monitoring Directorate (Peter Harris), and has been circulated to all of the respondents for their information. The responses provided very useful feedback - quite detailed in some cases - on what worked and what did not in the information/operations processes. This will be fed into whatever overall assessment is undertaken of the electoral commission. In some cases, it also provided individuals with a much needed opportunity for "venting" or catharsis, after what had been an extremely intense experience!

Finally, all of the information unit reports were carefully filed, logged and handed over to become Part of the IEC "archives".

III. Consultant's Evaluation of Project or Activity

I believe that IFES made a considerable contribution to the effectiveness of the IEC through the consultants provided. Certainly, I was told by various people that several of the individuals brought skills to the IEC which were totally lacking, especially in information technology, communications, logistics, and management of materials and equipment. Unfortunately, some of the advice provided by these individuals was not heeded as much as it could/should have been. Sometimes, due to their historical isolation, South Africans have a tendency to say "we can do it ourselves" I hasten to add that this did not happen to me, nor did it happen to people like Fred Hayward, whose input was much appreciated. I think it is also fair to say that sometimes being an "outsider" (without a vested interest in the process or its outcome) gave one a distance and perspective to be able to broker difficult relationships or situations. These instances did not, of course, occur by design but by coincidence -- of events and personalities. I do hope that in some way, the IEC has formally acknowledged IFES's assistance.

I regret that, by force of circumstance, the IFES group did not have more contact and opportunity to share experiences. Tom Bayer certainly tried to get us together, but the demands of the situation had to take priority. If IFES does decide to do some follow-up work in South Africa or in the region, it would certainly make sense to call upon this group to provide their ideas.

IV. Suggestions/Recommendations/Follow-up

(A) *Looking ahead in South Africa:* As Tom Bayer and I have discussed at some length, there is a clear need for an in-depth assessment of the IEC and its role in the South African election process. There is also a need for the new South African government to move ahead with some speed to set up ongoing mechanisms for election management at the national, regional and local levels. Fortunately, it appears fairly certain that the local government elections, formerly scheduled for October 1994, will be delayed until 1995. However, there is much work to be done in determining the appropriate structures and putting them in place.

From what I can gather, the IEC Commissioners are beginning to give some thought to what would be most helpful. I presume that the report prepared by Steve Friedman in the Analysis Dept. is now available, though I have not seen it. Probably several donors will have an interest in assisting with the assessment and planning processes, including USAID as we already know. The most important factor in my view is that whatever assessment is undertaken should be driven by internal South African needs and led by South Africans.

In terms of useful roles for IFES to play at this juncture, I have one particular suggestion. In light of the information which IFES must have available about models adopted in other countries (Africa and elsewhere) for election management, I think it would be enormously helpful to make some of this information available to the South Africans as background for their own planning processes. What is unclear at this point is who would make best use of this information. I would suggest that you keep in touch with the IEC to determine what plans are made for follow-up and then see how IFES can inform the process.

(B) *Comparing experience in the Southern African region:* There is now a substantial body of experience with democratic elections in Southern Africa - Zimbabwe, Zambia, Angola, South Africa, Malawi, and so on, with Mozambique coming up in a few months. As Tom and I discussed, IFES might play an invaluable role in facilitating a regional workshop/consultation to compare experiences and lessons learned. This could address questions of principles, process and institutions behind election management. It is not at all clear to me that at present one country is learning from another as they embark on developing new political processes. This could lead to a lot of wasted effort and repeated mistakes. Because so many countries are going through similar processes at the same time, the tendency is to be aware from a distance, but not to actively engage each other in discussion and debate. Often, such dialogue needs to be sparked by an outside player.

Such a workshop would entail quite a bit of planning and preparation, and could be quite costly if it brought together key people from the region as well as outside. However, I suspect that given wide donor interest in democratization processes in general and elections in particular, funds could be raised. I don't know whether this is the sort of thing that IFES would want to get involved in, but it seems that there are only a few organizations with such wide experience of elections. IFES might be ideally placed to provide a conceptual framework from a range of experiences.

(C) *Beyond elections*: I think there is a danger in South Africa, as in other newly democratising countries, of regarding the happy result of a relatively free and fair election as a point of closure. In my view, it is just the beginning of an ongoing process of democracy building. It may be that this is beyond the brief of IFES, but I do feel strongly that those in the donor community who supported voter education, monitoring and other elections related activities, should maintain their involvement and support a continuing effort in educating people about civic responsibility (what do citizens have to do to ensure that the conditions for democracy continue to exist and that the newly elected government remains accountable to the people who elected it?) and in institutionalising other aspects of a democratic system. Free and fair elections are a necessary, but by no means sufficient, condition for democracy.

SITUATION REPORT

Contents:

1. MAJOR ISSUES OF THE DAY
2. GENERAL SITUATION/DEVELOPMENT OF POSITIONS OF:
3. OTHER RELEVANT INFORMATION

Period: 20/4/94 0800 Hr until 21/4/94 0800 Hr

MAJOR ISSUES OF THE DAY

(See "<<" items below)

1. CP set to contest the election.
2. IFP pledges to accept election results
3. Cosatu denies supporting TEC moratorium on strikes (see attached press release)
4. Bomb explodes at IEC offices in Hoopstad

GENERAL SITUATION/DEVELOPMENT OF POSITIONS OF:

(a) Authorities:

Multi-party Negotiating Council

On Wednesday the MPNC unanimously adopted a constitutional amendment that formed the basis of the IFP's decision to participate in the elections. The amendment provides constitutional protection for the King, in both the interim constitution and a provincial constitution that could be adopted in Natal/KwaZulu. To further guarantee the IFP's full participation in the elections, the MPNC passed resolution in which all political parties committed themselves to accepting the election results and not resorting to violence to pursue political objectives. (SAPA 20/4/94)

IEC:

**At 2:05am on April 21, a bomb of unknown origin exploded at the offices of the IEC in Hoopstad. The explosion caused damages of approximately R20 000 to the building. No one has yet been arrested in connection with the incident which is being investigated by the SAP. (NATJOC - Hoopstad)

There is potential for a row between the IEC and some Durban schools gazetted as polling stations. Some boards of governors say their schools have been listed as polling stations in spite of their repeated refusals. Some principals said they had been unable to obtain guarantees on possible damage. In reaction, the IEC said not even Model C schools had the right to deny the use of their premises as polling stations. (SAPA 20/4/94)

The IEC will relax restrictions preventing journalists from coming within a 600m radius of voting stations. IEC spokesman, Pieter Cronje said that the IEC and representatives of local and foreign media organisations have agreed on guide-lines for access to voting stations by journalists. Presiding officers would be urged to consider permitting two journalists at a time to enter voting stations but at the same time those officers would retain absolute discretion to exclude any one from the station to ensure that the voting process is not disrupted. (*Star* 21/4/94)

The IEC is racing against time to establish 700 more voting stations in KwaZulu/Natal and to complete the printing and distribution of IFP ballot stickers. (*Star* 21/4/94)

The IEC will start "a major voter education blitz" in Natal today to reassure voters about the voting procedure after agreement on the addition of the IFP's sticker. The IEC will require an extra staff member in each voting station to cope with putting the stickers on the ballot paper. (*SAPA* 20/4/94)

IEC vice chairman Dikgang Moseneke says the KwaZulu government has pledged its full support to ensure an additional 500 voting stations are established in the territory. Commissioner Charles Nupen added that another 13 000 people had to be trained to staff the new polling stations. Intensive training courses will be held over the weekend. Traditional chiefs have also given their full support to the IEC's voter education programme provided they are informed of the IEC's presence in their areas. The KwaZulu government has pledged its full co-operation including the use of human resources, transport and other logistical requirements. The KZP will be involved in securing polling stations. (*SAPA* 20/4/94)

The IEC has been warned by the Electoral Appeal Tribunal to establish that there is a case to be made against a political party before bringing complaints of intimidation before the court. The tribunal said it was concerned that in two complaints against the ANC this week, the monitoring directorate had failed to set out a cause of action when originally issuing summons. (*Business Day* 21/4/94)

The IEC has reported good progress in Natal despite the IFP's late inclusion in the election. However, officials said security arrangements were holding up the publication of locations of the polling stations until the weekend. (*Business Day* 21/4/94)

The IEC has fired a monitor who gave a clenched fist salute at a political meeting in Port Elizabeth. This action resulted from an ACDM complaint over the monitor's conduct at an operation access meeting. (*Sowetan* 21/4/94)

An article analysing the implications of the civil service strike in Lebowa says that the strike could be prolonged until after the election as hundreds of strikers have taken jobs with the IEC. The article also argues that while politicians argue among themselves, ordinary citizens in Lebowa are being denied basic services. (*Pietersburg POC - [Weekly Mail?]*)

IEC Information Verification Department points out that hospitals are not functioning, bodies are not buried, water provision is a problem and the police are ineffectual.

The Independent Media Commission has asked the IEC to act against parties whose members are involved in violence or coercion against journalists. The IMC believes journalists are entitled to the greatest protection available by bodies responsible for the administration of the election. (SAPA 20/4/94)

IEC:

**A Cosatu spokesman has denied that the organisation supports the TEC's proposed moratorium on strikes in the run-up to the election. It said that instead its officials were travelling to the homelands in an effort to involve public sector workers in finding solutions to their grievances, and in particular to ensure that essential services were restored before the election. (Business Day 21/4/94)

The TEC heard yesterday that more than one million people would not be able to vote unless the Electoral Act was amended to allow the use of TBVC travel documents. TEC joint executive secretary said many people living in the TBVC states had refused to acquire identity documents because these validated the independence of those states. The TEC will reconvene today to decide on the matter and to discuss other amendments to the Act. (Business Day 21/4/94)

Homelands/Self-governing territories:

Lebowan PM, Ramodike, has called his cabinet to dissolve his government. The TEC is expected to take charge of before the end of the week. Civil servants are threatening not to vote unless Ramodike resigns. (Radio 702: 1600hrs: 20/4/94)

A large percentage of Winterveld residents in Bop will be unable to take part in the elections because they will not get their voter cards and IDs in time. Sanco chairman for the Moretele-Odi Region said the Home Affairs Department was not coping with the large number of applications. Staff had only one computer to process over 2000 applications a day. (SAPA 20/4/94)

15 radio/satellite telephone units are to be installed in remote areas of Transkei for the election next week. The aim is to facilitate communication between remote areas and the IEC. The system allows calls to be made from remote locations via a satellite over the Atlantic Ocean. (SAPA 20/4/94)

Border Peace Committee monitors will be deployed in Transkei even if official permission is not granted by Monday, the committee said. Transkei is not a signatory to the National Peace Accord and has never recognised the Border Peace Committee. Some 1400 trained peace monitors will be deployed. The committee expressed concern about not being able to reach the Transkei leader to resolve the matter. (SAPA 20/4/94)

NPKF:

**The NPKF in Thokoza has been confined to base and the SADF is back in the East Rand. The NPKF was withdrawn yesterday after four days in action. A spokesman said that they would remain in barracks until they had "reorganised themselves". (Star 21/4/94)

(b) Political parties

NP:

The NP in Natal has unveiled a draft constitution for the province, granting partial sovereignty to the Zulu Kingdom and greater territorial powers to the Zulu monarch. The constitution grants the Zulu Kingdom sovereignty over indigenous law and customs, and local government in tribal areas. It also states that the Kingdom of KwaZulu will be governed by the Zulu monarch, a council and an executive. The NP proposes the council consists of 80 members, half of them traditional leaders. Natal NP chairman and Minister of Home Affairs, Danie Schutte said the proposals went much further than those of the ANC or the IFP. (SAPA 20/4/94)

ANC:

Cyril Ramaphosa says that the Zulu king will have power and influence as far as customary and traditional matters are concerned, but that he will not have executive powers. He also said that traditional chiefs had telephoned the ANC saying they were not pleased with the agreement and also wanted recognition for SA's seven other kings. Ramaphosa said that the ANC would certainly listen to their concerns after the election. (SAPA 20/4/94)

The ANC and Holomisa have been found guilty of contravening the Electoral Code of Conduct. The IEC tribunal, which sat on Tuesday, issued a formal warning and ordered the ANC to pay legal costs. The tribunal found Holomisa's statement that the NP would spike "pap en vleis" with ink and feed it to blacks was inflammatory. The ANC will conduct a disciplinary enquiry into the matter. (SAPA 20/4/94)

IFP:

**Buthelezi said yesterday that the IFP will accept the results of the election if they are endorsed by the international community. IFP delegate, Walter Felgate supported this statement saying, "We will accept the results of the election and will abide by the decision of the IEC in respect of the fairness and freeness of the election". (Star 21/4/94)

IFP central committee member, Sue Vos, said many hostel residents might not be able to vote because they did not have ID documents. She also said that the long-standing hostilities necessitated the setting up of voting stations inside hostels. The IEC is investigating the options and will probably make an announcement today. (Business Day 21/4/94)

The IFP's list of candidate for the election will be finalised today. Buthelezi will approve the list before it is submitted to the IEC. (Star 21/4/94)

IFP central committee member, Albert Mncwango, who told the IEC a month ago that it was not able to use schools in KwaZulu as polling venues, has pledged the IFP's full co-operation with the IEC. At an IFP rally in Ulundi he told the IEC that it was very welcome and that it would have the "fullest co-operation of our people, especially in the rural areas". (SAPA 20/4/94)

The IFP is to appeal against an IEC fine of R100 000 for its occupation of the stadium at Umlazi last month. The appeal will be heard in the Pietermaritzburg Supreme Court today. (SAPA 20/4/94)

**Speaking at the rally yesterday, Buthelezi acknowledged that the IFP was at a disadvantage because of its late entry, and called for an end to the state of emergency. (Radio 702: 1600hrs: 20/4/94)

ASM:

The Azanian Students' Movement (ASM) says that the IEC's decision to use schools as polling stations should be reversed because it exposed them to right-wing terror attacks. The ASM was reacting to reports of a fire destroying two classrooms at Thokozana Secondary School at Carolina in the eastern Transvaal on Tuesday 19. The damaged school is on the IEC's list of polling stations. (SAPA 20/4/94)

CP/FF:

**Talks between the Freedom Front and the CP could lead to all right-wingers taking part in the election. Constand Viljoen said that a meeting held with CP leader Ferdi Hartzenberg might well result in all people in SA going to the polls next week.

OTHER RELEVANT INFORMATION

The South African Prisoners Organisation for Human Rights (Sapohr) has threatened to resume its mass action unless de Klerk signs a proclamation allowing all prisoners to vote. Sapohr leader Golden Miles Bhudu said de Klerk has until 2pm today to act on the TEC resolution and, if he did not, all prisoners would embark on work stoppages and hunger strikes to force him to accede to their demands. (Star 21/4/94)

A special European Parliament delegation will arrive in Johannesburg today to join the European Union's 300-strong election observer team. The 14 members will be deployed in the PWV, KwaZulu/Natal and Western and Eastern Cape. (SAPA 20/4/94)

The Congress of SA Students (COSAS) was concerned that its feud with the Pan Africanist Students Organisation (PASO) in KwaThema on the East Rand could spill over into other areas. "COSAS has called for a meeting with PASO to defuse the situation because of the serious consequences it might have on the election. (SAPA 20/4/94)

The International Press Institute yesterday lodged a strong protest with several right-wing parties, saying it had been informed black and coloured journalists had been removed or barred from their public meetings. In a letter to the five parties (the AVF, FF, Afrikanerbond, the Boerestaat party, and the HNP), the Institute said "We therefore strongly urge you to ensure your campaign organisers allow reporters of any race, gender or political inclination to attend your events without further obstruction". (SAPA 20/4/94)

Archbishop Tutu appealed to the media to "act with self-restraint in the present delicate and volatile climate, and not to give undue prominence to inflammatory statements by politicians. (SAPA 20/4/94)

COSATU PRESS STATEMENT 20/4/94

PROGRESS IN RESOLVING PUBLIC SECTOR STRIKES

In the last ten days COSATU has been making an all-out effort to help resolve the public sector strikes which have been sweeping the country. In a statement released last week, we indicated that while COSATU was opposed to a moratorium on strikes being decreed, we would do all in our power to negotiate a resolution to these strikes, and in particular to ensure that essential services were restored before the elections.

Among the obstacles we have been confronting in recent weeks in finding a solution to these strikes are:

- * The ham-handed manner in which central and provincial government have responded, and continue to respond, to legitimate grievances of public sector workers;
- * the mismanagement and legitimacy crisis of various bantustan administrations;
- * the fact that some workers taking action don't fall directly under the discipline of trade unions affiliated to COSATU;
- * the problem of a minority element who are deliberately attempting to prolong the strikes to undermine the elections.

Despite all these problems, we are beginning to make significant headway in resolving the strikes. COSATU has facilitated processes in recent days which have led to the resolution of strikes in Bophuthatswana, Qwa Qwa and Venda. Intervention in support of police demands, which have partially been met, has also hopefully avoided the danger of strike action by police before elections. We are further engaged in discussions at the moment with workers and the relevant authorities to resolve the strikes in Lebowa and Transkei.

There is no question of us 'telling workers to end their action' or agreeing to a strike moratorium, as was incorrectly reported in today's Star newspaper. Our approach is rather to set up appropriate mechanisms which workers have confidence in to address their grievances.

To this end, we have also managed to co-ordinate a national approach to the problems facing public sector workers, through a special task force of the TEC. The public sector unions, together with COSATU's public sector co-ordinator, are meeting with the TEC today in an attempt to finalise agreement on a range of issues relating to the strikes.

COSATU is attempting to ensure that an acceptable formula is found to deal with critical concerns of public sector workers, including:

- * restructuring of pension and provident funds to ensure effective control by workers;
- * rationalisation and restructuring of the public sector;
- * disparities in salaries;
- * backlogs in promotion and other historical imbalances.

As far as the Lebowa situation is concerned, the installation of Minister Andre Fourie by the government as administrator of Lebowa last year has exacerbated the problem, rather than solving it. The presence of Fourie has now become the single biggest obstacle to the resolution of the strike before the elections. Workers are demanding that he be removed immediately, for his inept and provocative handling of the situation. Further his presence in the area has been unlawful since, in terms of the government proclamation installing him, his 'term of office' expired at the end of March this year.

COSATU therefore reiterates the demand that Fourie's interference in the region come to an end, and that the TEC take over administration with immediate effect. If the TEC reaches this decision today, COSATU is optimistic that workers could decide to return to work tomorrow. COSATU General Secretary Sam Shilowa will be addressing a meeting of Lebowa civil servants in Lebowakgomo at 9h00 tomorrow (Thursday 21st). He will be addressing a meeting of Venda civil servants at University of Venda on Friday 22nd April at 10h00. Press are welcome to attend both events.

SUMMARY OF REPORTS

20/4/94

REGION	Events	Events monitored+	Routine reports	No. incidents P/T/D/V*	Complaints PP/ MN/ PU/ OMN **
PWV	27	25	32	0	4= 4PU
E TVL	8	7	28 (35)	0	
N TVL	10	4 (10)	18 (16)	0	2
NATAL	33	12	54 (47)	0	0
E CAPE	40	30 (31)	22	0	3
NW	45	22 (23)	29 (26)	2	9= 2PP; 2MN; 5PU
N CAPE	19	19	39	0	0
W CAPE	72	30 (74)	33 (36)	1	2
OFS	22	11 (6)	64 (25)	0	11
NOC					51= 47PU; 4PP

* P = Peaceful; T = Tense; D = Disrupted; V = Violent

** PP = Political Party; MN = Monitors; PU = Public; OMN = Other Monitors

+ No. in parenthesis corresponds to the no. of events listed individually below. The first no. is the total reported by POC as having being monitored.

EVENTS TO BE MONITORED/ MONITORED

REGION and event	routine reports	incident reports	Description(s) of incident(s)
PWV			
1. NP Meeting, Fourways	1	0	Peaceful
2. NP Meeting, Midrand	9	0	Peaceful
3. ANC Public Meeting, Westbury Hall	0	0	No report from 45 Monitors
4. ANC Voter Ed., Eldorado Park	0	0	No reports from 6 Monitors
5. ANC Students Meeting, Rosebank	0	0	No reports from 15 Monitors
6. ANC Teachers Forum, Jabulani	0	0	No reports from 24 Monitors
7. IEC Observer Training, Wits	0	0	No reports from 30 Monitors
8. FF Public Meeting, Cullinan Hall	0	0	No reports from 10 Monitors
9. LUSO/SAP Meeting, UNISA	3	0	
10. ANC Public Meeting, Azaadville	1	0	Peaceful
11. AMP Public Meeting, Azaadville	1	0	Peaceful
12. DP Public Meeting, Benoni	0	0	No reports from 20 Monitors
13. FF Public Meeting, Brakpan	0	0	No report from 20 Monitors
14. ANC Voter Ed., Duduza Soccer Field	0	0	No report from 20 Monitors
15. ANC Voter Ed., Duduza	0	0	No report from 20 Monitors
16. ANC Public Meeting, Reigerpark	0	0	No report
17. NP Public Meeting, Tembisa	0	0	No report from Monitors
18. NP Public Meeting, Actionville	0	0	No report from 30 Monitors
19. IEC Voter Ed., Boipatong	7	0	Peaceful
20. ANC Mock Election, Sharpeville	3	0	Peaceful
21. ANC Youth Rally, Sebokeng	1	0	Peaceful
22. NGO Youth Summit, Sebokeng	0	0	No report from 15 Monitors
23. Issuing of Voter cards, Sharpeville	0	0	No report from 5 Monitors
24. ANC Voter Ed., Orange Farm	1	0	Peaceful
25. SADTU Forum, Sebokeng	5	0	Peaceful

Description of serious incidents/complaints

EASTERN TRANSVAAL			
1. DP meeting - Pilgrim's Rest	0	0	No report
2. ANC meeting - Barberon	3	0	No report
3. ANC campaign - Sabie-Rhenosterkop	3	0	No report
4. SACC Walburton Ermelo - Voter Educ	3	0	No report

5. Pie: Retief Voter Education	2	0	No report
6. AMP - Middelburg	3	0	No report
7. ACDP meeting - Witbank	8	0	No report
8. ANC meeting Middelburg/Witbank	3	0	No report
9. NP meeting Hendrina/Ermelo	5	0	No report

<u>NORTHERN TRANSVAAL</u>			
1. UPF Campaign, Phalaborwa	0	0	No Monitors deployed - transport problems
2. UPF Campaign, Bolobedu	0	0	No Monitors deployed - transport problems
3. XPP MP's Farewell, Giyani	0	0	
4. UPF campaign, Bolobedu	0	0	No Monitors deployed - transport problems
5. ANC Meeting, Phalaborwa	0	0	
6. ANC Rally Xihoko Phalaborwa	1	0	
7. ANC Voter Ed., Mankweng	4	0	Peaceful
8. AZAPO/SABC Meeting	9	0	
9. Polling station	1	0	
10. March, Tafelkop	1	0	

Description of serious complaints/incidents

- PAC filed a complaint against the ANC removing election posters at Sekhukhune. They also complained about IEC people driving around with ANC stickers "I'm voting ANC"

<u>NATAL</u>			
1. IEC Access, Durban	9	0	Peaceful
2. Methodist Peace Parade, Durban	0	0	No report
3. PAC Rally, UDW	5	0	PAC rally substituted by ANC/SRC meeting, Peaceful
4. DP Meeting, Durban	12	0	Peaceful
5. ANC Peoples Forum	15	0	Peaceful
6. NP Meeting, Howick	3	0	Peaceful
7. DP Meeting, City Hall	0	0	Peaceful
8. IEC Voter Ed., Port Shepstone	0	0	Peaceful
9. ANC Meeting, Empangeni	1	0	
10. ANC Meeting, Madadeni	1	0	Peaceful
11. ANC Meeting, Nyoni	1	0	Peaceful
12. MF, Springfield	0	0	No report

<u>EASTERN CAPE</u>			
1. ANC Peoples Forum, Humansdor	0	0	No report
2. ANC Peoples forum, Graaf Reinet	0	0	No report
3. ANC Voter Ed., Uitenhage	0	0	No report
4. ANC Rally, Kwezakhele	0	0	No report
5. ANC Public Meeting, P.E.	0	0	No report
6. ACDP Debate, Rhodes GHT	0	0	No report
7. NP Forum, Methodist C. PE	0	0	No report
8. DP Meeting, Crisria Hall, PE	0	0	No report
9. ANC Women meeting, D. Colleg	0	0	No report
10. ANC Peoples Forum, Bedford	0	0	No report
11. ANC Peoples Forum, Cookhouse	0	0	No report
12. ANC Forum, Pearson	0	0	No report
13. ANC Farmers meeting, Stutter	0	0	No report
14. ANC, Mbali	0	0	No report
15. ANC Voter Ed., Barkley East	0	0	No report
16. Municipal workers march, E. London	4	0	Peaceful
17. IEC Voter Ed.,	2	0	Peaceful
18. SANCO, Engcobo	0	0	No report
19. ANC, Umzinkulu	0	0	No report

20. IEC Meeting, Umhlatu Unity Hall	1	1	0	Peaceful
21. IEC Voter Ed., Tshabamkuze	1	2	0	Peaceful
22. ANC Students Forum, Vista	1	0	0	No report
23. ANC Farmers meeting, Studin	1	0	0	No report
24. IEC training, Molteno	1	1	0	Peaceful
25. ANC Meeting Queenstown	1	2	0	-
26. DEO/SAP Meeting, Venterstad	1	2	0	-
27. PAC/NP/ANC Meeting, Molteno	1	1	0	-
28. SAP/DEC Meeting, Burgersdorp	1	1	0	-
29. Ballot Paper Gaurd, Wilit Base	1	3	0	-
30. Voter Ed., Cathcart	1	2	0	-
31. ANC Meeting, Burgersdorp	1	1	0	Peaceful

Description of serious complaint/incident

IEC Monitors were disrupting meeting in Town Hall. They were talking loudly, moving chairs and constantly moving in and out of the hall while meeting was in progress.(Caller Mr Vosloo)

NORTHWEST				
1. Public meeting, Stilfontein	3	1	0	Not a political event, monitors asked to leave
2. SAP/ANC Games, Jouberton	2	0	0	Peaceful
3. FF Meeting, Potchetsruom Uni.	0	0	0	No report received
4. Vaal Reefs, Mock Election	1	1	0	Peaceful
5. JOC Meeting, Potchefstroom	6	0	0	Peaceful
6. NP Campaign, Rietfontein	1	1	0	Peaceful
7. NP Meeting, Mmasebudulo	1	1	0	Peaceful
8. ANC Voter Ed., Nyase Base	1	1	0	Event cancelled
9. ANC Voter Ed., Ikopolieng	1	1	0	Event could not be found
10. ANC Voter Ed., Makgokgwane	1	1	0	Venue unlocated
11. ANC Voter Ed., Modimola	1	1	0	Event cancelled
12. ANC Voter Ed., Makhubung	1	1	0	Event cancelled
13. NP Roadshow, Leburutibe	1	1	0	Venue could not be found
14. ANC Voter Ed., Vryburg	1	1	0	Peaceful
15. ANC Meeting, Pudumoe	0	0	0	No report received
16. ANC Meeting, Bloemhof	0	0	0	No report received
17. ANC Meeting, Vryburg	1	1	0	Peaceful
18. ANC Mock election, Morokweng	1	1	0	Peaceful
19. NP Canvassing, Kibibwe	0	0	0	No report received
20. ANC Voter Ed., Bloemhof	1	1	0	Peaceful
21. ANC Meeting, Schweizer	0	0	0	No report received
22. NP Canvassing, Mokokweng	1	1	0	Peaceful
23. IEC Voter Ed., Vryburg	1	1	1	Ink confiscated from a person in a voter education event. It is not known if this ink is real voters ink and Special investigations is looking into the matter.

Description of serious complaint/incident

IEC Monitors seen taking part in ANC activities in Dinaokana and Silverkrans. It was also reported that MK supplied AKs to ANC supporters.

- Teachers in Mafikeng have taken posts with IEC and pupils are being returned home. The same with Magistrates of Mankwe who have left courts unattended.
- Orkney: Mr Joubert forwarded a complaint about ANC members not allowing the NP to enter Kanana.
- Complaint that an ANC chairperson was employed by the IEC in Rustenburg is being investigated.
- NP Member was assaulted in Sandfontein because he wore an NP T-shirt. His ID was torn apart. Attackers unidentified.

NORTHERN CAPE				

1. NP Kooingnaas	1	0	
2. DP Meeting, Bergsig	1	0	Cancelled
3. ANC Meeting, Bersig	3	0	Peaceful
4. ANC Meeting, Concordia	1	0	Peaceful
5. DP Meeting, Port Nolloth	3	0	Cancelled
6. NP Meeting, Kleinzee	3	0	Peaceful
7. NP Meeting, Keimoes	1	0	Peaceful
8. NP/ANC Meeting, Prieska	2	0	Peaceful
9. ANC Recruiting, Keimoes	4	0	Peaceful
10. NP Meeting, Oab	3	0	Peaceful
11. NP Meeting Keimoes	1	0	Peaceful
12. DP Meeting, Victoria West	1	0	
13. FF Meeting, Victoria West	2	0	Peaceful
14. FF Meeting, Richmond	2	0	Peaceful
15. FF Meeting, Victoria West	2	0	Peaceful
16. DP Meeting, De Aar	2	0	Peaceful
17. FF Meeting, De Aar	1	0	Peaceful
18. FF Meeting Kuruman	5	0	Peaceful
19. ANC Meeting, Sisheng	1	0	Peaceful

Description of serious incident/complaint

Right-wingers intend blowing communications tower Ganspan district, Police investigating.

WESTERN CAPE			
1. NP Public Meeting, Beaufort West	1	0	
2. Peace Committee Meeting Parties	0	0	
3. NUMSA, Good Hope Centre	0	0	No report received
4. NP Meeting, Stellenbosch	0	0	
5. GP Meeting, East Ridge	0	0	
6. DP Meeting, Worcester Hall	0	0	
7. DP Meeting, Maneberg Centre	0	0	
8. DP Meeting, Garlandale High School	0	0	
9. DP Meeting, Ocean View	0	0	
10. DP Meeting, Bonteheuwel	0	0	
11. ANC Meeting, Fish Hoek	0	0	
12. ANC Rally, Hanover Park	0	0	
13. ANC Court Forum, Ocean View	0	0	
14. ANC Meeting, Table View	0	0	
15. ANC Court Forum, Koopenspaar	0	0	
16. DP Meeting, Bredasdorp	0	0	
17. FP Meeting, Pinelands	0	0	
18. ANC Meeting, UCT	0	0	
19. ANC Rally, Goodhope Centre	2	0	Peaceful
20. ANC Canvassing, Kakksteenvoetein	0	0	
21. ANC Canvassing, Surrey	0	0	
22. ANC Canvassing, Heideveld	0	0	
23. ANC Meeting Table View	0	0	
24. ANC Nurses Rally, Goodhope Centre	0	0	
25. ANC Meeting, Cape Town Civic	0	0	
26. ANC Farm Workers Rally, Excilior	0	0	
27. ANC Workers Forum, Everite Hostel	0	0	
28. ANC Workers Forum, Philani Clinic	0	0	
29. ANC Meeting, Garvey Square	0	0	
30. NP Meeting, Wellington	0	0	
31. NP Meeting, Montague	0	0	
32. NP Meeting, Swellendam	1	0	Peaceful
33. ANC Debate, Garlandale - Athione	0	0	

IEC NOC HOURLY ELECTION REPORT SHEET

DATE: 27/4/94

TIME: 15.00

CONTENTS:

1. National summary of Incident Reports for the last hour
2. Hourly News/Info Update
3. Summary of key issues/problems per region
4. Details of Serious Incidents

National Summary of Incident reports

REGION	Security inside station	Security outside station	Behavi-our of Elect. Official	Secrecy of ballot	Prob with vote casting	Prob with EAD material	Monitor not arrive on time	Monitor trans-port prob.	Monitor comms. problem	Monit or equip. probs
NATAL/KWAZULU	40	8	5	0	10	125	3	4	7	36
OFS	6	1	2	0	1	4	0	0	2	9
WESTERN CAPE	0	1	0	0	1	7	0	0	0	0
NORTHERN CAPE	0	0	0	0	1	8	0	0	3	6
EASTERN CAPE	2	10	0	0	2	49	0	0	0	1
PVV	4	6	2	1	4	85	4	0	2	0
NORTHERN TVL	15	0	0	0	5	63	0	0	1	5
NORTH-WEST	4	0	3	0	2	7	0	0	0	0
EASTERN TVL	6	2	0	1	4	52	0	0	0	0
DIRECT TO NOC	0	0	0	0	0	5	0	0	0	0
TOTALS	77	28	12	2	30	405	7	4	15	57

TOTAL NO. OF ROUTINE REPORTS: 1688

TOTAL NO. OF INCIDENT REPORTS: 558(I) 83(M)

2. NOC INFORMATION UNIT – HOURLY SITUATION REPORT
(Summary of main events as reported by the media)

Date: 27/04/94 Time: 1500 hrs

A. NEWS UPDATES

****Police have arrested 31 suspects and confiscated arms and explosives in connection with the recent bomb blasts at Jan Smuts, Germiston and Johannesburg. (SAPA)**

Police say they could have major trouble with polling stations running out of ballot papers in the Eastern Cape. They added that it is up to the IEC to explain this to voters who have been waiting for hours to vote. Tensions were mounting in several areas and security forces were called to "calm a crowd in Motherwell". IEC official, Edwin Ncula, said "It looks like we've underestimated the number of voters".
(Reuters)

Sapa reports an IEC official in East London confirmed that a number of voting stations in East London have closed because they have run out of ballots. He also indicated that the IEC has ordered another 2 million ballot papers to be printed locally. (SAPA)

Foreign observer missions said the SA election appeared to be going well although they were still at an early stage. A spokesman for the Commonwealth Observer Mission said "The pattern around the country seems to be better rather than worse today". He added that it had been more peaceful than expected. (Reuters)

Problems experienced in the OFS with ink and ultra violet lamps have led the IEC to direct that the stamp in ID documents is acceptable as sufficient proof that a person has already voted. (SAPA)

De Klerk and Mandela are discussing the possibility of declaring tomorrow a paid public holiday, if it will facilitate the voting process. (Radio 702 1400 hrs)

Buthelezi says that there are signs of the election being rigged and has reiterated his call for an extension of the voting days. (Radio 702 1400 hrs)

The IEC said that voting stations in several districts of the Transkei and the Ciskei have reported that they are running out of ballot paper and invisible ink. In a bulletin from the East London regional headquarters, the IEC also said that a couple of voting stations reportedly did not have ballot boxes by late morning. The IEC is also investigating a monitor's report that a ballot box, used in special voting yesterday at a station in East London, was illegally opened and used for voting at a station in East London. (SAPA)

Angry voters broke down the doors of a polling station in Mdantsane, Ciskei, when it shut after apparently running out of election supplies this morning. This is the first incident of violence reported by monitors in the Eastern Cape. (SAPA)

The atmosphere at western Cape polling stations is generally "calm" according to the NP party chief provincial electoral agent. He said he had received several complaints from various stations of ANC supporters campaigning inside controlled areas, but "most people seem to be just a little over-enthusiastic about the election". (SAPA)

The IEC has said that some voting stations will remain open past the scheduled time of 7pm in order to compensate the long queues and logistical problems that have occurred around the country side. In Port St Johns, only 24 of the 47 polling stations had received voting material by 9am. Forty two of the 50 stations on the East Rand were open by 10:30am and only 15 of the 46 polling stations in the Hewu district of Ciskei were open by mid-morning. In Mmabatho, many polling stations had no ballot papers early in the morning. There were also delays in Tshilita in Venda and in some areas of QwaQwa and KwaZulu/Natal. (SAPA)

Voting in the Bekkersdal township west of Johannesburg started promptly this morning and by midday, hundreds of people were still converging on polling stations. (SAPA)

A polling station (no. F1171) in Katlehong had no hand machines, no stickers, ballot boxes were not sealed and approximately 10 000 people at site broke down barriers. (*Lawyers Committee for Civil Rights Under Law*)

At polling station no C0065 in East London, there were insufficient quantities of IFP stickers, lighting, batteries and rubber stamps. Voters were being moved very slowly - at 1430 hrs, people had been waiting for up to six hours or more. If the situation is not remedied, thousands will be unable to vote. Presiding officers estimate that 45 to 48 000 voters are to vote at this station - the largest in the East London district. (*Canadian Observer Mission to SA*)

3. Summary of key issues/problems per region

E.Tv

Kwanhlanga - 95% of voting stations are closed!!!

N.Tv

Shortage of voting materials still a serious problem.

P.W.V.

Katlehong - 9 voting stations still without voting materials - "people are getting pretty angry"

CRISIS!!

-Daveyton, Katlehong, Vosloorsrus: Police have withdrawn after being threatened by crowds demanding to vote. Major systems failures continue to be predominant feature; the situation is expected to spread to Thokoza, KwaThema, Duduza, Thembisa and Tsakane. (From Springs SPOC)

E.Cape

Voting materials shortages; no voting is taking place in some areas because of this.

O.F.S.

Heidedal - Heatherdale High School - situation out of control; reports of fighting.

Phillipolis - presiding officer intimidated farmworkers to vote for NP; referred to DCA.

Hertzogville - a farmer is preventing his workers from going to the polls

W.Cape

Earlier reported administrative problems with election equipment have been sorted out; all is well!!!

Natal/Kwazulu

Figures for period 10.30 to 13.30

Shortage of equipment such as UV light, Ballot papers, IFP stickers etc

Shortage of Security staff and monitors.

Out of 260 polling stations only 190 are fully operational; certain voting stations may be closed.

Truro Hall - voter voted twice.

Nqutu and Mondlo - polling stations have not been set up; public is getting angry (Security forces are on standby)

Ingavuma - only 5 out of 20 polling stations are operational and supplies are running out.

Umtentvo - polling station had to shut down due to shortage of materials. About 6000 people still waiting to vote.

N.Cape

Predictions of Materials shortages for tomorrow.

No IFP stickers on ballots at some stations; POs were not aware that the IFP was contesting the elections in the regions

IEC MEMORANDUM

Date: 25 April 1994 (Revised)

To: Phiroshaw Camay and John Kleine, NOC

From: Anne Gordon Drabek, Info Unit

Subject: Reporting on foreign voting

CC: Kenneth Creamer, Awie van der Westhuizen, and Robert Matthee

I have reviewed the materials and instructions provided to monitors at foreign voting stations, and would like to be certain that we are all clear about how the information unit can capture monitoring information submitted from these foreign voting stations.

1. According to Awie van der Westhuizen, the monitors and foreign area directors for monitoring, as well as presiding officers, have now been given a NOC telephone number (353-5444) to use for reporting purposes and A. vd W.'s fax number (353-1092). They have been asked to report directly to the NOC for three main purposes (information taken from handbook for voting officers of foreign stations and from A.vd W. memo):

- a. Serious incident reports from monitors by telephone (they have not been asked to fill in written incident report forms, but rather "free-flow")
- b. Close of voting station report by telephone and fax (ballot paper statement) from presiding officers to include:

- number of ballot papers received from IEC
- number of ballot papers issued
- number of ballot papers not issued
- other counts as described on statement
- opinion on freeness and fairness of election

- c. Ballot bag report from monitors to be enclosed with ballot bag, and also faxed to NOC:

- name and registration number of monitor
- voting station of deployment
- number of ballot bags
- numbers on all seals attached to inner ballot bag

This ballot bag information should be passed to David Frank (0836001561) who is organising monitors to collect them.

Since up to 400,000 votes may be cast at foreign voting stations, it will be important to ensure that the Information Unit is receiving as much information as possible about the progress of the voting process abroad, and any incidents that occur. The time differences imply that foreign voting stations may be reporting at any time (Jo'burg

time) between about 21:00 on Monday and 05:00 on Wednesday -- give or take a few hours for late closing, shipping of ballot bags, etc.

I suggest the following procedures:

1. That one person in each shift in the NOC be identified to take calls from foreign monitors, and that person be asked to keep a record (on our hourly report forms) of any incidents that are reported, as well as any information called in with regard to numbers of voters at their voting stations, etc. In this way, we will know who is responsible for tracking these calls, and will be able to obtain up-to-date information as we need it.
2. The NOC will keep a log of all foreign monitor and presiding officer calls received (name of caller, name and location of polling station, time of call, and all other information required), and will provide Awie with the log of calls received every few hours, so that he can follow up with foreign monitors who have not called in. If Awie obtains reports directly through these follow up calls, he will pass the information to the NOC and the Info Unit.
3. If any serious incidents are reported to the NOC, this information should immediately be passed to the Info Unit for inclusion in our hourly reports.
4. I have asked Awie to copy regularly for us any faxes that come in to his fax number. He and Karin Pretorius are doing shifts over the foreign voting period. This will ensure that all information that goes directly to them will also be captured by the us.
5. I propose that we plan to include any serious incidents in our hourly and daily summary reports to the Commissioners. Other information that comes in with regard to numbers of voters and a general sense of the "freeness and fairness" could be included in a summary report on foreign voting to be presented on Wednesday evening, by which time all the stations should have reported. Please let us know if this is alright.
5. It would also seem to be advisable to keep in touch with Robert Matthee (x 1013) in EAD throughout this process.

Please let us know if the above seems appropriate. Thank you.

IEC MEMORANDUM

Date: 3 May 1994

To: All POC and SPOC Chiefs of Operations and Heads of Information Units

From: Phirosaw Camay, Info/Ops

Subject: Final Evaluation Questionnaire

Thank you to all of you for your commitment and hard work over recent weeks. We appreciate the phenomenal effort made by you and your staff. Please pass our thanks to all of them.

The election reporting process is almost complete. Your last hourly report on the counting should be submitted when the last counting station has closed. We hope that will be by the end of the day today.

We have just one more request before we all go our separate ways. The elections have been a learning experience for everyone, and it would be extremely helpful to reflect on the lessons learned while the experience is still fresh in our minds. Therefore, we have prepared a brief evaluation questionnaire on our information and operations systems (see attached) to which you should reply by the end of this week (May 6th) or sooner if you are leaving the IEC before then. Please send your report to me by fax at (011) 353-1625.

Please consider the questions carefully and take sufficient time to answer them. It is important that the benefits of our experience be fed into future electoral processes, and your contribution is crucial. Please also consult with your staff so that you can incorporate their views also. Please submit your answers to the questions as a brief paper (up to 3-4 pages); don't try to fit your answers on the attached sheet -- we are sure you have more to say than that!! Many thanks.

We will synthesize your answers and prepare an overall report. If you would like to see a copy of that report, please let us know and give us a contact address to which it could be sent.

BEST WISHES AND GOOD LUCK TO YOU ALL!!!

POC / SPOC EVALUATION QUESTIONNAIRE

Information / Operations Systems

1. How would you describe the relationship between the Information / Operations department and:

- (a) other departments in the regional office (Mediation, Investigation, Logistics and Accreditation, Administration, etc.) and with E.A.D.?
- (b) the information/operations departments in the SPOCs/POCs?
- (c) the national headquarters (NOC, information unit, etc.)?

2. (a) What role did the information unit play within the department as a whole? Was it effective?

- (b) What role did the operations unit play within the department as a whole? Was it effective?

3. Did the management hierarchy work effectively? Were decision-making responsibilities clear? If not, why not?

4. What recruitment procedures were put in place? Would you say they were effective? Was the training that new employees received adequate and appropriate? How much of the training was "on-the-job"? What personnel problems remain unresolved?

5. Were the reporting formats manageable in terms of:

- (a) the demands on your time
- (b) the different kinds and amounts of information you had to deal with
- (c) the presentation of the information

6. Were there specific types of information which you thought were important to the process but which were not captured? Explain.

7. What kinds of decisions were made on the basis of the information collected? Was the information base adequate? What was missing, if anything?

8. Please comment on the speed and effectiveness with which appropriate action was taken on incident reports, and other problems?

9. In general, do you think that the information and operations structures were appropriately and fully utilised in every phase of the election process? If not, why not?

10. Life after the IEC -- How can the skills developed in this election process be harnessed for future local, regional, and national elections?

IEC
INFORMATION / OPERATIONS SYSTEMS
QUESTIONNAIRE
NOC Information Unit, Johannesburg

1. The relationships between the Information Unit and the other departments were not static, but rather evolved over time. The key mechanisms for interaction at the H/Q level were the operations committee meeting every morning where our reports were presented and discussed, and the security/intelligence meetings at 5:00 pm every day at which information was shared among all those dealing with sensitive events and analysis. Both of these fora proved to be very effective and participation was generally good.

We do have some concerns about specific departmental relationships:

a. Our most structured links were with Logistics and Accreditation, in the context of provision of information which fed directly into decisions on monitor deployment. However, in terms of the outcomes of monitoring, the quantity, quality and timeliness of monitors' reports was inadequate:

- some monitors did not file any reports
- many reports were improperly completed
- monitors submitted written reports to DCAs and DCAs did not pass those reports on to the info/ops staff
- some monitors filed reports after 24 hours (in some cases due to distances they had to travel and lack of other means of communication) so that they were too late for inclusion in our daily sitreps; as a result, it is not clear whether these reports have been captured at all in the data system (some were passed to analysis)

As a result of this imperfect information flow from the monitors, our reports were sometimes seen to be incomplete. While this situation improved over time (and with the decision to impose a "no report, no pay" sanction on monitors), stronger and earlier action on the part of the Logistics & Accreditation management would have increased substantially the value of our reporting efforts.

The fact that the DCAs were the major source of information before the POCs and SPOCs were set up meant that the transition to new flow patterns did not happen as it should have -- the DCAs did not in a number of cases keep their ops/info counterparts at the POC/SPOC level in the loop, and also became lax about passing information even to the NOC and the information unit. This meant that crucial information did not necessarily reach the key decision-makers in a timely fashion.

b. The links between the Info Unit and the POCs / SPOCs were quite strong. While they sometimes resisted the amount of reporting which was demanded, on the whole

they were responsive and cooperative. Cordial personal relationships developed in many cases with both COOs and Info unit heads which helped enormously in clarifying issues and confirming/validating information when required. Eventually, these colleagues called upon us quite regularly to help solve other problems, or to advise them on who to contact to resolve specific issues.

It is not, however, entirely clear to what extent our event reports were actually utilised at the POC/SPOC level -- eg. did they deploy monitors on the basis of decisions taken at the morning operations committee meetings, which were then reflected in the revised reports faxed to the POCs? In general, information was turned around so quickly it was difficult to follow up and determine how useful it had been.

c. The lack of feedback regarding the use of information was frustrating. For example, the mediation and investigation departments never informed us of action taken on particular incidents or complaints. This made it difficult sometimes to prioritize tasks and/or reports. It also meant that the information loop was not closed - if POCs/SPOCs wanted to know what action was taken on a particular issue, we were not able to provide that information.

d. Relations with the NOC also evolved over time. At the beginning, the info unit was not allowed to have direct contact with POCs/SPOCs -- all contact was through the NOC. It became clear quite quickly that this was not practical and the system adapted itself. Though early on the NOC-info unit division of labour was not absolutely clear, on the whole, the relationship worked itself out and functioned well.

2. a. The information unit played multiple roles:

- A general facilitative role gathering and conveying information within the IEC
- Short-term processing of information and servicing of information needs of decision-makers (eg. monitor deployment)
- Designing of formats for NOC/POC/SPOC reporting, based on information received from monitors, and focussing on issues related to the eventual need for a "freeness and fairness" assessment
- Preparing reports on: media coverage of the election process; summaries of POC/SPOC sitreps on election campaign events, voting, and counting, based on routine, incident and complaint reports; calendar of events and monitor requirements; etc.
- Highlighting, in daily/hourly reports, those incidents and complaints that required action by the IEC
- Providing reports to a wide range of individuals and departments, including: operations, DCAs, analysis, mediation, special monitoring, voter education,

intelligence, security, police, media, telecommunications, transport, observers, and the IEC commissioners.

- Confirmation/validation of information received from other sources.
- Convening of daily 5:00 meeting to share intelligence/information related to security matters
- Collecting information from groups outside the IEC, including political parties, human and legal rights groups, observers, peace monitors, the media, etc.
- Ad hoc responses to last minute requests or crises, eg. responding to calls from political parties announcing unexpected events which required monitoring, but after the operations meeting had taken place, or notifying appropriate offices of voting station shortages or problems when it was too late to go through normal channels.

2.b. Some minor problems arose in terms of the NOC's role as a "message centre":

- our ability to respond quickly was reduced if faxes were not passed to us immediately
- it was not always clear if urgent information passed to us for "capture" in our reports had already been "acted" upon -- as a result, a few things fell through the cracks

3. The information unit functioned as a "team", with the head of the unit taking a consultative approach to almost all decisions/actions. While there was a clearly defined hierarchical framework, there were occasional slips which in some cases led to tension.

4. Recruitment of personnel for the unit seems to have been based on three major factors: personal connections, being in the right place at the right time, and a proactive approach taken by individuals committed to helping with the electoral process. Another factor was secondments based on information skills. While somewhat ad hoc, this process produced a group of people who were fully able to undertake the tasks required of them.

Training of staff was minimal, informal and mostly "on the job"; one or two staff attended computer training. Tasks were allocated as a group through joint decisions, based on expertise, interest and willingness.

There are no outstanding personnel problems in the unit.

5. a. The two main days of voting were difficult in terms of time pressure, but all of the reporting tasks were manageable, especially since we had developed the formats.

6. The info unit was not necessarily informed of all efforts to collect data within the IEC; thus, information was not always used effectively or efficiently. Certain information (eg. monitors' reports) were submitted late and not captured in our

process. Though it may figure in the work being done by Analysis, some of its significance may be lost.

Other departments initiated information flows without informing us of the purpose and intended products. Some of that information passed through our office but we are not sure if it was ever used; some of it did not come through our office at all but might have been useful for our reports or meetings.

Sometimes information from the regions arrived too late for H/Q or NOC action -- this raised questions of how much decentralisation of decision-making is desirable. Perhaps there should have been more guidance on which decisions needed to be referred to H/Q.

7. Short-term decisions made on the basis of the information we processed included:

- Daily monitor deployment
- Incidents or other reports requiring further inquiry, mediation or investigation
- Daily administrative decisions regarding monitoring and information systems
- Identification of areas for attention by SAP

Overall, the POC/SPOC reports submitted to us and our own summary reports would have provided the basis for assessing in-depth the freeness and fairness of the election, had that been considered necessary. The monitors' reports which fed into our reports constituted the key evidence that the election process was carefully monitored and that, on balance, the incidents and complaints reported were not serious or extensive enough to call into question the entire process. While these reports have not been used directly for the Commissioners' assessment at the close of the election, they will be available for "historical" analysis later on, should anyone wish to make use of them. They constitute an in-depth record of what actually happened across the country.

The missing link, as stated above (1c), was the lack of feedback on actual action taken. This information should be available somewhere in the IEC archives, but in most cases it is not part of our reports.

8. Since outcomes were not often communicated to us, we don't know what actions were actually taken -- the information loop was not complete. For example, were deployment decisions taken by the operations committee actually carried out? Urgent matters were generally dealt with quickly.

9. During the counting process, for which monitoring was contracted out to IMSSA, there was initially some duplication of reporting, with the IMSSA staff relying (without telling us) on POC reports to us in order to prepare their own reports. This resulted from a lack of clarity about their mandate, and their total lack of consultation with us. Systems already in place were not utilised -- leading to considerable

confusion and waste of resources. The IMSSA lack of understanding of already existing systems hindered rather than helped the reporting process.

In general terms, the information and operations structures could have been better utilised if overall IEC management had been more effective and if more thought had been given to the uses of the information being processed. Clearer linkages and more cooperation among the different departments of the IEC as a whole would also have resulted in more effective use of information available. Too much of the information sharing was on an ad hoc basis, instead of being systematic and institutionalised. This, however, is not a problem that could have been solved by the Monitoring Directorate alone; rather, it is a reflection of the fundamental lack of overall direction and cohesion of management of the IEC.

10. A variety of skills have been developed as a result of the election process. Specific to the types of activities we were involved in are: networking skills -- development of information sources in related organisations; responsible use of information (who should get what for what purpose -- how to select and filter information appropriately); ability to make judgments about what information is needed for which decisions; ability to maintain confidentiality; prioritisation of information and requests for information; understanding of different sources of information, their biases, etc.

In preparing for future elections, the government of the "New South Africa" should keep in mind the need for ongoing voter or civic education, to build on the election process which has just been completed. In future, the government will not be able to afford the expense incurred this time and will have to rely more on volunteers. Thus, the sooner a clear sense of civic responsibility is developed, both generally and specifically related to service during elections, the better. Some of the people who worked in the IEC may be very amenable to this effort, especially if it is "delinked" from the IEC experience (with all the rancour around contracts and salaries, etc.). It might be appropriate to think about creation of a "roster" of citizens with election experience for use in recruitment in future elections.

Signed:

Anne Gordon Drabek
Meg Parr
Meluleki Nzimande

Anne Gordon Drabek
Meg Parr.
Meluleki Nzimande.

NOC/Information Unit

INDEPENDENT ELECTORAL COMMISSION
POC/SPOC EVALUATION QUESTIONNAIRE
ON INFORMATION / OPERATIONS SYSTEMS

SUMMARY REPORT

[prepared by Anne Gordon Drabek, NOC Info Unit]

1. Question: How would you describe the relationship between the Information / Operations Department and:

- (a) other departments in the regional office (Mediation, Investigation, Logistics and Accreditation, Administration, etc.) and with the Election Administration Directorate?
- (b) the information / operations departments in the SPOCs/POCs?
- (c) the national headquarters (NOC, Information Unit, etc.)?

(a) General comments:

POCs and SPOCs indicated that initially the different departments were operating somewhat independently of each other, without sufficient mutual understanding of each others' responsibilities and of how they should interact. Thus, there was some duplication of effort, and some competition among departments. The institution of formal HOD and deployment meetings improved the sharing of information and levels of cooperation. During the election period, most departments seem to have recognized the urgency of the situation and collaborated reasonably well.

Specific departments:

(i) Mediation -- Relationships with the mediation departments appear to have been generally good and in some cases, quite close. There appears to have been respect for the role played by the mediators. The only question raised by several regions was that the info/ops staff were not informed of the outcomes of mediation activities.

(ii) Investigation -- While investigations did not always provide a staff person to be present in the ops room to ensure adequate communication, most responses indicated an acceptable level of cooperation. Some SPOCs did not have investigation staff at all and passed all of their incident and complaint reports to their POC. Many ops staff indicated that the lack of provision for regular feedback on the outcomes of investigations was problematic -- it meant that they could not respond if queries were made about progress on particular instances, nor could they be certain that this information was being captured for the record.

(iii) Logistics and Accreditation -- While the functions of L&A and Info/Ops were meant to be closely interrelated, the evaluation reflected many problems encountered by info/ops staff in establishing the necessary communication and cooperation with L&A. Many ops rooms experienced problems in receiving monitors' reports in all phases of the election process: campaigns, voting and counting. Monitor training and deployment was seen to be inadequate in many cases, especially with regard to monitors' obligation to report regularly to the ops rooms. In some cases, monitors were insufficiently trained in communication procedures; in others, telephone reports were not filed systematically and written reports were actually withheld by DCAs from the ops staff. A number of respondents indicated that the monitoring situation improved considerably during the voting period, and then became confused again during counting. In some cases, ops room staff had to take on additional roles related to management and training of monitors.

(iv) Administration -- While many responses indicated that Administration was adequate, except for handling of personnel and salary matters, some said that bureaucratic red tape created delays in procurement of essential equipment and supplies. Almost across the board, problems were reported with regard to personnel and salary issues. (see #4 below)

(v) JOCs (Joint Operations Committees) -- The evaluations did not say much about these since the questionnaire did not specifically refer to JOCs. However, several regions indicated that their participation in JOCs had proven to be very helpful. JOCs served as sources of information (SAP, SADF and Peace committees, especially) and as providers of back up, eg. at campaign events and voting stations.

(vi) Transport and telecommunications -- Comments on telecommunications staff, in terms of their technical expertise and willingness to help with problems, were uniformly positive. Monitoring, however, would have been facilitated in some regions if telephones and radios had been set up sooner. Reactions on transport were more mixed, indicating that insufficient planning (too many or too few vehicles, and lack of availability as needed, depending on the region) was sometimes a problem.

(vii) EAD (Election Administration Directorate) -- Responses showed a very high level of frustration and concern about info/ops relations with EAD -- frustration because the info/ops staff tried to establish cooperation and concern because the failures of EAD almost caused the collapse of the process and reflected badly on all IEC staff. Problems cited repeatedly included the following:

- EAD refused to cooperate with info/ops staff prior to the election, eg. did not attend HOD meetings regularly, did not coordinate their planning with other departments, and withheld details about election materials and procedures

- in some cases, reports indicate that EAD actively interfered with info/ops efforts to process purchase authorisations
- EAD's lack of information regarding eg. voting and counting stations made info/ops efforts to collect important information very difficult
- when a crisis situation developed over poor distribution of election materials and inability of voting stations to open on voting day, EAD expected all sorts of assistance from info/ops which added to an already heavy work load
- in some cases, the ops centres took over all EAD functions during the voting and counting periods

In general, the assessment of EAD's performance is highly critical.

(viii) Information Technology -- This was not included in the questionnaire, but a couple of comments indicated that the systems developed were inadequate, creating difficulties in producing reports. Data capture was complicated by the lack of effective computer links from the regions to H/Q.

(b) Information / Operations Departments at POC/SPOC -- On the whole, responses were extremely positive with regard to relations among SPOCs and POCs. Joint training of COOs from the different regional and sub-regional offices seems to have been a helpful factor. Some POCs felt unable to provide as much support as they would have liked to their SPOCs in light of the work load and pressures they faced. However, SPOCs were generally satisfied with the responsiveness of their POCs. In exceptional cases, SPOCs felt it necessary to limit their implementation of new directives. Personality conflicts were minimal, but in a few cases did affect the efficiency of ops centres.

(c) National Operations Centre -- While SPOCs had little to do directly with the NOC, POCs dealt with NOC regularly and commented favourably on their relationship and on NOC's effectiveness. POCs preferred NOC to relate to SPOCs through the POCs, thus maintaining clear channels of communication. Some POCs were better than others in forwarding materials immediately to the SPOCs. The major criticism of NOC focussed on repeated changes in procedures and instructions regarding eg. reporting formats, which created problems for the regional offices as they were asked to adapt at short notice when under pressure just before or during the election. There was some indication that NOC instructions were not always as clear as they should have been. However, comments indicated that the NOC always provided assistance when asked and developed good working relationships with the regions.

2(a) Question: What role did the information unit play within the department as a whole? Was it effective?

Responses on info units varied considerably -- quite a number of SPOCs did not have separate info units at all; some regions found

their info units to be of crucial importance, while others saw them as part and parcel of the operations centres. In addition to processing information from monitors, some info units played an important role through the liaison function in accessing information from other sources outside the IEC. Some regions expressed a desire to have had a better understanding earlier on of why particular information was sought and of how it would be used. Some info units were passive recipients and processors of information; others were more proactive in their search for essential and complementary information to allow them to make better decisions. Generally, where they existed, info units were seen to be effective and their reports were used by the operations system.

2(b) Question: What role did the operations unit play within the department as a whole? Was it effective?

Allowing for a certain amount of bias about their own importance, the responses indicated that the ops centres played a key role in ensuring the effectiveness of other departments as the disseminator of information crucial to overall operations. While there was some dissatisfaction with monitor reporting, during the elections many of the ops centres also became the hub of EAD-related activity and provided direct liaison and, in some cases, coordination for voting and counting stations. Many responses said that during the election, the ops centres were the focal point for all planning and implementation.

3. Question: Did the management hierarchy work effectively? Were decision-making responsibilities clear? If not, why not?

The views on this were quite mixed, but there was an overall sense reflected that the management hierarchy did not always work effectively, partly due to lack of clarity regarding the definitions of each department's specific role and the expected linkages among them. This vagueness led to some conflict among HODs over areas of responsibility and levels of autonomy. To some extent, decision-making was hampered as a result, especially as levels of activity and pressure increased. The late appointment of some senior officials and the limited training provided also contributed to problems. However, many respondents also commented on the extremely effective teamwork which took place. Individual styles of leadership also seem to have played an important role.

4. Question: What recruitment procedures were put in place? Would you say they were effective? Was the training that new employees received adequate and appropriate? How much of the training was "on-the-job"? What personnel problems remain unresolved?

(a) Recruitment -- Two themes ran through most of the comments made on recruitment: (1) that because of the short time frame, IEC staff in the regions were recruited without adherence to proper

procedures (lack of reference checks, lack of written contracts and up front salary negotiations, etc.); and (2) that while the staffing requirements determined by H/Q were a useful guide, in practice staffing patterns reflected skills available in the region and actual roles or job descriptions evolved in response to needs of the moment. Some regions acknowledged serious mistakes in recruitment, including hiring of striking civil servants in Lebowa, hiring without adequate attention to balance among race, gender and political affiliation. Others indicated that despite the rushed recruitment and the consequent lack of formal skills in appropriate areas, most info/ops staff rose to the occasion.

(b) Training -- Training of IEC staff in the regions was undertaken in various ways. Almost all staff received some formal training, but some felt that training focussed too much on the IEC overall and on theory. Impressions of the quality of training staff varied considerably. Practical training was obtained primarily on the job. Some ops centres staged incidents, complaints and routine reports to ensure that procedures were understood. Some training had to be ad hoc because of changing procedures.

(c) Personnel problems -- Virtually every respondent cited the same personnel problems with contracts, rates of pay, hours of work, income tax deductions, and receipt of payment. Personnel policies in general were problematic. These issues did affect staff morale and performance during the elections, and in some cases became disruptive when staff went on strike.

5. Question: Were the reporting formats manageable in terms of (a) the demands on your time; (b) the different kinds and amounts of information you had to deal with; and (c) the presentation of the information?

In general, the respondents indicated that the information reporting formats provided directly by and for the info/ops system were manageable and well presented on all of the above points. Concern was expressed about apparent overlap in information requirements from different departments or from more than one person in a single department, last-minute changes in formats and questionnaires, and the inappropriateness and limitations of some of the codes used (eg. incidents). The reactions suggest that more consideration should be given to the potential uses of the information at different stages of the election process, and that more advance notice should be given for any changes to be implemented. The regional ops centres did seem to recognize the need for the regular sitreps (daily and hourly), but indicated that they were dependent on monitors for the information inputs and this sometimes was problematic.

6. Question: Were there specific types of information which you thought were important to the process but which were not captured?

Explain.

Important information which was not clearly being captured by the system centred around issues of follow-up to monitors' reports, for example, the outcomes of mediation and investigations or the action taken by the SAP in certain instances. Many respondents felt that these information loops needed to be closed in order to have a clear picture of the freeness and fairness of the election.

A second type of information which ops centres needed but did not have was in fact the responsibility of either L&A or EAD, that is lists of voting and counting stations, contact numbers for monitors, information on materials sent to voting and counting stations, etc.

7. Question: What kinds of decisions were made on the basis of the information collected? Was the information base adequate? What was missing, if anything?

Daily decisions on normal monitoring functions (deployment etc.) were certainly taken on the basis of information collected by the info/ops centres. While responses indicated that few major or crisis decisions were taken on the basis of information collected regularly as part of the info/ops system, that information did provide essential background. In cases of incidents, most regions indicated that they always verified monitor reports with other sources prior to taking action.

One SPOC indicated that a serious problem for their decision-making was the absence of a mechanism for sharing feedback among bordering regions. In cases where there were substantial flows of voters across borders (eg. from Transkei), it would have been much easier to make the necessary judgments if they had had direct access to detailed information from the neighbouring regions or sub-regions.

8. Question: Please comment on the speed and effectiveness with which appropriate action was taken on incident reports, and other problems.

Because the information system did not allow for regular feedback on action taken (eg. by mediation, investigation, L&A, or EAD), it was difficult for respondents to answer this question. Most ops centres said that they forwarded all incident and complaint reports promptly to the appropriate department, but their involvement stopped there. During the election, in those cases where all departments were represented (as required) in the ops rooms at all times, action was certainly more efficient. Some ops centres complained that staff of other departments did not work long hours or on weekends and were therefore often not available when crises arose.

In terms of action taken by info/ops centres themselves, much

seemed to depend on the amount of work at a given time. In times of greatest pressure, it was only the most serious incidents or complaints that were dealt with immediately. Specific procedures and allocation of responsibilities for taking action on incidents and complaints seemed to vary from region to region, depending on the quality of particular staff and on the overall workload.

9. Question: In general, do you think that the information and operations structures were appropriately and fully utilised in every phase of the election process?

Opinion varied on this question. Some of the smaller, quieter SPOCs felt that they were never stretched to their limits. Others felt that their capacities were only fully utilised by other departments once those departments started experiencing problems (eg. EAD during the election). Some felt that during the counting phase, there had been some confusion about their role. Most of the POCs indicated that while the info/ops structures were fully utilised by every department during the election and had become the focal point of all activity, this focus should have started earlier with ops centres playing a more significant role in overall planning. If other systems had been in place, eg. information technology, more effective use could have been made of these structures.

10. Question: Life after the IEC -- How can the skills developed in this election process be harnessed for future local, regional and national elections?

The responses to this question almost all suggested that those IEC staff who performed well during this election should become part of a permanent database of citizens with election management experience who would be called upon in future elections. Opinion varied as to whether a small core of IEC staff should be retained in each region, or permanent election management structures should be created, or use should be made of other local structures or people such as magistrates to reduce costs. In order to establish a database of skilled staff, it was suggested that all HODs provide a list of their staff with comment about their performance and contact information.

Other suggestions included: the information system itself should not be dismantled because it offers a communication network with previously neglected rural areas; training manuals should be revised and planning should begin soon for the next elections; and a task force should look at the reasons for systems failure in the recent election and provide lessons for the future.

IFES/South Africa. Consultant Activity Report.

EMD Logistics--Konstantin Konturas. April 11-May 14, 1994.

Upon my arrival on 11 April 1994, at the Independent Electoral Commission (IEC) headquarters in Johannesburg, I was introduced by Tom Bayer (IFES) to senior level staff members at the Accreditation & Monitoring Directorate. The first meeting in the Elections Monitoring Directorate (EMD) was with the Director of Accreditation and Logistics within the EMD, Dr. Francis Wilson. In outlining what my functions would be, Dr. Wilson outlined various problems within the IEC headquarters, regional, and sub-regional logistics divisions. Dr. Wilson and I decided that I would best be utilized as a trouble-shooter to evaluate, assess, identify, make spot recommendations, and report distribution bottlenecks to the various EMD-associated departments at IEC HQ.

Approximately halfway through the election period, the Monitoring Directorate assumed the overall responsibility from the Election Administration Directorate (EAD) for implementing and coordinating the entire election process. I was requested to travel to the Venda and Lebowa regions to insure the delivery and distribution of ballot papers to the various voting stations. I was also requested by the EAD to assist in supervising the distribution of required counting kits and equipment at the NASREC counting center, where there were in excess of thirty counting stations.

Field Trips

During the period of my employment (8 April - 14 May 1994), I made assessment and evaluation field trips, in some cases repeated visits, to the following provinces and IEC regional and sub-regional offices:

NORTHWEST REGION *Klerksdorp, Mafikeng, Rustenburg, Vryburg.*

NORTHERN TRANSVAAL *Nylstroom, Ellisras, Thohoyandou, Phalaborwa.*

EASTERN TRANSVAAL *Witbank, Kwamhlanga, Nelspruit, Ermelo.*

EASTERN CAPE *East London, Ciskei, Port Elizabeth, Umtata.*

KWAZULU/NATAL *Durban, Emphangeni.*

Field trips to the above noted provincial, regional, and sub-regional offices were documented by Field Trip Reports. These reports were distributed to the various EMD-related departments within the IEC HQ for the purpose of alerting department heads of problems and/or confusing circumstances affecting their particular sectors in the field. The reports were used at daily EMD

operational strategy meetings to inform participants and specific departments of potential and real problems requiring prompt attention.

Initially, my mandate was to focus on the Monitoring Directorate's logistic distribution plan and to report problems affecting distribution. Increasingly broader problems surfaced involving security, communications, transport/fuel, and distribution strategies. Identified as having a direct bearing on the difficulties encountered in the implementation of setting up operations at voting and counting stations, the problems were identified, noted on Trip Reports, and forwarded to IEC division(s) responsible for implementing corrective action. While in the field, it was occasionally necessary to make direct telephone communication to responsible individuals at IEC HQ to inform them that critical administrative and logistical problems had been identified. In some of these cases the recommended immediate action was taken to avoid a breakdown of administrative and logistical support. Apart from causing technical problems, these breakdowns of support negatively affected staff morale.

Field trips to the IEC regional and sub-regional offices, and the resulting Trip Report information, were useful to the various department heads, keeping the Monitoring Directorate updated on what was happening at the regional and sub-regional level. I was accorded the authority to personally initiate and implement plans for the immediate forward distribution of IEC monitor and observer supplies and equipment to the sub-regional offices. This authority facilitated timely distribution which was appreciated at the sub-regional level.

Field trips to regional and sub-regional offices also played an important role in boosting morale among senior IEC staff. Often staff members needed to discuss perceived (and actual) shortages of assets: the lack of proper security; and limited or non-existent transport and fuel, space, and feedback from IEC HQ. The field staff concerns were discussed and noted at length. Returning to IEC HQ, I made a point to personally follow-up on discussions held in the field offices with the relevant IEC HQ departments for action. I would then communicate to the field staff that their requests and recommendations had been put forward and noted by the appropriate departments.

Logistics Problems

Unfortunately I arrived late in the process, missing the opportunity to be part of the planning of the logistical distribution and implementation plan. Through discussions with the EMD staff, we were able to identify real and potential problems that could hamper distribution to sub-regional offices. The only way to evaluate the overall distribution plan and make timely necessary changes was to personally visit the regional and sub-regional offices. These visits were an attempt to understand, from a field perspective, the problems that were being encountered in ordering, receiving, and distributing monitor and observer supplies and equipment.

General Problems

1. Individuals selected at the regional and sub-regional levels for logistics oversight and materials distribution had little or no experience in receiving and handling stock, keeping proper records of inventory for receipt and distribution, and maintaining proper security for items that were being received and reshipped on a continuous basis. As a result, IEC monitor and observer supplies and equipment were often found to be missing or in short supply. In some areas, inventory records were non-existent, resulting in panicked last-minute ordering when the time came to supply monitors and observers with their required identification kits.

Desperate requests from the field for additional supplies to make up for shortages, created major problems within the IEC and between the EMD HQ logistics section and the manufacturers and suppliers producing the monitor and observer operational kits. Everyone involved at the manufacturing and IEC logistics levels were hard pressed to supply the requested quantities to cover perceived regional and sub-regional equipment shortfalls. Following the election, it was discovered that, as a result of the lack of proper inventory control and accountability, a substantial number of IEC monitor and observer kits and operational equipment had been stored unopened at various regional offices.

2. The monitor and observer kit distribution plan called for all related supplies and equipment to be sent to, and centralized for distribution at, the regional level. From the regional office, the idea was to breakdown the kits and equipment as per the requirements of the sub-regional offices and distribute them as quickly as possible. There was poor communication between the regional logistics staff and the sub-regions. Supplies and equipment required for the sub-regional monitors took second place to the equipment needs of the sub-regional IEC offices.

During the period when the number of voting and counting stations increased daily, so did the need for the appointment and training of extra IEC monitors and observers to man them. This situation resulted in hoarding of monitor and observer supply kits and equipment at the regional level. It is interesting to note that much of the hoarding of assets required for the preparation phase of the election cut across the entire spectrum of supplies, equipment and election-related materials. This situation created shortages and frustration throughout the entire IEC.

3. DHL was the primary mover of the Monitoring Directorate supplies and equipment, except for to a few places where DHL was reluctant or unable to reach. The EMD logistics section relied heavily on DHL delivery to regional offices throughout the country. Total reliance on DHL ability to deliver was the norm. No follow-up from HQ was done to ensure that deliveries were on schedule or delivered at all. This lack of follow-up and of the absence of EMD delivery timetables, created major problems in Natal, and to a lesser degree in other regions. In Natal, an entire consignment of supplies for the IEC monitors and observers "disappeared" for two weeks only to be "rediscovered" on the eve of the election at the DHL warehouse in Durban. The lack of proper accountability and monitoring caused the majority of IEC monitors and observers

in Natal to go without proper IEC identification, supplies, and operational equipment. The consignment is to be returned to the IEC HQ unopened and unused.

Recommendations for Future Logistical Support

1. Future logistics consultants must be in place prior to the initial project planning and development process in order to become a part of that critical activity. It is at this times that the operational ground rules and the lines of authority and responsibilities are divided and established among members of a *logistics management team*. The creation of a logistics hierarchy, or chain-of-command, is necessary so that logistics staff involved with shipping, warehousing, receiving, distributing, and retrieving of supplies and operational assets understands fully what he/she is responsible for, and to whom they are ultimately responsible.
2. A centrally controlled logistics operation is extremely difficult to monitor and control unless logistics staff in the field are well-trained in basic stock inventory taking, record keeping, distribution, warehousing of a variety of supplies and equipment, and warehouse security. Personnel must be selected on the basis of proven experience, responsibility, and accountability. Field staff must understand the overall logistics plan as developed by the *logistics management team*. Strong communication links must exist between the *logistics management team* and its field staff.
3. Logistics planning and teamwork is the key to success in any kind of endeavor where supplies and equipment are required to be moved from one location to another, warehoused, distributed, and eventually retrieved. During the IEC sponsored elections, coordinated and thorough IEC logistics planning was not done. Each Directorate kept their distribution and retrieval plans to themselves. There was, in retrospect, a great deal of duplication of effort in putting assets into the field, and very little co-operation and sharing of responsibilities. In addition, there was a refusal on the part of the IEC HQ to act on constructive recommendations from the field, and a lack of co-ordination and communication between various departments within the Directorate(s), regional, and sub-regional offices. In the end, no reasonable plan was developed prior to the distribution phase for the retrieval and final disposition of all IEC related assets throughout the country. The IEC assets retrieval plan is presently in the process of development and implementation.

Teamwork and planning

Future logistics preparations and planning must be done early, focusing on developing a team concept. It is imperative that there be an understanding and acceptance of the need to co-operate among the various department heads responsible for logistics and distribution of assets. If the distribution of supplies and equipment are to be handled with properly managed accountability, key actors must communicate and co-operate as a team. Teamwork, flexibility, early planning, and a willingness for capable staff to assume responsibility is essential in the event unexpected logistical problems arise, disrupting the plan put into place by the *logistics management team*.

IFES/South Africa. Consultant Activity Report.

Telecommunications Evaluation and Planning--Anthony van Hover. March 31-May 5, 1994.

Telecommunications consulting services were provided to the Independent Electoral Commission from March 31, 1994 to May 5, 1994 in support of the South African elections. I was contracted by the International Foundation for Electoral Systems, operating under a grant from USAID.

Tasks accomplished

Review of the IEC communications network. The IEC network is designed to have several layers of redundancy. It is a hierarchical network with the main node in Johannesburg, sub-nodes at Provincial Operating Centers (POC) at each of the nine provincial Capitals and at the Sub-Provincial Centers (SPOC) located in other key cities. At each of these locations, a Siemens PABX was installed for telephony and a Cisco router for data. The PABX was connected to both the Public Switched Network and to leased lines. The leased lines, mostly E-1 2 Mbps digital, formed a private network with its own numbering plan. The leased lines were connected to the PABX and to the data routers via E-1 multiplexers (ITDM).

The numbering plan was set up so that the extensions at each location were the same. For example, 5300 was always the telecommunications coordinator. A three digit access code was assigned to each location for on-net calls. This number was also used in logistics as a code name for the site. For instance, the number for the coordinator in East London is 760-5300 on-net and 0431-30-5300 using the public network. The network had a high degree of redundancy in transmission using diversity routing of fiber and microwave facilities.

My initial task, upon arriving in Johannesburg, was the conduct of a quick review of the network. The first problem that I noted was the lack of any contingency planning by Telecom. I identified several potentially harmful technical/organizational weaknesses in the existing IEC communications network. Contingency plans were designed to respond to these weaknesses in the event of a problem. A disastrous failure of the Johannesburg PABX resulting from the deliberate sabotage of the site, or of a non-intentional fire at the site would have caused a total system outage. The same would have caused regional outages at any of the other telecommunications centers around the nation.

The potential risk posed by these scenarios was reduced through the selection and the outfitting of a central IEC back-up site for the exchange. The site was located about 20 Km from the main IEC headquarters in Johannesburg. In case of a disaster, key IEC Telecom, IT, and EAD-IT staff could be moved to this center to continue with their work. Another alternate site was selected for the reception of the election results from the counting stations and the tabulation of the votes. In addition, the VSAT satellite voice and data system that had been planned as a

back-up for unforeseen transmission failures was made independent of the PABX. Providing a backup to the IEC's existing ruggedly designed--but potentially vulnerable--network made for an extremely solid network that was implemented by Telecom in record time.

The second problem area that I identified was the real potential for a higher-than-expected traffic load on the Johannesburg PABX. The personnel at the IEC grew at a much higher rate than expected by the designers of the telecommunications system. The PABX was designed for twice the traffic anticipated, however it started showing signs of saturation three weeks before the elections. I recommended that Telecom either adopt a plan to block out-going calls based on traffic measurement, or install a larger PABX.

The call-blocking plan was initially implemented with limited success. As the elections approached, communications traffic continued to grow. The decision was made to cut-over to a larger PABX. This operation was accomplished in two days and nights. This turned out to be a very important decision. During the elections, communications traffic increased far beyond planned levels due to procedural problems with the voting and the counting process experienced nationwide. The adequate capacity and quality of the telephone system was key in the final success of the elections.

Communications to remote areas. Major areas of South Africa have very limited telecommunications. This applies particularly to the ten territorial areas formerly known as the "homelands". In most of these areas, telephone service was limited to the major cities. This posed a problem in areas such as the Transkei, where 1800 voting stations were to operate over the election days. Communications networks in areas lacking the telephone infrastructure was provided for the most part by VHF radio. Base-stations were installed to communicate with the hand-held radios used by IEC monitors and some of the voting station staffs. The base-stations were connected to the POCs and SPOCs by telephone or radio. In some areas not served by telephone, the topography or the sheer distance between voting stations prevented the use of the hand-held radios. I suggested that the communications problem faced by these areas might be resolved by redesigning the deployment of the radio units in the area and providing linkage to the national IEC communications network via portable satellite transmission terminals.

The heads of the Telecommunications Division and the responsible Commissioners supported this approach. I took charge of arranging for the lease and the deployment of twenty satellite terminals and the training of the operators. A press conference was organized by the local IEC press relations officer. The satellite telephones were demonstrated and their usage explained. This resulted in an article in the East London Dispatch and a story on SABC nationwide radio. The units and their operators were successfully deployed. (See: Status of Inmarsat Terminals below.) The United States was credited for the provision of this valuable technical assistance.

Pre-election inspection. We inspected fifteen remote POCs and SPOCs in three days. The status of the equipment, training of the staff and general readiness was reviewed. I specifically inspected the back-up systems and provided training in case of emergency. We concluded that we had excellent staff in the field that had the independence and resourcefulness to deal with most problems. We finished the trip very tired but reassured that the people and equipment were ready.

Status of Inmarsat Terminals

A contract was negotiated with GLOCOM Inc., based in Rockville, Maryland, for a thirty day lease of 20 Inmarsat satellite telephone terminals. The terminals were leased at \$2,250.00 per terminal per month plus \$5.95 per minute usage. They were shipped to Johannesburg on April 15-16, 1994. They were processed through South African customs by the April 21-22, and shipped to East London. There, they were all tested by the operators, who reported that no problems were found with any of the units.

Ten of the satellite telephones were deployed in the Transkei for use as relay stations between the car radios and the SPOCs. The others were used as back-up for POCs and SPOCS that were vulnerable to telephone facilities sabotage. The usage was anticipated to be 20 hours per unit during the two election days. Actual utilization was much lower, as most units were used as back-ups. Nineteen of the units had been returned to GLOCOM at the time of the writing of this report. One unit is being traced by DHL. It was shipped for Klerksdorp to Johannesburg on May 3, 94. Its location is not known at this time. The total known and estimated expenses for the trip were estimated as follows:

Technical Support	Estimated Total: \$62,000.00
One month lease for 20 terminals: \$45,000.00	
Usage- TBD minutes \$ 3,000.00 (Estimate)	
Shipping Washington-Johannesburg \$ 7,000.00 (Estimate)	
Shipping Johannesburg-Washington \$ 7,000.00 (Estimate-partial payment by GLOCOM)	

Other potential expenses	Estimated Total: \$21,455.00
Loss of unit #F06CF2. \$18,950.00 (<i>This unit was located after the submission of this report and returned to the U.S.</i>)	
Damage to units (2 units*\$950.00). \$ 1,900.00	
Missing cables (13 units). \$ 260.00	
Missing phone. \$ 50.00	
Acid damaged bag. \$ 250.00 (Leakage from the mobile power source.)	
Missing compass (3 units). \$ 45.00	

Evaluation

1. The IEC did an outstanding job in carrying off the South African elections in spite of the tense and confusing environment. I was amazed how fast decisions were made and executed. If viewed with a microscope, many problems appear, but on the whole, the elections were a great success.
2. The Telecommunications Division ran very efficiently during the elections. The division assumed some of the responsibility for the general administration of the election process mid-way through the actual election days. This opportunity due arose to the Electoral Administration Department's (EAD) inability to anticipate organizational problems and their lack of management and technical skills with which to react when problems occurred. Consultants from IFES and other international organizations anticipated the situation and offered their assistance before the crises, but it was not accepted. EAD also lacked the skills and leadership experience necessary to conduct a major logistics effort.
3. The Telecommunications Division's success in fulfilling their responsibility to deploy the communications system and take on the additional task of addressing elections administration problems can be attributed to:
 - a. Capable leadership and good delegation of responsibilities.
 - b. An experienced staff in line management and specific technical areas.
 - c. Decentralization of tasks to the field locations.
 - d. A timely transition from implementation to operations.
 - e. A reliance on flexibility and creativity in finding solutions.
 - f. The selection of rugged, tested and conservative technology.
4. A major effort was expended by the Information Technology Division, with the support of Telecom, in deploying an information management system. The system architecture was anchored by a centralized server with a LAN and WAN covering HQ, the POCs, and the SPOCs. As the number of system consumers increased, the system began to show signs of stress. The central processor was undersized, rendering applications at the remote sites unusable due to the slow processor speed. Unfortunately, the information management system was too ambitious and called for too much new technology to allow successful implementation in the short time period available. Thus the system was never stable. As soon as the system did approach stability, the use requirements changed.

The lessons here are as follows:

- a. Use tested and tried technology.
- b. Oversize the hardware.
- c. Limit the available applications to the essentials.
- d. Either have each directorate, division, or department have its own IT group with a central group setting standards and training, or combine IT and Telecom into a single entity.

Conclusion

Working for the IEC was a great experience. I enjoyed the high caliber of people, both from the IEC and from IFES. It was satisfying to work in harmony in a group with people who were recently at war. The IEC, despite its faults, served as a great unifying force for South Africa and can serve as a example of a fully integrated work place.

IFES served a critical role. Its role was not always visible as its staff and consultants were totally integrated with the IEC. IFES people, if involved earlier could have designed a more rugged architecture for the electoral system. Unfortunately, this was not possible. IFES solved many problems and brought considerable experience to bear on difficult problems, facilitating rapid solutions. The IFES consultants were held in high regard by the IEC.

Submitted by: Anthony J. van Hover
 The Lancaster Group
 8209 Stone Trail Drive
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 May 23, 1994

IFES/South Africa. Consultant Activity Report.

Unit Testing, Vendor Contracting, and Backup--Duncan MacKinnon.

Date : May 9, 1994
To : Keith Klein, Director of Africa and the Near East programs, International Foundation for Electoral Systems
From : Duncan MacKinnon
Subject : Summary of Consultation to the Independent Electoral Commission South Africa Satellite Communication.

The author cooperated with the Independent Electoral Commission (IEC), Glocom Incorporated and Comsat Incorporated to effect the evaluation, test shipment and operation of twenty Inmarsat "M" portable satellite communications terminals in support of the election in South Africa.

The terminals, manufactured in Rockville, Maryland by Glocom Incorporated, were evaluated to establish the feasibility of their use in South Africa. The construction of the units appeared rugged enough for use in the remote rural locations anticipated. The light weight and small size of the units are also positive factors for remote area deployment.

The units were shipped in a padded fabric case which was designed to permit rough handling in shipment and even back-packing if necessary. Minimal support of a twelve-volt vehicle battery power source is required.

The Glocom Inmarsat terminal can be used in any location within the area covered by the four Inmarsat satellites. This includes essentially the entire globe with the exception of areas in the range of latitudes greater than approximately 70 degrees, north and south.

The footprint of the signal from the Inmarsat Atlantic Ocean East Region (AOR-E) satellite permits use throughout south Africa and was selected as the primary satellite choice.

The Comsat Earth station in Southbury, Connecticut was chosen as the terminal through which traffic via the international telephone network to South Africa would be carried. Other Inmarsat earth stations such as the British Telecom station in England could also have been selected but an attractive tool was negotiated with Comsat.

Testing at the Glocos facilities with the AOR-E satellite indicated that it was relatively simple to set up the system and adjust the antenna orientation to acquire the signal from the satellite. Pointing errors up to 10 degrees still provided a useful signal. A satellite signal strength indicator on the unit permits the orientation to be optimized for maximum signal.

Once the signal is acquired a standard telephone connected to the terminal can be used to reach any phone connected to the international telephone network or any use other Inmarsat mobile terminal.

A meeting was held at Comsat Laboratories to explore the potential problems which might arise applying the terminals during the election period. Only forty channels were available on Inmarsat "M" terminals at the Southbury station. A capacity problem might have arisen if all twenty IEC terminals were operated simultaneously (in addition to other traffic carried by the facility). A scheduled transmission mode was recommended to overcome this problem.

The certification tests were witnessed and operation verified by the author. Certification involves entering the transmit and callback registration into the read only memory of each unit and verification that the information is correct from the mobile terminal to the Comsat earth station using AOR-E. Fax transmission and reception capabilities were also verified.

The author was on standby at the Glocos during the election period to assist in the solution of problems had they arisen. The Internet was used extensively for convenience and cost saving in pre-election communications between IFES/South Africa, the IEC, and the author.

An overview of IEC EAD's Materials Logistics Plans

Distributed by the Deputy Director of Procurement and Provisioning to all of the provincial Procurement and Distribution Managers on 16 April 1994.

Much of the criticism of South Africa's elections focuses on the logistical shortcomings of the process. It is reasonable to believe that these problems prevented some sector of the population from participating in the event. The lack of a voters register, coupled with the incomplete post-election accounting of the quantities of election materials used, make it impossible to accurately measure the overall impact of poor logistical preparations on the election process. Suffice to say that this is an area where substantial improvements can easily be made in time for the next elections.

Four elements were missing from the basic preparations for the elections: participatory preplanning; contingency preparation; training; and time. The Independent Electoral Commission's *Materials Logistics Plans* presented a viable structure for a materials reception, distribution, and recovery plan. However, to assume that this plan could have been fully operational in the limited time between its distribution on April 16th and the election was extremely optimistic.

IFES consultant Kenneth Weinberg mentions in the beginning of his report (Appendix G.1) that many elements of the logistical preparation did go well. However, it seemed that for every logistical success, there were numerous problems. Those responsible at the national, provincial, and the district levels for creating the logistics infrastructure were not provided all of the tools nor the conditions to properly pursue their tasks. The final lists of voting stations and counting stations were in a state of flux through the end of April. Additional vote security and counting procedures were added in the final days--and even hours--of the pre-electoral period.

Immediately before the election when their attention should have been focused solely on the provisioning of the voting and the counting stations, the Election Administration Directorate (EAD) logistics team was receiving last-minute requests to arrange the delivery of voters education materials to locations around the country. The EAD's main logistics staff in Johannesburg was small, making it impossible for them to respond to every request coming from the different divisions of the IEC.

a. **Commodities Estimation and Voting Stations**

Commodities estimations and procurements for the South African elections were determined based on an estimate of 27,000,000 eligible voters. Each of these voters was to be within a reasonable distance of one of 9,000 planned voting stations. The voting stations were to be supplied with adequate materials to handle one or more "streams" of 3,000 voters per stream.

This ratio of voters to voting stations was extremely high, even for a multi-day election. The general planning "rule-of-thumb" for elections logisticians is 500 voters per voting station. Cambodian voters reported to one of 8,000 voting stations over a six-day period. Six hundred registered voters were assigned to each station. The 1992 elections in Angola ran over two days.

A maximum of 1,200 voters were assigned to each of the 5,579 voting stations. Mexican election authorities distributed 96,395 voting booths ("casillas") to service 45,729,053 registered voters. Approximately 10,000 booths were located in the federal district of Mexico City alone. Each booth was planned to service a maximum of 750 voters.

The official IEC figures provided with the logistics plan fixed the total voting population at 22,709,152; 4,290,848 voters less than originally estimated. Information received by the IFES placed the number of voting stations at 9,000, and the number of voting streams at approximately 10,000.

b. Secure Materials

Two logistics plans were included in the plan distributed by EAD logistics on April 16th: one for secure materials, and a second for non-secure materials. Both plans outlined the steps for the assembly and the distribution of materials at what were identified as the "First Stage" and the "Second Stage." Secure materials included: national and provincial ballot papers; UV marking inks; official stamps; ballot box seals; ballot box stickers; DHL seals; and "void" seals.

Consumables--ballots and marking ink--were supplied at 145% of the estimated voting population at the sub-provincial level. (Appendices I.-K.) This safety margin was to be passed on the individual voting stations. 95% of the total supplies received by each of the nine provinces was distributed to the sub-provinces. The remaining 5% was to be stored at the central provincial warehouse as a security stock. No reserve materials were to be stored at the national level.

The first stage of the assembly and distribution of secure materials was planned for Waterkloof Air Force Base, located between Johannesburg and Pretoria. All secure materials were to arrive at the base between April 9th and 18th. Beginning on April 12th, materials were to be divided between 41 sub-provincial bins.

Sub-provincial warehousing and security arrangements were arranged by the Deputy Provincial Electoral Officers (DPEO) with the assistance of the District Electric Officers (DEO) and the approval of the Provincial Electoral Officers (PEO) and EAD headquarters. These were to be finalized by April 18th. Beginning April 18th, completed bins of secure materials were to be packed and shipped from AFB Waterkloof to their respective destinations. All materials were to be shipped via land transport with a security detail. No trip was to take over 24 hours one-way and all materials were to be shipped by April 21st at the latest. As a result, all security items were to be in the sub-provincial warehouses no later than midnight, April 22nd.

The second stage of the assembly and distribution involved the packaging and delivery of the voting station kits to the 9,000 voting stations around the country. In conjunction with the DEOs, the DPEO was to prepare a list of known voting and counting stations--plus corresponding voter population estimate (confirmed or planned)--for the sub-province. Specific information was requested for each location:

Name of the electoral district
Voting station number

Standard or Special voting (i.e. 27-29 or 26-29 or 26 only)
Voting station address (or indication that station is a mobile unit)
Voter population estimate (in the case of the mobile stations, the total of all of the planned stops)

The plan indicated that if there was adequate time at the sub-provincial level, the voting materials were to be packaged by voting station and batched by district. The deadline for the preparation of all of the voting station kits for final distribution to all but the closest stationary voting stations was April 24th.

Second stage distribution was to be observed by representatives of the Election Monitoring Directorate (EMD). The provinces could choose to do the distribution in one of two ways. In the first scenario, the batches of materials for an entire district would be delivered to the DEO from the sub-province. Batch distribution was to be accompanied by an armed escort and an EMD monitor. The voting station presidents would report to the district level to collect their equipment. The second option was to have the voting station presidents report directly to the sub-province to collect their kits. No kits were to be distributed until the voting station in question was "properly established and secured by a police or military presence."

Finally, the memo directed the voting station president (referred to as the presiding officer) to open the kit, check the contents against the manifest, and report and correct any problems with the "issuing officer."

c. Non-secure Materials

The second portion of the *Materials Logistics Plans* focused on the procurement, assembly, and distribution of non-secure materials. Special items provided by IEC headquarters (i.e. ballot boxes, paper towels, and voting compartments) were stored in Johannesburg. The other items listed in Appendices J. and K. were packed into kits in Randburg. Provincial authorities were instructed to send any items already present on hand their sub-provincial warehouses. Some of these existing stocks were to be returned to the Randburg warehouse by April 19th for re-deployment with the new kits.

One ballot box per voting station was to be delivered to the secure materials warehouse at Waterkloof. The secure materials for a voting station were placed in this box and the box was sealed. The second ballot box was used for the packing of some of the non-secure materials.

IEC headquarters was responsible for the first-stage distribution. A local van line was contracted to handle the materials delivery nationwide. The provinces were asked to submit their estimates of 1,000-voter stations to allow central preparation of some smaller kits at the same time that the standard kits were being packaged. Non-secure supplies for 3,000 voters filled between five or six cartons.

All materials were expected to be delivered to the sub-provincial level by April 22nd. Deliveries of the non-secure materials were not assigned a security detail. Extra stock was kept at the principal provisional warehouse under the supervision of the P&D manager.

Each sub-provincial warehouse was responsible for the tracking and management of its individual stocks. Warehouses were required to have a working telephone line or to be within mobile phone contact range with Johannesburg. Daily reports of materials reception and issuing were required to be provided to the responsible provincial P&D manager and to the EAD headquarters. Based on the fax information, the P&D manager was expected to maintain a province-wide record of materials location and distribution. Initially, it was planned to hook the warehouses into the IEC computer network. However, this system was never put into place.

Sub-provincial warehouse managers were expected to prepare a materials tracking schedule by voting station. These schedules were to be approved by the P&D manager, who was to perform regularly scheduled inspections and audits. Warehouse managers were told to be particularly alert as to the needs of the "non-standard" voting stations; those for Special Voting (April 26th), mobile stations, and small (sub-3,000) voting stations. In addition, it was pointed out that some voting stations would have multiple "streams" with each stream supplied to serve 3,000 voters. In this situation, every stream might not need the full complement of equipment, especially the communications/voters information materials.

The plan warned election administrators that the ballot boxes had been fabricated by different manufacturers. The box lids were not interchangeable between boxes from different sources. The boxes and the lids were supposed to be marked to allow easy matching. Second stage distribution was possible either from the sub-province or from the district, following the plan for the secure materials. EMD was invited to monitor all stages of the distribution.

There was a short section at the end of the *Materials Logistics Plans* discussing the major steps for post-election equipment recovery. Materials were to be collected by sub-province and then centralized in provincial storage facilities. All provincial plans were to be approved by EAD headquarters. Central provincial storage sites were to be finalized by May 6th. At the time of the IFES team's departure, these plans had not been implemented.

APPENDIX I

POPULATION DISTRIBUTION DETAILS- ELECTION 1994 Appendix 2

PROVINCE	SUB-PROVINCE	SUB-PROVINCE POPULATION	% OF PROVINCE	PROVINCIAL TOTAL	% OF NATIONAL
PWV	JOHANNESBURG PRETORIA RANDFONTEIN SPRINGS VEREENIGING	1470408 861731 694726 1314327 520925	30.24% 17.72% 14.29% 27.03% 10.71%		6.47% 3.79% 3.06% 5.79% 2.29%
		4862117	100.00%	4862117	21.41%
EASTERN CAPE	BISHO (to East London) EAST LONDON PORT ELIZABETH QUEENSTOWN UMTATA	450456 178190 816269 136957 1595098	14.18% 5.61% 25.69% 4.31% 50.21%		1.98% 0.78% 3.59% 0.60% 7.02%
		3176970	100.00%	3176970	13.99%
EASTERN TRANSVAAL	ERMELO KWAMHLANGA NELSPRUIT WITBANK	517768 213468 459859 361680	33.34% 13.75% 29.62% 23.29%		2.28% 0.94% 2.02% 1.59%
		1552775	100.00%	1552775	6.84%
NATAL	DURBAN EMPANGENI NEWCASTLE PIETERMARITZBURG PORT SHEPSTONE	1861395 845491 766866 971583 139756	40.60% 18.44% 16.73% 21.19% 3.05%		8.20% 3.72% 3.38% 4.28% 0.62%
		4585091	100.00%	4585091	20.19%
NORTH-WEST	POTCHEFSTROOM RUSTENBURG VRYBURG ZEEBURG	441351 771444 253176 297474	25.03% 43.75% 14.36% 16.87%		1.94% 3.40% 1.11% 1.31%
		1763445	100.00%	1763445	7.77%
NORTHERN CAPE	DE AAR KIMBERLEY KURUMAN SPRINGBOK UPINGTON	61554 178235 49586 54782 94992	14.02% 40.59% 11.29% 12.47% 21.63%		0.27% 0.78% 0.22% 0.24% 0.42%
		439149	100.00%	439149	1.93%
NORTHERN TRANSVAAL	ELLISRAS NYLSTROOM PHALABORWA PIETERSBURG THOHOYANDO	57896 306179 532413 1123684 266933	2.53% 13.39% 23.28% 49.13% 11.67%		0.25% 1.35% 2.34% 4.95% 1.18%
		2287105	100.00%	2287105	10.07%
ORANGE FREE STATE	BETHLEHEM BLOEMFONTEIN KROONSTAD WELKOM	371567 489501 338953 436560	22.70% 29.91% 20.71% 26.68%		1.64% 2.16% 1.49% 1.92%
		1636581	100.00%	1636581	7.21%
WESTERN CAPE	BEAUFORT WEST (to George) CAPE TOWN GEORGE VREDENDAL (to Cape Town)	31657 2008998 232050 133214	1.32% 83.50% 9.64% 5.54%		0.14% 8.85% 1.02% 0.59%
		2405919	100.00%	2405919	10.59%
TOTAL VOTING POPULATION				22709152	100.00%

NATIONAL BALLOT PAPERS- Appendix 1

PROVINCE	SUB-PROVINCE	POP %	Allocation	PAPERS Reserve	TOTAL	Allocation	Reserve	CARTONS TOTAL
		32995590	1736610	34732200		21997	1158	23155
PWV	Johannesburg	6.47	2134815	372156	7443110	1423	248	4962
	Pretoria	3.79	1250533			834		
	Randfontein	3.09	1019564			680		
	Springs	5.79	1910445			1274		
	Vereeniging	2.29	755599			504		
		21.43	7070955	372156	7443110	4714	248	4962
Eastern Cape								
	Bisho	1.98	653313			436		
	East London	0.78	257366	242604	499970	172	162	3235
	Port Elizabeth	3.59	1184542			790		
	Queenstown	0.60	197974			132		
	Umtata	7.02	2316290			1544		
		13.97	4609484	242604	4852088	3073	162	3235
Eastern Transvaal	Ermelo	2.28	752299			502	-79	1581
	Kwamhlanga	0.94	310159			207		
	Nelspruit	2.02	666511	118610	785121	444		
	Witbank	1.59	524630			350		
		6.83	2253599	118610	2372209	1502	79	1581
Natal	Durban	8.20	2705638	350795	3056434	1804	234	4677
	Empangeni	3.72	1227436			818		
	Newcastle	3.38	1115251			743		
	Pietermaritzburg	4.28	1412211			941		
	Port Shepstone	0.62	204573			136		
		20.20	6665109	350795	7015904	4443	234	4677
North West	Potch/Klerksdorp	1.94	640114	134761	774875	427	90	1797
	Rustenburg	3.40	1121850			748		
	Vryburg	1.11	366251			244		
	Zeerust	1.31	432242			288		
		7.76	2560458	134761	2695219	1707	90	1797
Northern Cape	De Aar	0.27	89088			59		
	Kimberley	0.78	257366	33517	290882	172	22	447
	Kuruman	0.22	72590			48		
	Springbok	0.24	79189			53		
	Upington	0.42	138581			92		
		1.93	636815	33517	670331	425	22	447
Northern Transvaal	Ellisras	0.25	82489			55		
	Nylstroom	1.35	445440			297		
	Phalaborwa	2.34	772097			515		
	Pietersburg	4.95	1633282	174877	1808158	1089	117	2332
	Thohoyando	1.18	389348			260		
		10.07	3322656	174877	3497533	2215	117	2332
Orange Free State	Bethlehem	1.64	541128			361		
	Bloemfontein	2.16	712705	125210	837914	475	83	1669
	Kroonstad	1.49	491634			328		
	Welkom	1.92	633515			422		
		7.21	2378982	125210	2504192	1586	83	1669
Western Cape	Beaufort West	0.14	46194			31		
	Cape Town	8.85	2920110	184081	3104190	1947	123	2454
	George	1.02	336555			224		
	Vredendal	0.59	194674			130		
		10.60	3497533	184081	3681613	2332	123	2454
		100.00	32995590	1736610	34732200	21997	1158	23155

PROVINCIAL BALLOT PAPERS- Appendix 1

PROVINCE	SUB-PROVINCE	POP %	Allocation	PAPERS Reserve	TOTAL	Allocation	Reserve	CARTONS TOTAL
		42073125	2214375	44287500	28049	1476	29525	
PWV	Johannesburg	6.47	2722131	474541	3196672	1815	316	2131
	Pretoria	3.79	1594571			1063		
	Randfontein	3.09	1300060			867		
	Springs	5.79	2436034			1624		
	Vereeniging	2.29	963475			642		
		21.43	9016271	474541	9490811	6011	316	6327
Eastern Cape	Bisho	1.98	833048			555		
	East London	0.78	328170	309348	637519	219	206	425
	Port Elizabeth	3.59	1510425			1007		
	Queenstown	0.60	252439			168		
	Umtata	7.02	2953533			1969		
		13.97	5877616	309348	6186964	3918	206	4125
Eastern Transvaal	Ermelo	2.28	959267			640	101	740
	Kwamhlanga	0.94	395487			264		
	Nelspruit	2.02	849877	151242	1001119	567		
	Witbank	1.59	668963			446		
		6.83	2873594	151242	3024836	1916	101	2017
Natal	Durban	8.20	3449996	447304	3897300	2300	298	2598
	Empangeni	3.72	1565120			1043		
	Newcastle	3.38	1422072			948		
	Pietermaritzburg	4.28	1800730			1200		
	Port Shepstone	0.62	260853			174		
		20.20	8498771	447304	8946075	5666	298	5964
North West	Potch/Klerksdorp	1.94	816219	171836	988054	544	115	659
	Rustenburg	3.40	1430486			954		
	Vryburg	1.11	467012			311		
	Zeerust	1.31	551158			367		
		7.76	3264875	171836	3436710	2177	115	2291
Northern Cape	De Aar	0.27	113597			76		
	Kimberley	0.78	328170	42737	370908	219	28	247
	Kuruman	0.22	92561			62		
	Springbok	0.24	100976			67		
	Upington	0.42	176707			118		
		1.93	812011	42737	854749	541	28	570
Northern Transvaal	Ellisras	0.25	105183			70		
	Nylstroom	1.35	567987			379		
	Phalaborwa	2.34	984511			656		
	Pietersburg	4.95	2082620	222988	2305607	1388	149	1537
	Thohoyando	1.18	496463			331		
		10.07	4236764	222988	4459751	2825	149	2973
Orange Free State	Bethlehem	1.64	689999			460		
	Bloemfontein	2.16	908780	159656	1068436	606	106	712
	Kroonstad	1.49	626890			418		
	Welkom	1.92	807804			539		
		7.21	3033472	159656	3193129	2022	106	2129
Western Cape	Beaufort West	0.14	58902			39		
	Cape Town	8.85	3723472	234724	3958195	2482	156	2639
	George	1.02	429146			286		
	Vredendal	0.59	248231			165		
		10.60	4459751	234724	4694475	2973	156	3130
		100.00	42073125	2214375	44287500	28049	1476	29525

ITEMS TO BE PROCURED AND SUPPLIED BY EAD HEAD OFFICE

Equipment

Voting compartments
Cardboard voting compartments (table-top, as contingency/special voting)
Ballot boxes
UV light systems (220v)
UV light systems (AA battery or C battery)
Spare batteries (AA or C for UV lights)
Spare UV tubes
Extension cord
Banners
Perimeter signs (red, green and yellow, also in vernacular)
Blank posters
Direction posters (five types)
Polling booth posters
Voting station ID posters

'Stationery'

Stamp pads
Stamp pad ink (black refill)
Voting pencils
Pencil sharpeners
Writing pens
Marking pens (black felt tip)
Ribbon (for sealing ballot boxes, and for voting pencils)
Plastic cable ties (to strengthen sealing points)
Sealing wax
Candles (for sealing wax)
Writing pads
Official forms (Voting station)
Envelopes/Packets (pre-printed with labels)
Plastic 'DHL' sacks (for envelopes and packets)
Dayglo P and N decals (for full ballot box ID)
Wound wire (for sealing ballot boxes)
Paper towels (for voters to dry their hands)
Arm bands (for POs, Party Agents and Voting Officers)
Brown paper (to cover top of older compartments, and for parcels)
String (for parcels and general use)
Drawing pins
Masking tape
Rubber thimbles (for counting ballots)
Demarcation tape

Counting Station

Paper clips
Rubber bands
Official Forms (Counting Station)

Modules for 1000 voter and mobile stations

	<u>Required</u>	<u>Required</u>	<u>Notes</u>
<u>Equipment</u>	<u>1000 voters</u>	<u>Mobile</u>	
voting compartments	8	7	
cardboard voting compart	10	10	
ballot boxes	9	5	
UV lights (battery)	2	2	
batteries	18 sets	18 sets	
spare UV light bulbs	1	1	
Posters and Banners			
banners	1	1	banners are in 11 languages
all purpose poster	2	2	
directional posters	18	18	6 left, 6 right, 6 straight ahead
voting area signs (English)			
Type a: red (voting area)	4	3	
Type b: green (inner circle)	6	4	
Type c: yellow (control area)	12	6	
voting area (Vernacular)			In 11 languages
Type a:red (voting area)	4	3	
Type b: green (inner circle)	6	4	
Type c: yellow (control area)	12	6	
voting station id poster	2	2	
Stationery			
stamp pads	2	1	
stamp pad ink	1 bottle	1 bottle	
voting pencils	12	12	
pencil sharpener	1	1	
writing pens	3	3	
marking pens	1	1	
ribbon	2 rolls	2 rolls	
plastic cable ties	50	50	
sealing wax			
old type	1 box	1 box	requires candle to melt wax
OR			
new type	1 box	1 box	contains a wick to melt wax
candles	50	6	to be used with old type sealing wax
writing pads	1	1	
official forms (voting sta)			Approximately 40 forms/envelopes
plastic DHL sacks	1	2	
Dayglo decals for ballot boxes			
National (Orange)	10	10	
Provincial (Green)	8	8	
wound wire	1 bundle	1 bundle	
paper towels			8 packages from sub-Prov. warehouse
arm bands			
type a: presiding officer	2	2	
type b: voting clerk	22	10	
type c: party official	10	10	
brown paper	1 quire	1 quire	
string	1 roll	1 roll	
drawing pins	2 boxes	1 box	
masking tape	1 roll	1 roll	
demarcation tape	1 roll	1 roll	300 meters/roll

Voting Station Kit for 'Modular 3000'

Battery powered UV lamps (AA Type)

	Required	Notes
Equipment		
voting compartments	12	
cardboard voting compartment	10	To be shipped shrink wrapped in packs of ten
ballot boxes	14	
UV lights (battery) (AA)	3	
batteries (AA)	27 sets	
spare UV light bulbs	1	
Posters and Banners—posters bundled 50/pkg for distribution to sub-Provinces sub-Provinces will redistribute to voting stations in accordance with the inventory below		
banners	3	
all purpose poster	2	
directional posters	18	6 of each type (left, right, straight ahead)
Perimeter signs (English)		
red/black	4	
"voting area"		
green/black	6	
"inner circle"		
yellow/black	12	
"control area"		
voting area (Vernacular)		
red/black	4	
"voting area"		
green/black		
"inner circle"	6	
yellow/black	12	
"control area"		
voting station id poster	2	
Stationery		
stamp pads	2	
stamp pad ink	1 bottle	
voting pencils	18	
pencil sharpener	1	
writing pens	5	
marking pens	1	
ribbon	3 rolls	
plastic cable ties	50	
sealing wax	1	
old type	1 box	requires candle to melt wax
OR		
new type	1 box	contains a wick
candles	50	to be used with old type sealing wax
writing pads	1	
official forms		Approximately 40 forms/envelopes to be shipped separately
plastic DHL sacks	3	
Dayglow decals for ballot boxes		
National (Orange)	10	
Provincial (Green)	8	
wound wire	1 bundle	
paper towels		Some stocked with 2400 towels. Remainder from sub-Provincial inventory
arm bands		
type a: presiding officer	2	
type b: voting clerk	22	
type c: party official	10	
brown paper	1 quire	
string	1 roll	
drawing pins	2 boxes	
masking tape	2 rolls	
demarcation tape	1 roll	300 meters/rol

South African Parties presenting candidates for the Provincial Legislature(s):

African Muslim Party, AMP
African Christian Democratic Front, ACDF
African Democratic Movement, ADM
African Moderates Congress Party, AMCP
African National Congress, ANC
Democratic Party, *Demokratiese Party*, DP
Dikwankwetla Party of South Africa, DPSA
Federal Party, FP
Freedom Front, *Vryheidsfront*, FF
The Green Party, GP
Inkhatha Freedom Party, *Iquembu Lenkhata Yenkululeko*, IFP
Islamic Party, IP
Keep It Straight and Simple, KISS
Luso-South Africa Party, LUSAP
Merit Party, MP
Minority Front, MF
National Party, *Nasional Party*, NP
Pan Africanist Congress of Azania, *Pan-Africanist Congress*, PAC
Right Party, RP
Sports Organization For Collective Contributions And Equal Rights, SOCCER
South African Women's Party, SAWP
United People's Front, UPF
Western Cape Federal Party, WCFP
Women's Rights Peace Party, WRPP
Workers International to Rebuild the Fourth International, SA-WI
Worker's List Party, WLP
Ximoko Progressive Party, XPP

South African Parties presenting candidates for the National Assembly:

African Muslim Party, AMP

African Christian Democratic Party, ACDP

African Democratic Movement, ADM

African Moderates Congress Party, AMCP

African National Congress, ANC

Democratic Party, *Demokratiese Party*, DP

Dikwankwetla Party of South Africa, DPSA

Federal Party, FP

Inkhatha Freedom Party, *Iquembu Lenkhata Yenkululeko*, IFP

Keep It Straight and Simple, KISS

Luso-South Africa Party, LUSAP

Minority Front, MF

National Party, *Nasional Party*, NP

Pan Africanist Congress of Azania, *Pan-Africanist Congress*, PAC

Sports Organization For Collective Contributions And Equal Rights, SOCCER

Women's Rights Peace Party, WRPP

Worker's List Party, WLP

Ximoko Progressive Party, XPP

Prov/Subprov/District

19-May-94

APPENDIX M**Prov Eng****SubProv NAME****Dist Eng****EASTERN CAPE****EAST LONDON**

ADELAIDE
EAST LONDON
FORT BEAUFORT
HEWU
KEISKAMMAHOEK
KING WILLIAMS TOWN
KOMGA
MDANTSANE
MIDDLEDRIFT
PEDDIE
STOCKENSTROM
STUTTERHEIM
VICTORIA EAST
ZWELITSHA

PORT ELIZABETH

ABERDEEN
ALBANY
ALEXANDRIA
BATHURST
BEDFORD

QUEENSTOWN

ALBERT
ALIWAL-NORTH
BARKLY EAST
CATHCART
CRADOCK

Prov/Subprov/District

19-May-94

ProvEng	SubProvNAME	DistEng
EASTERN CAPE		ELLIOT HOFMEYR INDWE LADY GREY MACLEAR MIDDELBURG (ECAPE) MOLTENO QUEENSTOWN STERKSTROOM STEYNSBURG TARKA VENTERSTAD WODEHOUSE
UMTATA		BIZANA BUTTERWORTH ELLIOTDALE ENGCOBO FLAGSTAFF GLEN GREY HERSCHEL IDUTYWA KENTANI LIBODE LUSIKISIKI MATATIELE MOUNT AYLIFF MOUNT FLETCHER MOUNT FRERE MQANDULI NGQELENI NQAMAKWE PORT ST JOHNS QUMBU ST MARKS TABANKULU TSOLO TSOMO UMTATA

Prov/Subprov/District

19-May-94

ProvEng

SubProvNAME

DistEng

EASTERN CAPE

UMZIMKULU

WILLOWVALE

XALANGA

Prov/Subprov/District

19-May-94

ProvEng	SubProvNAME	DistEng
EASTERN TRANSVAAL	ERMELO	AMERSFOORT BETHAL CAROLINA ERMELO KRIEL PIET RETIEF (ETVL) STANDERTON VOLKSRUST WAKKERSTROOM
	KWAMHLANGA	GROBLERSDAL MATHANJANA MBIBANA MDUTJANA 1+2+3 MDUTJANA 2 MDUTJANA 3 MKOBOLA MOUTSE 1+2 MOUTSE 2 MOUTSE 3
	NELSPRUIT	BARBERTON BELFAST EERSTEHOEK KAMHLUSHWA LYDENBURG NELSPRUIT NSIKAZI PILGRIM'S REST 1 PILGRIM'S REST 1+2 WATERVAL BOVEN WHITE RIVER
	WITBANK	BALFOUR DELMAS HIGHVELD RIDGE MIDDELBURG (ETVL) WITBANK

Prov/Subprov/District

19-May-94

ProvEng	SubProvNAME	DistEng
KWAZULU/NATAL	DURBAN	CHATSWORTH DURBAN INANDA INANDA (NTUZUMA) LOWER TUGELA MAPUMULO NDWEDWE PINETOWN UMBUMBULU UMLAZI
	EMPANGENI	BABANANGO ESTCOURT HLABISA INGWAVUMA LOWER UMFOLOZI MHLABATINI MTONJANENI MTUNZINI NGOTSHE NKANDHLA NONGOMA UBOMBO
	NEWCASTLE	BERGVILLE DANNHAUSER DUNDEE ESHOWE GLENCOE KLIPRIVIER NEWCASTLE NQUTU PAULPIETERSBERG PIET RETIEF (NATAL) UTRECHT VRYHEID WEENEN
	PIETERMARITZBURG	

Prov/Subprov/District

19-May-94

ProvEng	SubProvNAME	DistEng
	KWAZULU/NATAL	
		CAMPERDOWN
		IMPENDLE
		KRANSKOP
		LIONS RIVER
		MOORIVIER
		MSINGA
		NEW HANOVER
		PIETERMARITZBURG
		RICHMOND (NATAL)
		UMVOTI
	PORt SHEPSTONE	
		ALFRED
		IXOPO
		MOUNT CURRIE
		POLELA
		PoRT SHEPSTONE
		UMZINTO
		UNDERBERG

Prov/Subprov/District

19-May-94

ProvEng**NORTH-WEST****SubProvNAME****DistEng****POTCHEFSTROOM**

COLIGNY
KLERKSDORP
POTCHEFSTROOM
VENTERSDORP
WOLMARANSSTAD

RUSTENBURG

BAFOKENG
BRITS
KOSTER
MANKWE
MORETELE
ODI 1+2
ODI 2
PRETORIA (NW)
RUSTENBURG 1+2
RUSTENBURG 2
SWARTRUGGENS

VRYBURG

BLOEMHOF
CHRISTIANA
DELAREYVILLE
GANYESA
KURUMAN
SCHWEIZER-RENEKE
TAUNG
THLAPING-THLARO+KUDUM
VRYBURG

ZEERUST

DITSOBOTLA
LEHURUTSHE
LICHENBURG
MADIKWE
MAFEKING
MARICO 1-2
MARICO 2
MOLOPO (MAFEKING)

Prov/Subprov/District

19-May-94

ProvEng	SubProvNAME	DistEng
NORTHERN CAPE	DE AAR	BRITSTOWN CARNARVON COLESBERG DE AAR FRASERBURG HANOVER NOUPOORT PHILIPSTOWN RICHMOND (NCAPE) VICTORIA-WEST
KIMBERLEY		BARKLY WEST HARTSWATER HERBERT HOPETOWN KIMBERLEY WARRENTON
KURUMAN		KURUMAN POSTMASBURG
SPRINGBOK		CALVINIA NAMAQUALAND SUTHERLAND
UPINGTON		GORDONIA HAY KENHARDT PRIESKA WILLISTON

Prov/Subprov/District

19-May-94

ProvEng**SubProvNAME****DistEng****NORTHERN TRANSVAAL****ELLISRAS**ELLISRAS
MOKERONG 1
THABAZIMBI**NYLSTROOM**MOKERONG 2
MOKERONG 3
POTGIETERSRSUS
WARMBATHS
WATERBERG**PHALABORWA**BOLEBEDU
GIYANI
LETABA (LULEKANI)
LETABA 1
MHALA
NAMAKGALE
NAPHUNO 1
NAPHUNO 2
PHALABORWA
PIETERSBURG (MAPULANEN)
RITAVI 1
RITAVI 2**PIETERSBURG**BOCHUM
NEBO
PIETERSBURG
SEGOSESE 1+2
SEGOSESÉ 2
SEKHUKHUNELAND
SESHEGO
THABAMOOPA**THOHOVANDO**DZANANI 1+2
DZANANI 2
GIYANI (HLANGANANI)
MALAMULELE
MESSINA
MUTALE

Prov/Subprov/District

19-May-94

ProvEng

SubProvNAME

DistEng

NORTHERN TRANSVAAL

SIBASA (THOHOYANDOU)
SIBASA (THOHOYANDOU)
SOUTPANSBERG 1+2
SOUTPANSBERG 2
TSHITALE
VUVANI

Prov/Subprov/District

19-May-94

ProvEng**SubProvNAME****DistEng****ORANGE FREE STATE****BETHLEHEM**

BETHLEHEM
CLOCOLAN
FICKSBURG
FOURIESBURG
FRANKFORT
HARRISMITH
MARQUARD
QWA QWA
REITZ
VREDE

BLOEMFONTEIN

BETHULIE
BLOEMFONTEIN
BOSHOE
BOTSHABELO
BRANDFORT
DEWETSDORP
EDENBURG
EXCELSIOR
FAURESMITH
JACOBSDAL
JAGERSFONTEIN
KOFFIEFONTEIN
LADYBRAND
PETRUSBURG
PHILIPPOLIS
REDDERSBURG
ROUXVILLE
SMITHFIELD
THABA NCHU
TROMPSBURG
WEPENER
ZASTRON

KROONSTAD

BOTHAVILLE
HEILBRON
HENNEMAN
KOPPIES

Prov/Subprov/District

19-May-94

ProvEng	SubProvNAME	DistEng
ORANGE FREE STATE		KROONSTAD
		LINDLEY
		PARYS
		SASOLBURG
		SENEKAL
		VILJOENSKROON
		VREDEFORT
	WELKOM	BULTFONTEIN
		HOOPSTAD
		ODENDAALKUS
		THEUNISSEN
		VENTERSBURG
		VIRGINIA
		WELKOM
		WESSELSBRON
		WINBURG

Prov/Subprov/District

19-May-94

ProvEng	SubProvNAME	DistEng
PWV	JOHANNESBURG	JOHANNESBURG RANDBURG
	PRETORIA	BRONKHORSTSPRUIT CULLINAN PRETORIA (PWV) SOSHANGUVE 1+2 SOSHANGUVE 2 WONDERBOOM
	RANDFONTEIN	KRUGERSDORP OBERHOLZER RANDFONTEIN ROODEPOORT WESTONARIA
	SPRINGS	ALBERTON BENONI BOKSBURG BRAK PAN GERMISTON KEMPTON PARK NIGEL SPRINGS
	VEREENIGING	HEIDELBERG (PWV) VANDERBIJLPARK VEREENIGING

Prov/Subprov/District

19-May-94

ProvEng	SubProvNAME	DistEng
WESTERN CAPE	BEAUFORT WEST	BEAUFORT-WEST LAINGSBURG MURRAYSBURG PRINCE ALBERT
	CAPE TOWN	BELLVILLE BREDASDORP CALEDON CAPE GOODWOOD HERMANUS KUILS RIVER MALMESBURY MITCHELLS PLAIN MONTAGU MOORREESBURG PAARL ROBERTSON SIMONSTOWN SOMERSET WEST STELLENBOSCH STRAND SWELLENDAM TULBAGH WELLINGTON WORCESTER WYNBERG
	GEORGE	CALITZDORP GEORGE HEIDELBERG (WCAP) KNYSNA LADISMITH MOSSEL BAY OUDTSHOORN RIVERSDALE UNIONDALE
	VREDENDAL	

Prov/Subprov/District

19-May-94

ProvEng

SubProvNAME

DistEng

WESTERN CAPE

CERES
CLANWILLIAM
HOPEFIELD
PIQUETBERG
VAN RHYNSDORP
VREDENBURG
VREDENDAL

Results for the Provincial Legislatures: Provincial Analysis

Party Name	Western Cape	Eastern Cape	Northern Cape	KwaZulu/Natal
• No Candidates posted for regional legislatures.				
•• No Candidates posted in region.				
	Number of Votes	Percentage of Votes	Number of Votes	Percentage of Votes
African Muslim Party	20,954	0.98%	**	0.00%
African Christian Democratic Party	25,731	1.20%	14,908	0.51%
African Democratic Movement	1,939	0.09%	4,815	0.17%
African Moderates Congress Party *				
African National Congress	705,576	33.01%	2,453,790	84.35%
Democratic Party	141,970	6.64%	59,644	2.05%
Dikwankwetla Party of South Africa	**	0.00%	**	0.00%
Federal Party	**	0.00%	**	0.00%
Freedom Front	44,003	2.06%	23,167	0.80%
Green Party	2,611	0.12%		0.00%
Inkhata Freedom Party	7,445	0.35%	5,050	0.17%
Islamic Party	16,762	0.78%	**	0.00%
Keep It Straight and Simple *				
Luso-South African Party	**	0.00%	**	0.00%
Merit Party	**	0.00%	2,028	0.07%
Minority Front	**	0.00%		0.00%
National Party	1,138,242	53.25%	286,029	9.83%
Pan Africanist Congress	22,676	1.06%	59,475	2.04%
Right Party	**	0.00%		0.00%
SOCCER Party *				
South African Women's Party	2,641	0.12%		0.00%
United People's Front	**	0.00%		0.00%
Western Cape Federal Party	6,337	0.30%		0.00%
Women's Rights Peace Party	**	0.00%		0.00%
Workers International (SA)	855	0.04%		0.00%
Worker's List Party *				
Ximoko Progressive Party	**	0.00%		0.00%
Total Valid Votes (1) (2)	2,137,742	100.00%	2,908,906	100.00%
Spoilt Ballots (3)	10,714	0.50%	13,248	0.46%

(1) Percentages = Number of votes won by party / Total votes in the given region

(2) Spoilt ballots were not calculated into totals.

(3) Spoilt percentages = Number of spoilt ballots / Total votes

Results for the Provincial Legislatures: Provincial Analysis

Party Name	Orange Free State and QwaQwa		Eastern Transvaal and KaNgwane		Northern Transvaal and Lebowa/ Gazankulu		PWV and KwaNdebele	
	Number of Votes	Percentage of Votes	Number of Votes	Percentage of Votes	Number of Votes	Percentage of Votes	Number of Votes	Percentage of Votes
• No Candidates posted for regional legislatures.								
** No Candidates posted in region.								
African Muslim Party	**	0.00%	**	0.00%	**	0.00%	12,888	0.31%
African Christian Democratic Party	6,072	0.45%	6,339	0.48%	7,363	0.38%	25,542	0.61%
African Democratic Movement	2,008	0.15%	5,062	0.38%	3,662	0.19%	4,352	0.10%
African Moderates Congress Party *								
African National Congress	1,037,998	76.65%	1,070,052	80.69%	1,759,597	91.63%	2,418,257	57.60%
Democratic Party	7,664	0.57%	7,437	0.56%	4,021	0.21%	223,548	5.32%
Dikwankwetla Party of South Africa	17,024	1.26%	**	0.00%	**	0.00%	4,853	0.12%
Federal Party	**	0.00%	**	0.00%	**	0.00%	16,279	0.39%
Freedom Front	81,662	6.03%	75,120	5.66%	41,193	2.15%	258,935	6.17%
Green Party	**	0.00%	**	0.00%	**	0.00%	**	0.00%
Inkhata Freedom Party	6,935	0.51%	20,147	1.52%	2,233	0.12%	153,567	3.66%
Islamic Party	**	0.00%	**	0.00%	**	0.00%	**	0.00%
Keep It Straight and Simple *								
Luso-South African Party	**	0.00%	**	0.00%	**	0.00%	5,423	0.13%
Merit Party	**	0.00%	**	0.00%	**	0.00%	**	0.00%
Minority Front	**	0.00%	**	0.00%	**	0.00%	**	0.00%
National Party	170,452	12.59%	119,311	9.00%	62,745	3.27%	1,002,540	23.88%
Pan Africanist Congress	24,451	1.81%	21,679	1.63%	24,360	1.27%	61,512	1.47%
Right Party	**	0.00%	921	0.07%	**	0.00%	**	0.00%
SOCCKER Party *								
South African Women's Party	**	0.00%	**	0.00%	**	0.00%	**	0.00%
United People's Front	**	0.00%	**	0.00%	10,123	0.53%	**	0.00%
Western Cape Federal Party	**	0.00%	**	0.00%	**	0.00%	**	0.00%
Women's Rights Peace Party	**	0.00%	**	0.00%	**	0.00%	7,279	0.17%
Workers International (SA)	**	0.00%	**	0.00%	**	0.00%	**	0.00%
Worker's List Party *								
Ximoko Progressive Party	**	0.00%	**	0.00%	4,963	0.26%	3,275	0.08%
Total Valid Votes (1) (2)	1,354,266	100.00%	1,326,068	100.00%	1,920,260	100.00%	4,198,250	100.00%
Spoilt Ballots (3)	10,286	0.76%	12,631	0.95%	13,702	0.71%	25,383	0.60%

(1) Percentages = Number of votes won by party / Total votes in the given region

(2) Spoilt ballots were not calculated into totals.

(3) Spoilt percentages = Number of spoilt ballots / Total votes

Results for the Provincial Legislatures

Party Name	NorthWest	Total Number of Votes	Total Percentage of Votes
• No Candidates posted for regional legislatures.			
** No Candidates posted in region.			
	Number of Votes	Percentage of Votes	
African Muslim Party	**	0.00%	51,773 0.27%
African Christian Democratic Party	5,570	0.35%	117,825 0.60%
African Democratic Movement	3,569	0.23%	34,233 0.18%
African Moderates Congress Party *			
African National Congress	1,310,080	83.33%	12,137,307 62.29%
Democratic Party	7,894	0.50%	538,655 2.76%
Dikwankwetla Party of South Africa	**	0.00%	21,877 0.11%
Federal Party	**	0.00%	16,279 0.08%
Freedom Front	72,821	4.63%	639,643 3.28%
Green Party	**	0.00%	2,611 0.01%
Inkhata Freedom Party	5,948	0.38%	2,047,083 10.51%
Islamic Party	**	0.00%	16,762 0.09%
Keep It Straight and Simple *			
Luso-South African Party	**	0.00%	5,423 0.03%
Merit Party	**	0.00%	2,028 0.01%
Minority Front	**	0.00%	48,951 0.25%
National Party	138,986	8.84%	3,492,467 17.92%
Pan Africanist Congress	27,274	1.73%	271,793 1.39%
Right Party	**	0.00%	921 0.00%
SOCCER Party *			
South African Women's Party	**	0.00%	2,641 0.01%
United People's Front	**	0.00%	10,123 0.05%
Western Cape Federal Party	**	0.00%	6,337 0.03%
Women's Rights Peace Party	**	0.00%	7,279 0.04%
Workers International (SA)	**	0.00%	5,481 0.03%
Worker's List Party *			
Ximoko Progressive Party	**	0.00%	8,238 0.04%
Total Valid Votes (1) (2)	1,572,142	100.00%	19,485,730 100.00%
Spoilt Ballots (3)	18,974	1.21%	147,841 0.76%

(1) Percentages = Number of votes won by party / Total votes in the given region

(2) Spoilt ballots were not calculated into totals.

(3) Spoilt percentages = Number of spoilt ballots / Total votes

Results for the National Assembly: Provincial Analysis

(1) Percentages = Number of votes won by party / Total votes in the given region

(2) Spoilt ballots were not calculated into totals.

(3) Spoilt percentages = Number of spoilt ballots / Total votes

Results for the National Assembly: Provincial Analysis

Party Name	<i>Orange Free State and QwaQwa</i>		<i>Eastern Transvaal and KaNgwane</i>		<i>Northern Transvaal and Lebowa/ Gazankulu</i>		<i>PWV and KwaNdebele</i>	
** No Candidates for the National Assembly								
	Number of Votes	Percentage of Votes	Number of Votes	Percentage of Votes	Number of Votes	Percentage of Votes	Number of Votes	Percentage of Votes
African Muslim Party	324	0.02%	906	0.07%	437	0.02%	7,413	0.18%
African Christian Democratic Party	4,523	0.33%	4,474	0.34%	5,042	0.26%	20,329	0.48%
African Democratic Movement	553	0.04%	611	0.05%	597	0.03%	1,062	0.03%
African Moderates Congress Party	2,644	0.19%	2,625	0.20%	3,168	0.17%	5,635	0.13%
African National Congress	1,059,313	77.42%	1,072,518	81.87%	1,780,177	92.73%	2,486,938	59.10%
Democratic Party	7,365	0.54%	5,492	0.42%	3,402	0.18%	126,368	3.00%
Dikwankwetla Party of South Africa	8,796	0.64%	834	0.06%	722	0.04%	2,424	0.06%
Federal Party	519	0.04%	527	0.04%	310	0.02%	6,844	0.16%
Freedom Front	50,386	3.68%	45,964	3.51%	29,000	1.51%	154,878	3.68%
Green Party **								
Inkhata Freedom Party	8,446	0.62%	20,872	1.59%	2,938	0.15%	173,903	4.13%
Islamic Party **				0.00%		0.00%		
Keep It Straight and Simple	403	0.03%	415	0.03%	365	0.02%	1,107	0.03%
Luso-South African Party	203	0.01%	269	0.02%	253	0.01%	490	0.01%
Merit Party **								
Minority Front	490	0.04%	503	0.04%	662	0.03%	1,575	0.04%
National Party	198,780	14.53%	134,511	10.27%	69,870	3.64%	1,160,593	27.58%
Pan Africanist Congress	23,310	1.70%	17,800	1.36%	20,295	1.06%	52,557	1.25%
Right Party **								
SOCCER Party	857	0.06%	636	0.05%	666	0.03%	2,953	0.07%
South African Women's Party **								
United People's Front **								
Western Cape Federal Party **								
Women's Rights Peace Party	398	0.03%	311	0.02%	273	0.01%	1,850	0.04%
Workers International (SA) **								
Worker's List Party	258	0.02%	309	0.02%	259	0.01%	554	0.01%
Ximoko Progressive Party	683	0.05%	416	0.03%	1,354	0.07%	828	0.02%
Total Valid Votes (1) (2)	1,368,251	100.00%	1,309,993	100.00%	1,919,790	100.00%	4,208,301	100.00%
Spoilt Ballots (3)	14,748	1.08%	16,614	1.27%	17,965	0.94%	29,632	0.70%

(1) Percentages = Number of votes won by party / Total votes in the given region

(2) Spoilt ballots were not calculated into totals.

(3) Spoilt percentages = Number of spoilt ballots / Total votes

Results for the National Assembly: Provincial Analysis

<i>Party Name</i>	<i>NorthWest</i>	<i>Total Number of Votes</i>	<i>Total Percentage of Votes</i>
** No Candidates for the National Assembly			
	<i>Number of Votes</i>	<i>Percentage of Votes</i>	
African Muslim Party	1,386	0.09%	34,466 0.18%
African Christian Democratic Party	3,901	0.25%	88,104 0.45%
African Democratic Movement	701	0.04%	9,886 0.05%
African Moderates Congress Party	3,244	0.20%	27,690 0.14%
African National Congress	1,325,559	83.46%	12,237,655 62.65%
Democratic Party	5,826	0.37%	338,426 1.73%
Dikwankwetla Party of South Africa	2,088	0.13%	19,451 0.10%
Federal Party	500	0.03%	17,663 0.09%
Freedom Front	49,175	3.10%	424,555 2.17%
Green Party **			
Inkhata Freedom Party	7,155	0.45%	2,058,294 10.54%
Islamic Party **			
Keep It Straight and Simple	548	0.03%	5,916 0.03%
Luso-South African Party	252	0.02%	3,293 0.02%
Merit Party **			
Minority Front	772	0.05%	13,433 0.07%
National Party	160,479	10.10%	3,983,690 20.39%
Pan Africanist Congress	24,233	1.53%	243,478 1.25%
Right Party **			
SOCCER Party	959	0.06%	10,575 0.05%
South African Women's Party **			
United People's Front **			
Western Cape Federal Party **			
Women's Rights Peace Party	568	0.04%	6,434 0.03%
Workers International (SA) **			
Worker's List Party	331	0.02%	4,169 0.02%
Ximoko Progressive Party	578	0.04%	6,320 0.03%
Total Valid Votes (1) (2)	1,588,255	100.00%	19,533,498 100.00%
Spoilt Ballots (3)	19,822	1.25%	193,081 9.45%

(1) Percentages = Number of votes won by party / Total votes in the given region

(2) Spoilt ballots were not calculated into totals.

(3) Spoilt percentages = Number of spoilt ballots / Total votes

APPENDIX P

The BIG PICTURE of EAD and the role of IT

1. Preamble

This document has been prepared to outline the process in terms of a set of goals and subgoals which collectively are required to be fulfilled with complete accuracy and quality in meeting the strict and ever-increasing deadlines of South Africa's first fully democratic election.

Within the IEC there are firstly those who appear to know a great deal about running elections, about the IEC, the TEC and everything else, and secondly others, the vast majority, most of whom have arrived at the IEC only within the past 2-3 weeks, who often have only snippets of information about the overall process and structures, and who sometimes find it difficult to put the actions we are performing into the overall perspective of the IEC.

This document is structured from the top down. From the top-most goal of delivering the election results right down to our current activities. So we can see our work in perspective and can appreciate the importance of the roles that each of us are playing, which might not be evident out of the context of this document.

As and when possible, the defined IT Activities (labelled as EAD-ITA-nnn) are provided in this document for cross-reference purposes and to provide perspective on the activities of each individual person involved in IT functions within the EAD into the total object of the IEC and the election process.

2. Fundamentals:

The structure of the IEC and the entire election process is defined at a certain level, within a number of pieces of recent legislation, as follows:

2.1 Act No. 200 of 1993 : Constitution of the Republic of South Africa Act, 1993

This Act is the basis upon which all else is enacted. It provides the framework for the new South Africa as agreed in the multi-party talks over the past few years.

In terms of the IEC, it states that the intention of this first election is to elect parliament, which consists of the National Assembly and the Senate, which are to continue for up to five years after their first sitting. (s38(1)).

The Provincial Legislature is defined in terms of nine individual provinces, which are named in s123(1) as:

Eastern Cape, Eastern Transvaal, Natal, Northern Cape, Northern Transvaal
North-West, Orange Free State, Pretoria-Witwatersrand-Vredefort and

Western Cape

and the Provincial Legislatures have the power to decide to change these names at some time in the future by indicating as such to Parliament. (It seems that Parliament does not even have the power to veto the name change, only to observe that it has occurred).

However, even at the level of this constitution, the definition of the provinces is not completely final and a number of areas are specified as "affected" in Part 2 of Schedule 1. These areas are able to hold referenda after the election in order to establish where they will belong in the future map of South Africa.

IT IMPACT: If any of these referenda are held, then the information systems must be modified to note the change in the definition of districts and/or provinces. Any such referenda will be conducted by the IEC.

In Schedule 2 of the Constitution is the formula for the determination of the number of seats that each party will be given in both the National Assembly and the Provincial Legislatures.

IT IMPACT: These formulas need to be systematised to ensure smooth flow from votes counts to seat allocation.

2.2 Act No. 150 of 1993 : *Independent Electoral Commission Act, 1993*

This Act establishes the existence of the IEC and specifies its objects as:

- "4 (2) (a) *to administer, organize, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution and the Electoral Act;*
(b) *to promote conditions conducive to free and fair elections;*
(c) *to conduct voter education;*
(d) *to make and enforce regulations for the achievement of such objects."*

and it also outlines its major deliverable:

- "18. *Upon completion of the ballot, the Commission shall as expeditiously as possible, but not sooner than 2 days and not later than 10 days after the close of the poll-*
(a) *determine and certify the results of the elections; and*
(b) *either certify in respect of the National Assembly and each other legislature that the elections was free and fair; or*
(c) *declare that it was unable to certify it as such."*

This Act also defines the creation of the Election Administration Directorate (EAD), the Election Monitoring Directorate (EMD), the Election Adjudication Secretariat (EAS), the Voter Education function (or directorate, VED) and the various Tribunals and Courts specific to the needs of the IEC's objects.

All other directorates within the IEC as it currently stands are simply a part of the servicing of the primary directorates, which are those which conduct the election (EAD) and those which ensure free and fairness of the elections (EMD, EAS and VED).

However, whereas the role of the EMD is defined in some detail, the role of the EAD is left relatively open in this Act, most likely because its functions are defined in considerable details within the Electoral Act and its Regulations.

2.3 *Act 202 of 1993 : Electoral Act*

s7 : Appointment and Control of Electoral Officers and Staff

This section outlines the staffing arrangements for the conducting of the elections, in particular: (with my abbreviations)

PEO *Provincial Electoral Officers*, for each province (as per constitution)

DPEO *Deputy PEO*

DEO *District Electoral Officer*, for each electoral district (named as the magisterial districts as per Regulation 2 of the Electoral Regulations)

DDEO *Deputy DEO*

PO *Presiding Officer*, for each voting station

CO *Counting Officer*, for each counting station

VO *Voting Officers*, to support the PO within each voting station

EN *Enumerator*, to support the CO within each counting station

IT IMPACT: The storage and retrieval of information about the people involved with the elections is an important part of the role of IT within EAD. These categories of jobs are defined in the Electoral Act and are the only ones required in terms of EAD, although the other directorates may have other types of people they wish to record (such as Monitor, Special Monitor, Observer, etc...). The scale of this task is useful to contemplate on, assuming that there are 8000 voting stations, in 9 provinces, with 400 districts, with 500 counting stations and a staff of 20 per voting stations (in addition to PO).

9 PEOs, and perhaps more DPEOs

400 DEOs and perhaps more DDEOs

8000 POs

160,000 VOs

500 COs

10,000 ENs

TOTAL : the order of 180,000 people

The role of IT here will be to record that these people exist in terms of payment information and to ensure that anyone can obtain access to the right officer in any place, even down to the voting stations and counting station level (but not below this level).

Chapter VI : Preparation for Voting and

Chapter VII : Voting at Voting Stations

Detailed specifications of the requirements for voting stations are contained within these Chapters of the Electoral Act.

s 24 defines the 'standard' voting stations, to take the bulk of the voters.

s 25 defines the requirements of foreign voting stations.

s 39 and 40 define the situations of 'special' voters who cannot vote at normal voting stations.

IT IMPACT: These three situations collectively describe the situation of voting within the election. We need to be able to manage information concerning each of these types of individual voting stations, including naming them for each of reference, ensuring that they are allocated to a specific province and district, and that the PEOs and DEOs completely agree with us as to their list of voting stations, and finally that the cross checks are in place to ensure that when votes counts are received we can guarantee that no votes counts have been lost in transmission. A pretty tall order!!!

A complication of the foreign voting stations in terms of the counting is that each voter has the capability of selecting which province their vote counts towards, whereas in the standard and special voting stations the vote counts to the province in which it is made.

In order to conduct the election, a number of election materials are required. The manner in which these are to be distributed is spelled out in s 26, although the exact specification of what the materials are is not included here.

The process is that the PEOs are provided with elections materials (such as ballot boxes, seals, screens, ballot papers, pencils, rubber stamps, chemicals for marking hands, and UV detectors to see if a person has voted already, etc...).

The DEOs then have to determine what they need and then come to ask the PEOs. The DEOs then provide these to the POs for each voting station.

IT IMPACT: After the number of voting stations have been determined it is necessary to assist in the computation of the amount of materials required at each voting stations (based upon expected number of votes in terms of the population densities, which are then also required to maintain), then to pass this information to the DEOs to assist them in what to ask for and how to distribute this and then to summarise this for the PEOs in terms of what they should be expecting the individual DEOs to come and ask for and to order this in advance.

This also leads to the determination of the amount of materials which are required to be made available, which potentially requires a significant lead time to produce, such as the specially design screens to ensure secrecy of voting, the ballot papers (which are already undergoing printing in the UK), and the ballot boxes.

Just-In-Time manufacturing and distribution takes on another meaning in this context, and perhaps we need a specialist to be on hand just for this operation.

2.4 Independent Electoral Commission: Electoral Regulations, 1994

This contains more detailed aspects of the running of the IEC and the elections than are present in the Independent Electoral Commission Act.

3. Determine the results of referenda held in terms of s124(3) of Constitution (6 months + 3 months after commencement of Constitutions).

This is the final activity of the IEC before it can dissolved and there is no certainty that any referendum will actually occur. However, in Part 2 of schedule 2 to the Constitution a number of regions are indicated as "affected" (14 in all), each of which could be subject to a separate referendum. The referendum starts as a petition with a required number of signatures to hold the referendum, which must be presented within 6 months of the commencement of the Constitution, which is given as 27 April in s251(1). The number of acceptable signatures is specified in terms of the percentage of the number of votes in the first elections for the region, however, the calculation of this number is not completely clear from the wording of s124(2)(c).

From the IT perspective, we are required to hold this information on file until these referenda may occur, since there is high possibility that we will be asked to provide various computations of the vote counts to determine this percentage.

4. Determination of the Allocation of Seats (2-10 days after election)

This is a particularly interesting issue, since it could be so easily overlooked as being too obvious to consider. Essentially, the question is that after all the votes are counted how is the number of seats for each party determined?

Each party is required to supply lists of candidates for the National Assembly and the Provincial Legislatures.

Once the votes have been counted then a formula must be applied to determine the relative allocation. This formula is described at length in Schedule 2 of the Constitution, and is excellently summarised in the report "DRAFT : The Electoral System in South Africa, or; How to Allocate Seats in the National Assembly and in the Provincial Legislatures" dated 17 March 1994, written by International Commissioner Elklist.

This is the subject of the activity EAD-ITA-011.

5. Vote Counting and the needs of the Media

During the vote counting process there will be a need to inform the media as the vote counts are confirmed and are arriving.

This will require information systems to be available to enable complete accuracy in the vote count transmission to be available and the protocols for how this information is transmitted to the media.

There is no requirement stated in the Acts for how the information is to be transmitted except that it is transmitted directly from the Counting Officer to the Chief Director (of the EAD). This means that 800-1000 sets of vote counts can be expected to land on our lap in IT (where else!).

This operation is so important that it will be the subject of a complete sub-project and is already the subject of a report of recommendations (EAD-ITR-003).

We quite obviously cannot proceed with the Seat Allocation calculation until all the votes counts have been received from each and every counting stations, or else the Commission has decided to take whatever alternative actions they are allowed in terms of the various Acts to ignore or revise certain counts, which may be necessary in order to ensure that the elections were free and fair.

6. Transmission of the Ballot Boxes to the Counting Stations

After the election is closed, the ballot boxes are moved from the Voting Stations to the Counting Stations.

Having searched the Acts and regulations I cannot find the manner in which this highly critical activity is performed. It seems that the DEO is required to be on hand at every counting stations to inspect the seals and to authorise the opening of the boxes. This could be a sever constraint in the large geographical districts, unless it is possible to deputise this operation.

There is a requirement for the ballot papers to be accounted for exactly, and procedures for this are contained in the Reguiations together with a set of forms. This is especially important in the changeover from one day to the next as well as prior to the commencement of counting. In effect this should yield the exact number of votes to be found inside the sealed boxes.

If there is a discrepancy then the Chief Director is to be informed and the matter is dealt with in the 'prescribed' manner (The use of the word 'prescribed' almost always refers to details supplied in the Regulations).

It seems that little support can be provided by IT for this exercise, and good manual procedures will have to be the order of the day. Too much systematising here could actually slow the process of counting down with little benefit in the quality or the or accuracy of the results.

IT IMPACT: The numbering of the ballot papers and the manner in which these are accounted for is fundamental to the success of the operation but the scale of it is completely daunting. There are 80 million ballot papers being prepared and there will be a numbering system in which these are made up into books. The exact manner of this is unknown at present and must be analysed in detail before recommendations can be made. It might be that a good set of manual procedures would serve the initial purpose of determining that ballot papers have not gone missing (case 1) or that there are more in the ballot boxes than can be accounted for in the papers used (case 2).

7. Counting Station Selection

In terms of the Electoral Act (Chapter VIII), there is a need to identify the Counting Stations, which may or may not be the same as the Voting Stations.

There are specific requirements that the Counting Stations just comply with over and above the requirements of being a Voting Stations. These have to be conformed in advance and each and every possible counting stations must be inspected and analysed as for the Voting Stations.

There will be approximately 800-1000 Counting Stations which means that each must be able to handle the ballot boxes from 5-50 different Voting Stations.

It is imperative that the Counting Officer in each Counting Station is informed clearly and correctly of the Voting Stations from which they should receive ballot boxes. (Again the mechanics of the transfer of the boxes appears not to be dealt with in the Acts and Regulations).

These are received together with the forms in which the ballot papers usage has been prepared by the PO for each Voting Stations.

IT IMPACT: Within the selection of suitable Counting Stations we will be required to conduct a similar project as is already underway in terms of the Voting Stations. This will eventually end up in the finalisation of a set of stations which are required to be made available to the PLNC (see abbreviations below) no later than 7 days prior to the start of the election (April 20 deadline).

8. Voting at the Voting Stations

Each voting station that has been adequately prepared will be used for voting. The ballot boxes will be sealed and sent to the counting stations.

From the IT perspective, we will not be directly involved in the voting process itself, but will be told about the people who have been employed and whether they were employed for the entire period of not.

For those employed for the entire period (5-6 days) a post-dated cheque is available on the last day of their employment. For those who only work part of the period, a separate accounting process will be used to provide cheques by about the middle of May.

IT IMPACT: The Standard Bank is handling much of the work for the payment of the Presiding Officers, the Voting Officers, the Counting Officers and the Enumerators. However, it is the responsibility of IT to ensure that there is no problem in this, and to monitor the operations as best as possible, perhaps even to develop contingencies in conjunction with the standard bank. This is contained in project EAD-ITA-010.

9. Election Materials Deployment

In order to ensure that all materials are available it is necessary to be able to predict the requirements in advance.

In essence, the PEO must have all the materials available, and the DEOs individually come to ask for what they needs for the Voting Stations in their districts. These they distribute to their own POs for each Voting Station and to the COs.

IT IMPACT : A full analysis of the requirements for each district, based upon the number of standard and special voting stations in each district, and based upon the projected number of voters to determine the quantity and type of materials required. IN essence each DEO should be provided with a list of their Counting Stations and the number of materials for each, together with some buffer stock in case of shortage at any Voting station. The PEOs can be told in advance what each DEO will be expecting to ask for based upon our calculations, although they could amend these as necessary, with our results simply being used as a guideline rather than being definitive.

10. Sufficiency of Voting Stations

It is required in terms of the Act that the Chief Director determine the number of Voting Stations required and to make these available.

This is being determined by the GIS groups of the Computer Foundation and the CSIR in terms of both population density and area in each of the districts and zones within the districts.

For this to occur properly it has been necessary to obtain the co-ordinates of the various sites proposed, and both Telkom and the SADF have surveyed a large number of the sites.

This information is currently being collated in preparations for input to the GIS systems.

This will enable the difference between the required and the available to be computed at a low level and at an aggregate level.

11. 'Standard' Voting Stations Verification and Preparedness

Before the voting stations can be ready for use as a voting station it is required that satisfy certain essential conditions. Many of these conditions apply to the foreign and the special voting stations and are not repeated under those headings.

A significant part of the role of IT is to maintain the database of the voting stations and for this procedures are required to be established for updating the counting stations information and feeding this through to the various departments required.

New sites will only be considered if the SAP and Telkom already agree as well as the PEO, and the legal department will then simply have to secure the contract for usage.

All analysis is thus being performed only on the suitability of the sites previously identified as being within the Home Affairs database as amended by the removal of the sites rejected by the PEOs, sites for which the SAP have indicated that cannot be secured, ands sites which are either police stations, mobiles voting stations, etc.

11.1 Contract with owner

Legal requirements exist that each Voting and Counting stations must be approved by means of a contract. This is after it satisfies the requirements of being a Voting Stations in terms of other clauses in this section.

❖ In many cases the owner will not grant access to the property for the purposes of inspection, or have indicated in some way that their venue is not available for usage as a Voting Station.

This information has been collected but not yet used to filter out unsuitable sites. The existence of a suitable contract is deemed to be the end-product.

David Rees is in control of this function at present, and the role of IT is to ensure that he has sufficient information to be able to control the process and to produce standard contracts specific to each Voting Stations or group of voting stations.

11.3 SAP indicate that site can be secured

If the SAP indicate that for some reason the site cannot be secured, then these have currently been removed from circulation as potential sites. There are currently far more in this class than when the Gazette lists were prepared and this should be considered very seriously in terms of the minimal level of security that is required.

In some cases the forms completed do not appear to be totally accurate.

11.4 Telkom can provide telephone lines to the site

In order to be a Voting Stations it is essential that telephone lines can be provided to the site. We are working closely with Johann Pienaar of Telecommunications in this regard, although they are currently working independently of us in terms of the database systems they are using.

11.5 All election materials and equipment is available

Some of the equipment is required well in advance, such as the availability of toilets, doors, tables and chairs. If deficiencies cannot be corrected then these could be deemed to be unsuitable sites.

The results of the surveys, and information previously available from the Home Affairs computer systems contain information in respect of suitability in terms of this. Reports could be produced to indicate the current level of preparedness in terms of equipment and infrastructure, which can be corrected in time.

11.6 Election officials are available and are trained

The training of electoral officials is continuing at present and there will be a need to ensure that all who are being used as Voting Officers or Presiding Officers or any other roles are trained properly.

There might be a need for IT to assist in managing this process.

12. Voting Station Verification

13. Special Voting Stations

According to s 39 and s40 of the Electoral Act, a number of special places are deemed to be Voting Stations. These consists of hospitals, prisons, old-age homes, etc.

WEEKLY
MAIL & GUARDIAN

139 Smit Street, Braamfontein, Johannesburg

Free-ish and fair-ish, despite the IEC

FROM all over the country, our reporters tell the same basic story: that determined South Africans defied the organisational chaos of the election to cast their votes.

From Lebowa, one reporter tells of frustrated election officials taking matters into their own hands when the Independent Electoral Commission failed to deliver material. Against orders, they fetched it themselves — and people were able to vote.

From the East Rand, we receive stories of people waiting 12 hours, only their rigid determination not to give up ensuring that they were still there when the IEC eventually got it together to open the polls.

From kwaZulu/Natal come similar tales: patient people determined to vote in the face of the administrative and organisational obstacles thrown in front of them, and casting their ballots.

The pattern is the same all over: the force of numbers and the strength of individuals overcoming the problems of the elections. Anyone who stood in a queue on Wednesday and Thursday felt the good humour and the patience with which a resolved people waited to cast their votes.

There was calm, there was little violence. On the contrary, there was good humour, even a mood of festivity, in most places. The inevitable conclusion is that the election can still work — despite the IEC.

There's no point in mincing words about that organisation. Despite hundreds of millions of rands, lavish salaries and massive popular support, they have messed it up through sheer incompetence. It has been a gravy train without wheels.

How ironic it is that the success of the election depends not on all the fancy First World electronics the IEC has at its fingertips, but on the determination of ordinary people prepared to wait for the computers, the videos, the helicopters and the cellular phones to start working.

The IEC failed at its most basic logistical task: getting ballot papers to the polling stations. And it had no contingency plan to move material around the country to cover inevitable shortages.

After the first two days, IEC officials did not even know where to find the millions of ballot papers that had not arrived at the voting stations.

And when it became apparent that things were going wrong, Mr Justice J Kriegler chose to fluff the details, covering the extent of the problem.

He was cocky and super-confident, in defiance of the facts being put before him. He was dismissive of the media — the link between himself and the public he so badly needs on his side — and made little attempt to rally support behind him.

It was a mistake. A bit more frankness and a more spirited attempt to deal with genuine public concerns would have helped.*

Fortunately, the situation is redeemable. If the vast bulk of people are finally able to vote, overcoming the backlog of the first two days of the poll, and Judge Kriegler is right that the number of votes spoilt by the absence of IFP stickers is "well under 100 000", then he will be able, with legitimacy, to say that the end result is still reasonably free and fair.

Luckily, everyone has been leaning over backwards to make sure the election works — with the sole exception of Chief Mangosuthu Buthelezi. Tragically, the IFP leader has not ended his campaign to block, impede and disrupt.

He has chutzpah. He disrupts the election preparations as much as possible, then he complains that it does not run smoothly.

He should not be allowed to get away with it. Sadly, IEC incompetence has given him more ground than he should have. Let's hope the judge can win it back in the next few days.

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II & Guardian

lished by M&G Media, 139 Smit L, Braamfontein, Johannesburg 10010, in association with The Guardian Weekly, 7 Hall, Manchester Road, Cheshire, SK9 2PD, United Kingdom.

This newspaper is the Southern African edition of The Guardian Weekly, of 164 pages, Manchester M60 2PA, United Kingdom.

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Total comment in this issue by Anton Krige; newsbriefs by Irvin Manoil; head-and sub-editing by Laura Yeatman.

Printed by Nasionale Pers, 52 Miller Street, Doornfontein, Johannesburg.

Monitors in IEC palace revolt

The IEC's monitoring division took over the running of the election as disruptions threatened to discredit the poll.

Stephen Laufer, Gavin Evans, Gaye Davis, and Stefaans Brümmer report

polling inefficiencies. The division had failed to plan detailed deployment of voting materials from district to local level, said the IEC employee.

The clear absence of any contingency planning which would have allowed presiding officers to obtain missing supplies from conveniently located depots had proved a major hindrance to attempts to jump-start the election in affected areas.

Having proved its superior organisational skills in the Transkei, where a so-called laundry squad had successfully ironed out potentially massive problems, the monitoring division moved to centre stage in other regions, displacing the increasingly ineffectual administration division.

The monitors' coup, led by Harris, who is a lawyer, was seen as something of a vindication for the squads of jurists who run the IEC. Critics had suggested the commission's organisational fiascos were rooted in Kriegler's failure to

appoint experienced business managers, including logistics and transport experts, to run the election.

Despite the glitches, South Africans sent a powerful message to detractors of all persuasions: No level of incompetence was going to stop the "mother of all elections" and the advent of democracy.

From the Cape to the Limpopo, patience, tenacity, and a good supply of food, water, and umbrellas emerged as the key ingredients in a massive expression of popular will.

With voters queuing patiently for a third day, Kriegler battled to regain the high ground he had lost through a host of avoidable technical glitches. Under immense pressure to disarm those preparing to cry "foul" by ensuring that at least the second half of the election functioned properly, he ran a marathon of emergency meetings with the political parties and his fellow electoral commissioners.

At stake was whether the IEC would be able to declare the election

free and fair, despite hitches which had prevented people from voting timeously, particularly in the two areas where Inkatha was expecting its strongest showing, Natal/KwaZulu and the PWV. Printers, the South African Police and the South African Defence Force were mobilised in an effort to find solutions to logistic issues, particularly the non-delivery of voting materials to up to 30 percent of polling stations.

The absence of the agreed Inkatha sticker at the bottom of many ballot papers emerged as a key issue, and Inkatha chief Mangosuthu Buthelezi put the judge on notice early on Thursday morning that he could still dispute the election if things didn't improve dramatically.

While reserving judgment on whether Inkatha would ultimately withdraw, party spokesman Ziba Jiyane said on Thursday that "there is no way we can regard this as completely free and fair. We can't budge on that now". Saying ballot boxes had been left open and stolen by ANC youths, he said that "on the substantial issue of the stickers, we won't accept what the IEC are saying".

Jiyane charged in some areas IEC officials were affixing the Inkatha stickers to ballot papers after people had voted. "We don't want to be the ones to spoil this election," he said. "but the whole thing is terrible."

Battling to keep his options open on the Inkatha sticker issue, Kriegler said "the likelihood is that very much fewer than 100 000 ballot papers" had been issued without them. The commission would set the affected votes aside, and assess their importance once it was clear how many of them there were. But reports from around the country spoke of ballot papers being issued without the Inkatha addition.

The Electoral Act requires the IEC to declare ballot papers lacking the Inkatha sticker invalid. But section 47 of the law allows Kriegler to weight invalid votes if he feels they would influence the outcome.

Kriegler said this was "not a purely mathematical exercise". At issue was whether the overall outcome of the election was affected. The distribution of the votes would have to be taken into account, as would voting patterns in general.

The IEC chairman has the authority to declare the votes invalid, to count them in full, or to award a percentage to Inkatha.

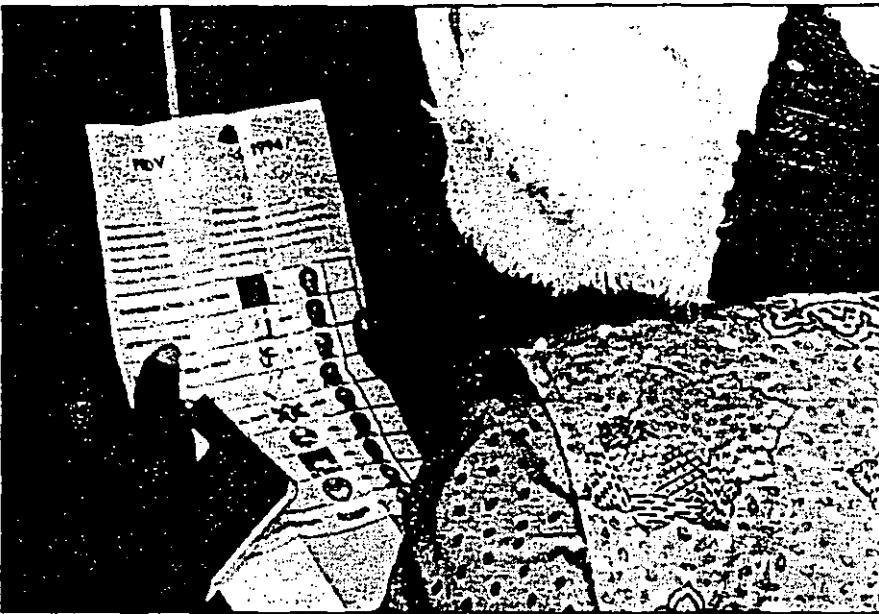
The sticker fiasco has given Buthelezi the potential to dispute the elections.

ANC spokesman Palip Jordan said his organisation favoured counting all ballot papers, including those where voters had written Inkatha into the space where the party's sticker should have been.

"It seems that would be a clear expression of voter preference," said Jordan. "Why should voters be penalised for the failure of the IEC to deliver?"

As the week progressed, an ANC demand that the election be allowed to continue for as long as necessary for all those who wanted to vote to be able to do so was echoed by the other parties. But IEC sources said the National Party, satisfied by Thursday that the vast body of its supporters had voted, was resisting an extension. "Their hope is clearly that other parties will suffer more than they will, if people can't vote," said one IEC official.

But Kriegler was under mounting pressure to extend voting into Friday, at least in those districts worst affected by delays.



Sticky problem ... Although most ballot papers had the IFP sticker attached, so me — like this voter's ballot at Nwamitwa — slipped through

PHOTO: STEVE HILTON-BARBER

May madness for the bulls and bears

Jacques Magliolo

ARE investors indecisive or just confused? Despite Tuesday's fever-pitch buying, which saw the Johannesburg Stock Exchange's overall index climb 172 points to 5240 and the industrial index reach an all-time high of 8256, private investors do not know whether they should continue to buy, hold on to their shares or start selling them.

Market strategists warn that post-election jubilation will leave many with doubts as to which way the market will go in coming weeks. To exacerbate the problem, investors can expect to be flooded with expert advice — from analysts, dealers, stockbrokers, directors of listed companies, institutions, financial periodicals and TV commentators.

This was displayed by this past week's buying madness, in which any share was purchased. Dealers were even buying shares on fundamentally poor results. Notably, Sappi's financial year to end-February was disastrous, but the share climbed to R45 from the previous day's close of R43.

The company's results showed a 63 percent decline in operating income and a 59 percent reduction in net income. Understandably, dividends were passed.

Analysts say even stockbrokers appear to doubt the ability of natural market forces to provide investors with a clear-cut trend.

In essence, market pundits are providing information which differs extensively and is, at times, contradictory. While some mining analysts claim their sectors offer value and better investment opportunities than industrial shares, which are too expensive.

On the gold front, experts say it is wishful thinking to believe the price of the metal will climb substantially in the near future.

However, technical analysts disagree and indicate that, while industrial shares have reached a top level, gold shares are forming a solid base for near future growth. This, they say, was confirmed by Tuesday's \$1.40 rise in the gold price to \$373.90 and a 60-point gain in the gold index to 1906.

They believe the price of industrial shares should fall in the short term.

but that investor sentiment towards gold shares is expected to become bullish. This sentiment was reflected in the latest Consolidated Fund Managers quarterly bulletin, which says long-term peaks have already occurred in the equities market.

Another contrasting viewpoint is that there is always something of value to buy on the stock market.

In addition to the bulls, bears and doomsday prophets, there are those who simply refuse to give any advice. Instead, they prefer to be safe and recommend that investors buy unit trusts, gilts or liquidate their securities "to buy bargains when the market does collapse".

Whichever way one looks at the information being released to the public, no definite pattern can be discerned for the month of May.

In such a market it is always best to revert to an age-old stock market principle, which dictates that bulls and bears can lose value over time, but hogs always get slaughtered. In essence, investors who are holding on to shares until the slide starts will be committing financial suicide.

■ See PAGE 22

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Inept, no

officials opposed to the elections. was minimal and did not contribute materially to the shortages.

Voting was extended to April 29 in the most underdeveloped areas of the country namely, Venda, Gaskinsku, Lebowa, KwaZulu, Transkei and Ciskei. Studies show that the per capita income is lowest in these areas. Some unilaterally decided to have many more voting stations than had been planned. This increase in the number of voting stations disrupted the logistic plan. Election material originally based on 3 000 voter lists, had to be broken down and repackaged to cater for smaller voting stations, and transported to many more locations. This obviously caused a delay.

The counting of the votes, although completed three days prior to the statutory deadline of May 8, took much longer than expected. There were several reasons why counting proceeded slowly:

• The delay caused by the change to the backup system, which had been necessitated by attempts to tamper with data in the main computer system.

• The failure to grasp adequately the Third World nature of most of our country and setting First World standards which could not be met.

• Problems at the large counting centres (Durban City, Pietermaritzburg Show Grounds and Mitchells Plain), caused by sheer volume. In all these centres control over the inventory of ballot boxes and reconciliation of these with the accompanying documentation became impossible.

Election officials at these centres did not plan adequately to manage these volumes.

• The IEC's failure to communicate effectively the continuous changes in procedures brought about by the politicians.

The IEC was undoubtedly inexperienced and the criticism of its consequent inefficiencies is fair. However, to call the organisation inept is unwarranted. Its strength was that it was accepted by the majority of South Africans as being independent and impartial, and that it was able, despite the difficulties, to deliver a credible result.

Preparations for the next election should begin immediately. A permanent independent electoral body is necessary. Its first task should be to evaluate the lessons of the 1994 election and build on the hard-won base of skills and experience that the first IEC has developed. Starting now will make for a better election in 1999.

■Yunus Mahomed is the deputy director of the Election Administration Directorate. The views expressed here are his own and he takes sole responsibility for them

The IEC: Inexperienced, yes.

For the first time, a senior IEC official speaks out on what went wrong.
By Yunus Mahomed,
deputy director
of administration

ON the election day the Independent Electoral Commission failed to open some voting stations on time and others received ballot papers and Inkatha Freedom Party stickers late. As a result, the IEC was accused of being inexperienced — which in the main we acknowledge: we were preparing for an event whose dimensions and dynamics were beyond the experience of every South African — as well as inefficient and inept.

The directorate within the IEC responsible for running the election was the Election Administration Directorate (EAD). This article attempts to analyse what went wrong and why. It draws on the lessons of the experience rather than justifies the strategies adopted. The purpose is not to apportion blame but to examine objectively the strategies adopted and their implementation.

The IEC was expected to, and attempted to, run a First World election in conditions where a First and Third World duality existed side by side. It was impossible to run an efficient election with complex, changing procedures without a developed and tested infrastructure and an experienced pool of electoral officials.

The IEC is both a product and a victim of the multiparty negotiation process. It was caught in this bind to the very end. It operated within certain constraints which were unchangeable, the most critical being time — April 27 had become etched in the minds of South Africans and the world. South Africans had waited too long for this opportunity and would now tolerate another delay. So yes, we were not ready to deliver a perfect election — a few more weeks or months, perhaps a year, would certainly have enabled us to prepare and deliver a better organised election. In the final days, we used to wish only for days. But April 27 had become, for many powerful and important reasons, immutable.

The legislation (the IEC and Electoral Acts) which delineated the powers and functions of the IEC emerged out of the multiparty negotiation process. The negotiators did not consider the managerial, administrative and logistical implications for the structure they had created. And to achieve an equitable, inclusive political settlement and election, they continued to make changes (the



The IEC prepared for First World elections in Third World conditions

PHOTO: RUTH MOTAU

double ballot and late inclusion of the IFP) until seven days prior to the election. These decisions were politically correct but they created a logistical nightmare for those charged with administering the election.

The responsibility for setting up the managerial and administrative infrastructure rested with the IEC, especially the senior executives and commissioners. The organisation failed to understand its structural weaknesses quickly enough and, even when it did, was unable to act decisively.

The commission itself had insufficient persons with the skills and experience in running large organisations. It was burdened with too many issues: monitoring, mediation, investigation, adjudication, voter education, the census vote, the electoral fund, no-go areas, the crises in several homelands and their likely impact on the conduct of the election. All of these were inevitable and major distractions from its focus on the actual administration of the election.

The IEC Act is ambiguous about the function of the CEO's office in regard to administering the election. This resulted in the formation of a cumbersome bureaucracy. As a consequence the EAD, while tasked with administering the election, found it necessary to rely on structures that were not accountable to it to provide it with the resources and infrastructure necessary to the election. This caused confused lines of authority and accountability. These shortcomings added to the frustrations of EAD

officials, who spent an inordinate amount of time obtaining basic resources themselves.

In addition, the commission failed to provide sufficient guidelines for the monitors charged with monitoring the work of the EAD. The monitors took up the valuable time of Election Administration officials by pursuing time-consuming lines of inquiry which, given the time constraints, constituted unnecessary attempts to second-guess the work of EAD and, in my view, unrelated to their primary function of monitoring a free and fair election.

This was the environment in which strategies were formulated. My co-directors and I were appointed on December 24 1993. Within four months we had to design and staff an organisation of 250 000 people. We had to plan and execute one of the largest civilian logistical exercises in this country's history. We thus operated in crisis mode from the outset. The effects were unrealistic deadlines and decisions that were not always clearly thought through. Mistakes were inherent in this mode of operation.

Did we have a strategy or did we bumble along? Was enough ballot paper ordered? We did have a strategy and we did implement it. So what went wrong? Because the IEC's powers and functions were defined by law its strategy was basically a logistical plan. The plan had to put three elements in place: voting stations, voting staff and voting materials.

Three departments were formed to

implement this plan: planning, to identify, select and secure the voting stations; staffing, to identify and select the staff for these voting stations; and procurement and provisioning, to purchase the voting materials and ensure that appropriate quantities were delivered to each voting station.

Among the additional problems we experienced in implementing the plan were: inaccurate voter statistics, the absence of a voter's roll, inexperienced and untrained voting and counting staff, an inexperienced electorate, inadequate space at the World Trade Centre and the dislocation caused by the late move to 41 Krue Street, staff anomalies due to the bombings and IFP activity in central Johannesburg in the weeks before the election.

The shortages at voting stations were caused primarily by the inexperience of voting station staff. Clear and explicit directives were given to deliver specific quantities of ballot paper to individual voting stations. Pre-riding officers often ignored these instructions and took far more than they needed. Then, although 70 to 80 percent of the electorate voted on April 27, they nevertheless expected to run short on the second day, April 28, and were therefore reluctant to part with surplus stock when called upon to do so.

Eighty-million ballot papers were printed. Less than 20-million people voted. Therefore at least 40-million ballot papers from the first print were not used. Tampering, if any, by

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