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The Independent Forum for Electoral Education

The Independent Forum for Electoral Education (IFEE) is a grouping of around 30 non-government, developmental, educational, church, civic and other organisations involved in non-partisan election education and preparation.

IFEE Objectives

To draw together non-partisan organisations at national and regional level to provide a co-ordinated and nation wide electoral preparation programme based on existing and supplemented organisational resources.

Membership

Membership of the forum is voluntary and non-binding. The members are identifying areas of the country that are not covered and stimulating organisational development in those regions. The following organisations have attended the quarterly national meetings:

- AIC African Independent Churches Research and Theological Training Institute
- African Spiritual Church Association
- Barometer Regional Research and Reporting Corporation
- BLACK SASH
- CCH Centre for Contextual Hermeneutics, Stellenbosch University
- CBM Consultative Business Movement
- CCD Christian Citizenship Department of the Methodist Church of SA
- CDS Centre for Development Studies
- CIE Catholic Institute for Education
- CPSA Church of the Province of SA Justice and Peace
- DIAKONIA
- ECF Ecumenical Confessing Fellowship
- Free Market Foundation
- FDA Foundation for Democratic Advancement
- HAP Human Awareness Programme
- HSRC Human Sciences Research Council

ICT Institute for Contextual Theology
IDASA Institute for a Democratic Alternative for SA
IMSSA Independent Mediation Service of SA
JEP Joint Enrichment Programme
LHR Lawyers for Human Rights
· Learn and Teach Literacy Organisation

MATLA TRUST

MPD Institute for Multiparty Democracy
· National Land Committee
NYDCC National Youth Development Co-ordinating Committee
SACBC SA Catholic Bishops Conference Justice and Peace
SACC SA Council of Churches
· Storyteller Group
TEP Theological Exchange Programme
· Wilgespruit Fellowship
YCS Young Christian Students
YWCA Young Women's Christian Association

Regional Fora

IFEE is developing a number of regional fora which group regional structures of member organisations as well as regionally based voter education organisations. Such regional structures presently exist in Natal, Orange Free State, Pretoria, Border, Western Cape

Commissions

IFEE has created four working commissions which meet regularly on a range of specific issues.

Media Commission:

The Media Commission co-ordinates media projects of the member organisations as well as oversees joint media projects of the forum. The main project of this commission is the planning of voter education broadcast programmes.

Electoral Act Commission:

This commission is responsible for discussing recommendations on the electoral act and other issues related to electoral procedures as well as lobbying relevant bodies on the forum's recommendations in these areas.

Voter Education Resources Commission

This commission co-ordinates the availability and exchange of voter education resources.

Monitoring Commission

This commission looks into the monitoring of elections and the elections preparation process.

IFEE Contacts

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Media Commission

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Election Monitoring Commission

Convener: MPD, SACC, IDASA, LHR, ICT

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Memorandum on the provisions of an Electoral Act for the first universal suffrage election in South Africa

1. INTRODUCTION

The IFEE is concerned that the Electoral Act which governs the forthcoming elections should be drafted in a manner which enables members of the public and organisations of civil society to participate in what is, after all, an issue of considerable public interest.

In particular, those members of the forum who are regularly engaged in electoral education have a great deal of information about the perceptions of grass roots people and the potential pitfalls which an election might face.

Finally, it is our opinion that the formulation of the Act will have a number of implications for the cost and complexity of a national voter education programme. The more transparent, specific and straightforward the Act, the simpler and more accessible the voter education programme which will be required.

For these reasons, the IFEE has canvassed its member organisations and, on the basis of their comments, prepared a memorandum which it is submitting to all parties for information. The memorandum is not a draft Act, nor does it purport to cover all issues and eventualities. Its purpose is to suggest those aspects where a body of informed members of the public have an opinion. Those who are responsible for drafting the Act and any ensuing regulations may wish to contact the IFEE for clarification of any of the points made.

2. GENERAL PRINCIPLES

The Act should be prepared in such a way as to ensure accessibility to the vote of

the greatest possible number of eligible voters. It should ensure that the act of voting is simple, that the rights of voters can be easily communicated to them, and that they can exercise these rights freely. At all times it should take the needs of the ordinary voter as its primary concern.

3. WHO SHOULD VOTE

~~WHO SHOULD VOTE~~ SHOULD VOTE

In general, the principle should be to ensure that all South African citizens of 18 years and older should be allowed to vote. The fewest possible exceptions should be made in order to ensure the greatest possible legitimacy for the outcome of the election.

By citizen, we include all those resident within the 1910 borders of South Africa. There should be a single Electoral Act which includes those living in the present TBVC states.

The question of Permanent Residence status has been an area of discrimination in the past. All those who have been resident in the country for at least 5 years should now qualify for citizenship.

While there are a number of logistical problems - the siting and security of voting stations, access to prisoners by parties for canvassing, and the potential for intimidation and 'vote farming' - we believe that people in prison on election day should be allowed to vote. Incarceration is their punishment, not the forfeiture of human rights. At the very least, awaiting trial prisoners and those detained but not yet charged should be allowed to vote.

We are particularly concerned that the Electoral Act should ensure access for farm workers and mine workers to voter education and the political views of competing parties. In the context of South Africa special provision should be made in the Act and any additional regulations to ensure that this is possible.

It is our understanding that all exiles will have returned by the time of the election. Continued efforts should be made to ensure that this is done as, for a variety of reasons, we do not believe that arrangements should be made for voting outside of the country.

The normal restrictions in relation to those legally considered insane should apply.

4. HOW SHOULD VOTERS BE IDENTIFIED

Once again, ease of identification should be the overarching principle.

A variety of documents should be accepted as proof of a voter's age, place of birth and citizenship. Amongst these are the Identity Document, Passport, Birth Certificate, Baptismal Certificate, and Affidavit. Various other documents issued by state departments may be used.

Except in the case of an official ID document or passport (including those of the TBVC states), all other forms of identification should have to be verified in advance of the date of election and a temporary voter card issued by an Independent Electoral Commission. In other words, voters should be identified during the election only by official documents but should be able, in the run up to the election, to procure these cheaply and easily on the basis of a number of legitimate but more informal means.

There should be no opportunity for administrative delays to compromise the ability of any person to vote. For this reason, monitoring (including that of the issuing of standard citizenship ID applications) should be set into motion as soon as possible.

5. HOW SHOULD VOTING TAKE PLACE

5.1 Voting sites

Voting¹ Stations should be accessible - both physically and psychologically. They should be in convenient and neutral places. Thus some government buildings may be ruled out, and places such as clinics, schools, churches, and other places of public assembly may be more appropriate. Police stations should not be used under any circumstances.

As far as possible venues should be easy to secure, have sufficient shade and space for crowds, and have necessary facilities for seating, parking, ablutions, first aid, drinking water, and facilities for mothers with babies.

In rural areas voters should not have to walk for more than one hour to a station. If it is not possible to cover the area with fixed stations, mobile voting stations should be provided.

5.2 The ballot paper

Ballot papers should be carefully designed in order to ensure that they are not confusing to illiterate voters. Consideration should be given to having party names and symbols, large squares for marking, and no counterfoil

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We have discovered some confusion in people's minds between 'police stations' and 'polling stations' and recommend that the word 'vote' be used instead of 'poll' wherever possible.

number. All efforts should be made to ensure there can be no perception that a ballot paper can be identified with a voter. Recycled paper should be used if possible.

5.3 Marking the ballot

The IFEE wanted to ensure that any mark which is clearly indicative of the voter's preference should be accepted. The wording of the Lesotho Election Order is interesting in this regard. Given the history of South Africa, it may not be appropriate to use the thumbprint as an alternative to marking.

Where there is more than one mark and it cannot be determined what the voter's preference is the vote should be considered spoilt.

5.4 Ensuring a single vote

Indelible marking fluid, ultra-violet lamps, a special symbol, a stamp on voter's I.D and double checking may all be used to ensure that people cannot vote more than once.

5.5 National and regional lists

In general, members of the forum felt that the act of voting should be as simple as possible and that the system of one ballot paper with electors having one vote should be used to determine national and regional representation.

5.6 Unavoidable absence from voting

There should be no provision for prior voting but for people who are unable to get to a voting station (e.g. those who are frail and bed ridden) special arrangements should be made which take account of security, secrecy and lack of intimidation.

5.7 Assistance to voters

A variety of suggestions have been made to enable assistance for the physically disabled or frail in casting their vote. Amongst these are: assistance by a family member or friend, a designated official, or a person designated by the voter. Once again, the potential for intimidation and fraud must be weighed against accessibility and the needs of the voter.

5.8 Voting by armed forces

It is not appropriate for groups of uniformed soldiers to approach the voting stations. In addition, units may be confined to barracks during the elections. Given the earlier provisos about those in prisons, special arrangements should be made for soldiers to vote.

6. ADMINISTRATION OF VOTING STATIONS

Not only should voters feel free to approach the voting stations but there should be no hindrance on their exercise of the vote once inside the station. For this reason, officials should be appointed by an Independent Electoral Commission.

Party agents and registered monitors and observers should have access to Voting Stations at all times.

Security of the Voting Stations is a matter over which there are some differences of opinion. However, a police force under multi-party control with assistance from international observers - in particular police and military personnel - should be responsible for the security of the ballot box and stations.

To prevent intimidation or the unfair soliciting of voters, political party materials and personnel apart from designated agents should be at least 100 metres away from the voting stations.

Within the voting station no party posters should be allowed. An information table should be allowed to provide voters with the necessary IEC voting information.

Control of crowds waiting to vote should be in the hands, not of police, but of neutral monitors and multi-party stewards.

Provision must be made for the welfare of election officials during the elections. Meals should be organised.

7. THE INDEPENDENT ELECTORAL COMMISSION

It is already generally accepted that an Electoral Commission will administer the elections. In our opinion this group of people should be chosen from civil society and not from those who hold party office. Its members require in the first place expertise and experience - much of which will not necessarily be of a legal nature.

The membership should therefore have a minority of people from the legal fraternity and there should be gender equality. Selection of the commission should be the responsibility of the multi-party negotiations. Names of nominees should be published for comment by the general public.

While there may be international members who provide special expertise, the chair of the commission should be held by a South African.

Decision making within this commission should be by consensus.

Accredited international and domestic monitors should have observer membership of the commission.

- 7.1 There should be provision for the accreditation of international and domestic monitors both for the election itself and for the campaign period. There should be active encouragement for such monitors to plan and implement co-ordinated programmes in support of the goals of the Independent Electoral Commission.

The IEC should develop a system to deal with complaints from parties and members of the public about the conduct of the elections and campaign in a remedial and prompt manner.

8. POLITICAL PARTIES

All parties, including those registered under the present Electoral Act, should register under the new provisions through the Independent Electoral Commission.

The criteria should ensure a balance between credible parties and the rights of all citizens to form and be represented by political parties of their choice. We suggest that the criteria for parties to be eligible for registration should be: not less than 10 000 signatures certified by I.D. numbers and a deposit of R25 000. There should be a penalty clause for parties that do not achieve a certain number of votes in the election.

A code of conduct for the elections should be drawn up and made legally enforceable, with appropriate penalties. Amongst the clauses should be those encouraging political tolerance and the acceptance of the results of the election if declared free and fair.

A declaration of the free and fair nature of the elections should be sought from an international monitoring programme.

9. ADDITIONAL MATTERS

9.1 Voting hours

Voting stations should be open from 6:00 to 20:00. All stations should have artificial lighting.

The elections themselves should take place over more than one day, one of the days being a holiday in order to ensure that no-one can be withheld from voting by their employment.

9.2 Public polls

The taking of public polls and the publishing of the results of polls should be restricted in the two weeks prior to the elections.

9.3 Close of campaign

Political party campaigns should end 48 hours before the beginning of the election.

9.4 Counting of votes

In general counting should take place at the voting station in order to reduce the possibility for tampering with the boxes in transit.

A clear decision must be taken on the releasing of the results, its timing and procedures. We wish to see the results released as soon as possible after the counting is concluded.

10. CONCLUSION

It is not enough in South Africa for the elections to be declared free and fair - or sufficiently free and fair. All potential voters must have been able to adequately express themselves, parties must be willing to accept the result, and the result must be easily interpreted, communicated and implemented. Everything possible must be done to ensure that the election does further the cause of democracy.

As members of civil society, the members of the IFEE intend to do our part to ensure this. Those drafting the Electoral Act should take care to remember for whom the struggle for democracy in South Africa has been waged - the citizen.