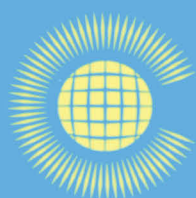


The End of Apartheid

The Report of the Commonwealth Observer Group
to the South Africa Elections
26–29 April 1994



COMMONWEALTH SECRETARIAT

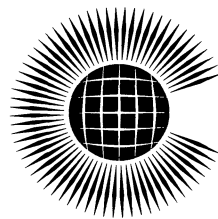


Picture overleaf:

*Celebrations of freedom broke out all over South Africa after the elections
(picture by Chris Bowman)*

The End of Apartheid

The Report of the Commonwealth Observer Group
to the South Africa Elections
26–29 April 1994



COMMONWEALTH SECRETARIAT

1994

Commonwealth Secretariat
Marlborough House
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Photographs by Zainah Anwar, Chris Bowman, Cheryl Dorall, Henner Frankenfeld,
Myron Kuziak and the Johannesburg Star

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Letter of Transmittal



National Assembly and Provincial Legislatures Election in South Africa
Commonwealth Observer Group

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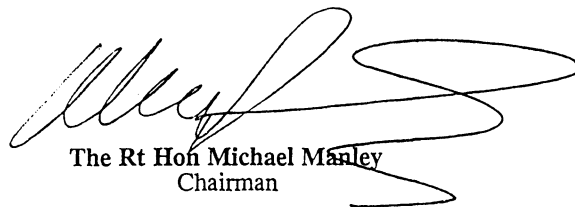
5 May 1994

Dear Secretary-General,

We the Commonwealth Observer Group to South Africa have pleasure in submitting to you our final report on the National and Provincial elections in South Africa. As we noted in our Concluding Statement released on 3 May 1994, these elections were more than just the exercise of democratic choice. In the final analysis they were a celebration of freedom and represented a free and clear expression of the will of the South African people which confirmed the demise of apartheid.

Our Commonwealth Group was present in South Africa for a period of more than three weeks. In the final stages of the campaign and on election days, we were present in cities, towns and rural communities throughout the country. Wherever we went we received a warm welcome from the political leaders and the people of South Africa. We were assured that our presence, together with that of other international observers, contributed in no small measure to enabling the people of South Africa to freely express their will at the polls.

We felt honoured to be present at this historic moment in South Africa's transition to non-racial democracy, and we all express our gratitude to you for the privilege of serving the Commonwealth and South Africa in this way.




The Rt Hon Michael Manley
Chairman

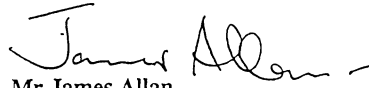
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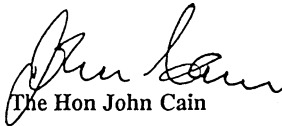
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Deputy Chairman



Mr P M Abraham



Mr James Allan



The Hon John Cain



Professor Duncan Chappell



The Hon Mrs Victoria Chitepo



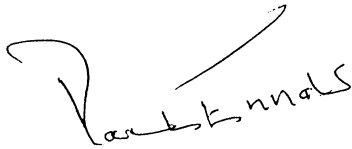
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Mr Headley Cunningham



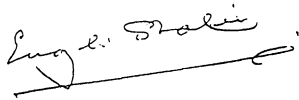
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The Rt Hon the Lord Ennals



Alderman O A Gara



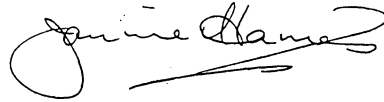
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Miss Grace Githu



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Dr Kamal Hossain



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Mr Henry Jensen



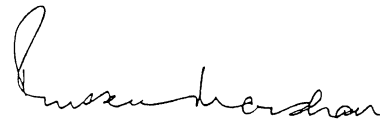
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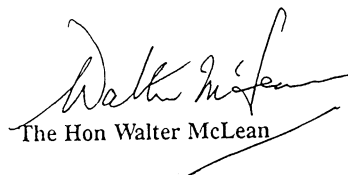
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The Hon Russell Marshall



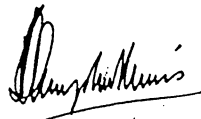
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The Hon Walter McLean



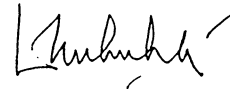
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The Hon Robert Morris




The Hon Lesedi Mothibamele



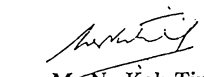
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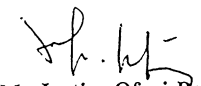
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The Hon Margaret Neckles



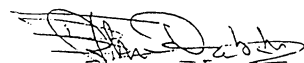
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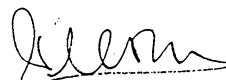
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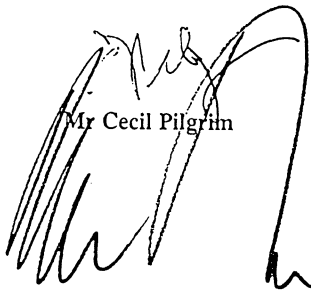
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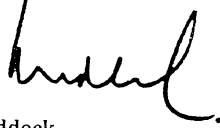
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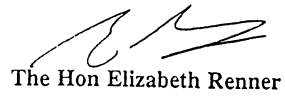
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Mr Cecil Pilgrim



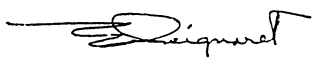
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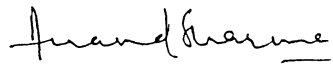
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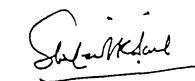
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Mr Eustace Seignoret



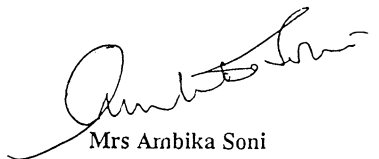
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Mr S K Singh



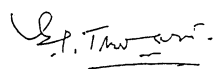
Mr Philip Smith




Mrs Ambika Soni



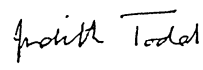
The Hon Hugh Templeton




Mr G P Tiwari



HE Mr Dudley Thompson, OJ, QC



Miss Judith Todd



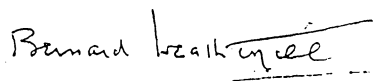
The Hon Paul J Tovua, OBE, MP




HE Mr M K Tsekoa



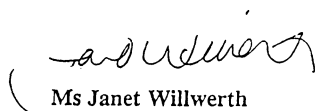
The Hon Michael Tshipinare



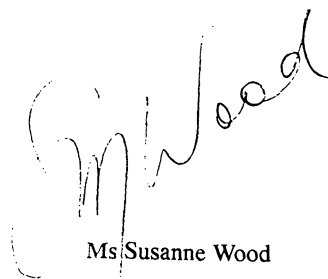
The Rt Hon the Lord Weatherill



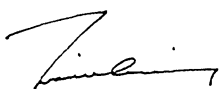
Miss Loren Wells



Ms Janet Willwerth



Ms Susanne Wood

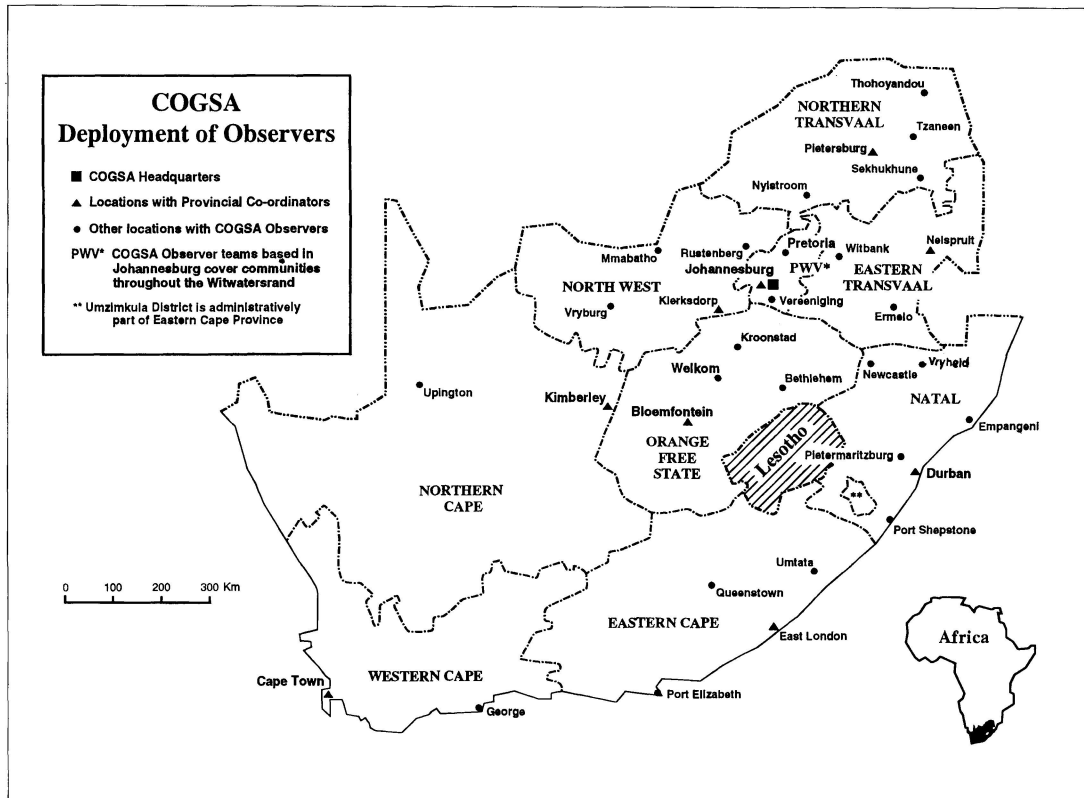


Tan Sri Zain Azraai



Mr David M Zamchiya

Map of South Africa



United Nations, UNOMSA, Joint Operations Unit, Map No. 007, April 1994



Faces of hope ... for the first time, all South Africans voted for a government of their choice.

Abbreviations

ADM	African Democratic Movement
ANC	African National Congress
APLA	Azanian People's Liberation Army
AVF	Afrikaner Volksfront
AWB	Afrikaner Weerstandsbeweging
BMP	Broadcast Monitoring Project
CODESA	Convention for a Democratic South Africa
COGSA	Commonwealth Observer Group to South Africa
COMSA	Commonwealth Observer Mission to South Africa
COSAG	Concerned South Africans Group
COSATU	Congress of South African Trade Unions
CP	Conservative Party
CPA	Commonwealth Parliamentary Association
CPAG	Commonwealth Peacekeeping Assistance Group
DDEO	Deputy District Electoral Officer
DEO	District Electoral Officer
DP	Democratic Party
EU	European Union
FF	Freedom Front
IBA	Independent Broadcasting Authority
IEC	Independent Electoral Commission
IFP	Inkatha Freedom Party
IGO	Inter-Governmental Organisation
IMC	Independent Media Commission
JOU	Joint Operations Unit
MNP	Multi-party Negotiating Process
NGO	Non-Governmental Organisation
NP	National Party
NPKF	National Peace-Keeping Force
OAU	Organisation of African Unity
PAC	Pan-Africanist Congress
PEB	Party Election Broadcast
PO	Presiding Officer
PWV	Pretoria/Witwatersrand/Vereeniging
SABC	South African Broadcasting Corporation
SACP	South African Communist Party
SADF	South African Defence Force
SAP	South African Police
TEC	Transitional Executive Council
TTF	Technical Task Force
TVC	Temporary Voter's Card
UNOMSA	United Nations Observer Mission to South Africa
UNSCR	United Nations Security Council Resolution

Introduction

At their last meeting in Cyprus in October 1993, Commonwealth Heads of Government recognised the historic significance of these National and Provincial Elections in South Africa, and agreed that a 'sizeable international observer presence would be indispensable if confidence in the process was to be assured and the people of South Africa enabled to cast a valid ballot'. They saw a Commonwealth election observer mission as an important component of this wider international presence. The Commonwealth Observer Group to South Africa (COGSA) was consequently established by the Commonwealth Secretary-General, Chief Emeka Anyaoku, following an invitation from the Transitional Executive Council (TEC) of South Africa.

The Commonwealth has been deeply involved in the process leading to these elections. When Heads of Government met in Harare in October 1991, they recognised the significance of dramatic developments which had taken place in South Africa since 1990, including the release of Nelson Mandela and other political prisoners, and the unbanning of political organisations opposed to apartheid. Heads of Government decided to embark upon a phased removal of sanctions in response to the achievement of specific objectives in the negotiating process and resolved that the Commonwealth as an association would do all it could to assist the transition to a non-racial democracy. A ground-breaking visit to South Africa in November 1991 by the Secretary-General to explore with the principal parties ways in which the Commonwealth could assist in lending momentum to the negotiating process prepared the way for the presence of the Commonwealth Group of Distinguished Observers at the opening of the Convention for a Democratic South Africa (CODESA) in December 1991. CODESA marked the start of multi-party negotiations.

Subsequently, in July 1992, during a further visit to South Africa, the Secretary-General proposed to the principal parties the concept of a multi-disciplinary team of Commonwealth experts, with skills in such areas as conflict resolution, law enforcement, criminology and community relations, to help address the problem of the ongoing violence which then threatened to overwhelm the negotiating process. This idea was taken further and embodied in Resolution 772 of the United Nations Security Council, which was adopted on 17 August 1992. This Resolution invited the Commonwealth and other international organisations to co-ordinate with the United Nations in assisting



The Commonwealth Observer Group ... Front row (from left): David Zamchiya (Zimbabwe), Susanne Wood (New Zealand), Elizabeth Renner (The Gambia), Philip Ruddock (Australia), Paul Tovua (Solomon Islands), G P Tiwari (India), Margaret Neckles (Grenada), Rt Rev Sir Paul Reeves (New Zealand), Michael Manley (Jamaica), Tan Sri Ghazali Shafie (Malaysia), Ambika Soni (India), Janine Haines (Australia), Asma Jahangir (Pakistan), Loren Wells (Canada), Grace Githu (Kenya), Martin Kenyon (Britain), Ng Kah Ting (Singapore). Second row (from left): Anand Sharma (India), Eustace Seignoret (Trinidad & Tobago), Judith Todd (Zimbabwe), Janet Willtoerth (Canada), Mr Justice André Sauzier (Seychelles), Headley Cunningham (Jamaica), John Cain (Australia), M K Tsekoa (Lesotho), Niaz A Naik (Pakistan), Sir Ebia Olewale (Papua New Guinea), Lesedi Mothibamele (Botswana), Obetra Menke (Nauru), Alderman O A Gara (Zimbabwe), Dudley Thompson (Jamaica), Brian Cox (Australia), Michael Tshipinare (Botswana), Cecil Pilgrim (Guyana), Peter Lyon (Britain), P E M Mauundu (Kenya), Dr Kamal Hossain (Bangladesh), David Vetch (British High Commission), C V Gooneratne (Sri Lanka), James Allan (Britain), Philip Smith (Bahamas), Lord Ennals (Britain), Dato' K Pathmanaban (Malaysia), Henry Jensen (Canada), Oki Ooko-Ombaka (Kenya), Duncan Chappell (Australia), Lavu Mulimba (Zambia), M M Jacob (India), Robert Morris (Barbados), Mr Justice Josiah Ofori-Boateng (Ghana). Back row (from left): Zeel Perun (Mauritius), Russell Marshall (New Zealand), Myron Kuziak (Canada), Tan Sri Zain Azraai (Malaysia), S K Singh (India), Hugh Templeton (New Zealand), Rev Walter McLean (Canada). [Not in picture: Lord Weatherill (Britain), P M Abraham (India), Victoria Chitepo (Zimbabwe), Peter Daniel (Canada).]

the structures of South Africa's National Peace Accord which had been signed by the Government, political parties and organisations in September 1991 to address the problem of violence and foster reconciliation.

Accordingly, the Secretary-General constituted the Commonwealth Observer Mission to South Africa (COMSA) and deployed the mission to operate in two particularly troubled areas, the Pretoria/Witwatersrand/Vereeniging (PWV) triangle, centred on Johannesburg, and KwaZulu/Natal. Since then, COMSA observers, in co-operation with their colleagues from the UN, European Union (EU) and the Organisation of African Unity (OAU), have been active in providing constructive advice and assistance in support of the national peace structures, and generally in assisting the transition process. COMSA has published three Reports on its activities – the last in December 1993 – and these formed an important part of our preliminary briefing on the background to and preparations for the elections.

We were also briefed on the extensive programme of multilateral and bilateral Commonwealth technical assistance to support the transition process. This included: a group of 57 Commonwealth electoral experts assisting the Independent Electoral Commission (IEC) with the training of electoral officials and monitors; assistance to the National Peace Secretariat with the training of peace monitors, party marshals for political rallies, and by providing a trainer in conflict resolution; a Commonwealth Peacekeeping Assistance Group (CPAG) of 33 senior Commonwealth military and police officers to assist with the training and evaluation of the National Peace-Keeping Force (NPKF); the secondment of senior police officers to the Goldstone Commission to investigate electoral irregularities; and Commonwealth experts to assist the Independent Media Commission (IMC). In fulfilling our tasks we were fortunate to have the benefit of advice and assistance from these fellow Commonwealth citizens.

Composition and Terms of Reference

Ours has been the largest electoral observer mission ever mounted by the Commonwealth, with 60 core group members appointed directly by the Secretary-General, and an additional 44 Assistants to Observers drawn from Commonwealth Secretariat support staff, Commonwealth technical experts assisting with the transition process, and persons from or nominated by a number of Commonwealth countries represented in South Africa.

As Commonwealth Observers, we served in our personal capacities and not as the representatives of any government or organisation to which we might otherwise owe allegiance. We were able to bring to bear our collective experience in international affairs, in democratic politics and parliamentary government, in the law, military and security affairs, and in electoral management and organisation. The composition of our Group and support staff is at *Annex I*.

Our Terms of Reference from the Secretary-General were as follows:

The Group is established by the Commonwealth Secretary-General at the invitation of the Transitional Executive Council (TEC) of South Africa. It is to observe relevant aspects of the organisation and conduct of the election in accordance with the electoral laws of South Africa established by the Independent Electoral Commission (IEC) which is the transitional authority entrusted with administering, monitoring and adjudicating all matters pertaining to the election. The Group is to consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgment whether the conditions exist for a free expression of will by the electors and if the result of the election reflects the wishes of the people.

The Group is to act impartially. It has no executive role; its function is to observe the process as a whole and to form a judgment accordingly. In the discharge of its tasks and responsibilities, the Group will work closely with the other international observers, under the overall co-ordination of the United Nations.

The Group will submit its report to the Commonwealth Secretary-General, who will forward it to the Government of South Africa, to the leadership of the political parties taking part in the elections, and thereafter to Commonwealth Governments.

Co-operation with other Inter-Governmental Organisations (IGOs)

As Commonwealth Observers, we co-operated closely with the United Nations under the authority of UN Security Council Resolution (UNSCR) 894 of 14 January 1994, which was mandated to co-ordinate the activities of observers from the four IGOs and foreign governments to ensure their effective and co-ordinated deployment. The UN Secretary-General's Report of 10 January 1994, on which UNSCR 894 was based, detailed the structures to be put in place for effective co-ordination. These were as follows:

- a Co-ordinating Committee of Heads of Mission of the four IGOs (UN, Commonwealth, EU and OAU) chaired by the Special Representative of the UN Secretary-General. The Committee met weekly or more frequently as required, to discuss issues of concern affecting the preparations for the elections and the work of the four IGO missions;
- a Technical Task Force (TTF) consisting of the electoral experts of the four missions, chaired by the Head of the Electoral Division of the United Nations Observer Mission to South Africa (UNOMSA). It closely monitored the IEC preparations for the elections and offered advice on problems emerging from the field; and
- a Joint Operations Unit (JOU) headed by the Secretary of the TTF. The JOU was responsible for making all the practical arrangements for the deployment of IGO observers during the period of the elections. It established a joint operations room which monitored all reports from observers during the voting days.

Method of Work

We were in South Africa as a group for over three weeks, most of us arriving in Johannesburg by 9 April 1994 and departing after 4 May 1994. The Chairman arrived on 13 April 1994 and issued the Arrival Statement at *Annex II*. We spent the first week in Johannesburg for a series of briefings and meetings. This began on 10 April 1994 with a briefing by the Commonwealth Secretary-General on our role and responsibilities. Thereafter, we launched into a series of meetings with the main political parties, the IEC, the IMC, the South African Police (SAP), the Human Rights Commission, churches and other interested groups. The Chairman made contact with the leaders of the major political parties. A schedule of engagements is at *Annex III*.

On 16 April 1994, we divided into 51 teams and deployed to all nine provinces. Our deployment plan is at *Annex IV*. We spent the first three days in provincial centres for meetings and activities at the provincial level, before being further deployed throughout South Africa to observe the final stages of the campaign, preparations for the elections, and voting and counting days. We covered major cities, large townships, rural communities, and the so-called 'homelands'. We met with local electoral officials, candidates and activists from the political parties, peace monitors, local community leaders, representatives of the security forces and UN co-ordinators. We attended party rallies and meetings, observed voter education efforts, and monitored the preparations for the elections. In all we covered 120 districts before voting day and visited over 700 voting stations during the poll, many of them more than once. We submitted daily reports through our team co-ordinators to COGSA headquarters in Johannesburg. We used as guidelines our Observation Notes and the Voting and Counting Observation forms prepared by the four IGO missions (see *Annex V*).

An eve-of-poll joint IGO statement was issued on 25 April 1994 (see *Annex VI*) and this was followed by an interim statement issued on 30 April 1994 after the closing of the poll (*Annex VII*). Our Chairman issued a Departure Statement on 3 May 1994 (*Annex VIII*).

CHAPTER 1

Political Background

South Africa's first non-racial elections were the culmination of a long and bitter political struggle for freedom within South Africa, and a sustained campaign against apartheid internationally. This struggle moved into a decisive phase in February 1990 with the release of African National Congress (ANC) leader Nelson Mandela and the lifting of the ban on key political organisations by State President F W de Klerk.

Since then, South Africans across the political spectrum have engaged in intense and protracted negotiations within the country. With very little external involvement, they reached agreement on transitional arrangements leading to these elections for a parliament which will also serve initially as a Constituent Assembly to finalise a new constitution, and for a Government of National Unity which will govern the country for the next five years.

CODESA

A series of agreements and legislative reforms in 1990-91 paved the way for the first multi-party negotiations. These included:

- the Groote Schuur Minute of May 1990, in which the Government and ANC agreed on terms for the release of political prisoners, the return of exiles and the dismantling of security legislation;
- the Pretoria Minute of August 1990, in which the ANC suspended the armed struggle; and
- the repeal of key apartheid legislation, including the Land Acts, Group Areas Act, the Black Communities Act and the Population Registration Act.

Eighteen organisations, including the Government, the National Party (NP), the ANC, the Inkatha Freedom Party (IFP) and the Democratic Party (DP), and ten 'homeland' administrations participated in the historic first CODESA in December 1991. With the exception of Bophuthatswana and the IFP, the groups represented at CODESA I endorsed a 'Declaration of Intent' setting out their commitment to a political settlement and to the broad political principles upon which a new constitution should be based.

A second plenary session of CODESA in May 1992 ended in deadlock over the composition of the proposed constitution-making body. Further negotiations stalled over mounting political violence caused by tensions between the ANC and the IFP, exacerbated by strong suspicions and, in some cases, direct evidence of state complicity in the violence.

The National Peace Accord and Goldstone Commission

In a bid to stem the political violence, 26 parties and concerned groups signed a National Peace Accord in September 1991. A National Peace Secretariat, which has established structures at national, regional and local levels, has seen to the day-to-day functioning of the Accord.

A key institution provided for in the Accord was the Commission of Inquiry into Violence and Intimidation chaired by Mr Justice Richard Goldstone. The 'Goldstone Commission', as it has come to be known, has held a wide variety of hearings, ranging from the thematic – such as taxi wars and train violence – to particular incidents, such as the killing of over 50 people in Johannesburg during an IFP march on 28 March 1994.

Shortly before the elections, the Commission constituted a special international panel to make recommendations on preventing violence during the elections. The Commission has also made a number of investigations into the alleged activities of 'third force' and unreconciled elements within the law enforcement agencies still fomenting political violence.

The Multi-party Negotiating Process

In April 1993, 26 political parties (including the Conservative Party (CP) and the Pan-Africanist Congress (PAC) which did not participate in CODESA) and a few special interest groups gathered at Johannesburg's World Trade Centre at Kempton Park in a fresh bid to break the impasse. In the absence of agreement on a name for these talks, they became known simply as the Multi-party Negotiating Process (MNP).

On 15 June 1993, the Negotiating Council of the MNP, in which the substantive negotiations took place, agreed by 'sufficient consensus' to hold elections on 27 April 1994. In early July 1993, the IFP and the CP withdrew from the talks, protesting against the process agreed on for the transition and the use of the 'sufficient consensus' mechanism to reach agreement on an election date. (The mechanism and the agreement were subsequently upheld in the Supreme Court.)

On 23 and 24 September 1993, legislation for four new institutions of the transition period as agreed in the negotiations – the Transitional Executive Council (TEC), the Independent Electoral Commission (IEC), the Independent Media Commission (IMC) and the Independent Broadcasting Authority (IBA) – was enacted by Parliament.

However, the 'independent homelands' of Ciskei and Bophuthatswana, in association with the IFP and the CP in the then Concerned South Africans Group (COSAG), withdrew from the MNP, which they accused of being dominated by the ANC and the NP. The two 'independent homelands' vowed not to incorporate the TEC legislation into their laws. The Freedom Alliance, launched in early October 1993, cemented the pact among those groups which had decided to boycott the talks. The Alliance included the Afrikaner Volksfront (AVF), at that time the principal umbrella organisation for right-wing groups, among them the CP. While bilateral negotiations continued in an effort to draw the Freedom Alliance back into the talks, the 22 groups remaining continued their negotiations.

In accordance with an earlier agreement that none of the legislation would become operational until the entire package had been agreed, negotiators returned to the table to find common ground on an interim constitution, an Electoral Act, and the removal of remaining apartheid laws. These agreements were finally endorsed at a plenary session of party leaders on 18 November 1993 and enacted by Parliament soon after.

Stages of the Transition

The agreements provided for two stages in South Africa's political evolution:

- a transitional period in which the TEC would supervise key arms of Government which had a bearing on facilitating free and fair elections.
- elections to a Constituent Assembly which would both finalise the constitution during its first two years, and serve as the country's parliament, until elections in 1999.

It was further agreed that the new constitution would have to be approved by a two-thirds majority of a joint sitting of parliament, comprising a 400-member National Assembly and 90-member Senate. Should a two-thirds majority fail to agree on the final constitution, the deadlock-breaking mechanism provides for a referendum in which 60 per cent of the voters would have to approve the constitution in order for it to be passed. The constitution so approved would have to be examined by a Constitutional Court to ensure that it is in keeping with the constitutional principles agreed by the MNP.

The Freedom Alliance

The principal reason cited by Freedom Alliance members for withdrawing from the MNP negotiations was that the negotiations had failed to yield an interim constitution sufficiently federal in character.

One Freedom Alliance member – the 'independent homeland' of Ciskei – broke ranks, joined the TEC early in 1994 and registered a political party, the African Democratic Movement (ADM). But the remaining partners in the Alliance (the IFP, the AVF and Bophuthatswana) did not register parties by the

12 February 1994 deadline. The AVF persisted with its claims for an Afrikaner homeland (*volkstaat*), while the IFP backed calls by Zulu King Goodwill Zwelithini for the restoration of the Zulu kingdom as constituted prior to the arrival of white settlers in South Africa, and sought greater guarantees for provincial autonomy.

In an effort to persuade the remaining Freedom Alliance members to contest the elections, the MNP's Negotiating Council – at the urging of the Government and the ANC – reconvened on 21 February 1994 to approve a series of amendments to the Interim Constitution and Electoral Act which were subsequently adopted by a special sitting of Parliament.

The measures included:

- strengthening the ability of the nine provinces to make their own laws; provisions in provincial constitutions to decide on legislative and executive structures (which would have permitted special arrangements for the Zulu monarchy);
- provision that the above should not be altered in final negotiations on the constitution after the elections;
- changing the name of the province of Natal to KwaZulu/Natal and adding a constitutional principle on self-determination which would pave the way for future negotiations on a *volkstaat*; and
- amendments to the Electoral Act to provide for a simultaneous double ballot, one for the National Assembly and the other for the provincial legislatures.

The deadline for party registration was extended to 4 March 1994. Parties had until 9 March 1994 to support their registrations with party candidate lists. This was later amended to a requirement for the submission of provisional lists, allowing parties until 16 March 1994 to submit supplementary and amended lists.

The IFP initially reacted negatively to the proposed constitutional amendments, saying they offered no real change. However, at the close of a meeting with Mr Mandela in Durban on 1 March 1994, IFP leader Chief Mangosuthu Buthelezi announced that he would consider provisionally registering the IFP and contesting the elections, pending the outcome of international mediation to overcome constitutional differences. The IFP proceeded to register, but allowed the registration to lapse by not submitting party candidate lists. Party spokespersons said that the IFP would not contest the elections until international mediation had run its course and the country had a 'proper constitution'. The IFP suggested that this could be achieved by postponing the elections.

The Freedom Front

Like the IFP, the AVF initially took a firm stance against participation.

However, following the IFP decision to register provisionally, AVF leader General Constand Viljoen – in a dramatic gesture just before the midnight deadline for party registration on 4 March 1994 – registered a party called the Freedom Front (FF). Following opposition to this move within the AVF, General Viljoen decided to go his own way, putting forward a list of candidates for the Freedom Front, and subsequently resigning from the Freedom Alliance.

On 23 April 1994, just before the elections, General Viljoen signed an Accord with the Government and the ANC providing for negotiations on an Afrikaner *volkstaat* to continue after the elections, a move successfully aimed at encouraging right-wing elements to participate in the elections and to pursue their objectives through negotiations.

Bophuthatswana

The ‘independent homeland’ of Bophuthatswana initially refused to register a party for the elections and decided not to incorporate transitional legislation into its statutes (contrary to what had happened in Transkei and Venda, and later Ciskei – the other three ‘independent homelands’). Free political activity within the area continued to be suppressed, and the IEC had no access to the territory, raising the spectre of voting stations having to be sited on the borders of the territory. This attitude by the authorities, coupled with concerns among civil servants regarding their future, sparked a series of strikes and a popular uprising, which eventually included the ‘homeland’ police and army.

A plea by the Bophuthatswana authorities to General Viljoen for help further fuelled popular anger as approximately 4,000 white right-wingers, clad in khaki uniforms and heavily armed, poured into Mmabatho, the capital of Bophuthatswana, on 11 March 1994. Contrary to instructions to guard vital installations, the far right-wing Afrikaner Weerstandsbeweging (AWB) contingent (estimated to have numbered about 500) paraded through the town, firing shots at random and killing several black South Africans. The AWB ignored an order from General Viljoen to withdraw, intensifying the emerging split between him and the far right.

On the afternoon of 11 March 1994, the Bophuthatswana Defence Force drove the AWB out of the city, killing three AWB members. In all, at least 60 people were killed, the majority ordinary citizens caught in the crossfire. By nightfall – following an urgent Cabinet meeting and TEC meeting in Pretoria – the South African Defence Force (SADF) had been asked to restore order. With the civil service, army and police remaining opposed to the ‘homeland’ leader Lucas Mangope, the TEC impressed on the South African Government that he could not remain in control of the territory. Two co-administrators were appointed to run the territory until after the elections. The IEC immediately established an office in Mmabatho and launched a massive voter education campaign. Mr Mangope did not contest the elections.

Ciskei

Ciskei opted to join the TEC and had allowed free political activity even before transitional arrangements came into effect. The territory's military ruler, Brigadier Oupa Gqozo, registered his ADM to contest both national and regional elections. In the face of demands by police and civil servants – worried about their future after reincorporation – that their pensions be paid out immediately, Brigadier Gqozo resigned weeks before the elections and asked the TEC to take over the administration of the territory until after the elections.

The Inkatha Freedom Party

Until the last few days before the elections, mounting tensions between the ANC and the IFP appeared set to result in massive strife during the elections, especially in KwaZulu/Natal.

On 18 March 1994, the Goldstone Commission issued a report alleging a conspiracy involving the training of IFP members – many of whom subsequently joined the KwaZulu police – in unconventional warfare, and a gun running network which supplied arms from Namibia and Mozambique to IFP-supporting hostel dwellers and train killers. The South African Government and TEC ordered a further investigation, involving local and international experts, into this matter.

On 25 March 1994, the ANC organised a march through Durban aimed at proving support in the province for the elections. The IFP responded with a march through Johannesburg on 28 March 1994 in support of King Zwelithini, and against the elections. The march ended with 51 dead and 250 injured, in a series of shootings that included shots fired by unidentified snipers, and others fired by ANC security guards after the marchers departed from their original route to march in front of the ANC's national headquarters. The incident is being investigated by the Goldstone Commission.

On 31 March 1994, with the support of the TEC, President de Klerk declared a State of Emergency in KwaZulu/Natal, which led to a postponement of a four-way summit between Chief Buthelezi, King Zwelithini, Mr de Klerk and Mr Mandela. This summit, subsequently held on 8 April 1994, failed to achieve a breakthrough. An attempt to break the deadlock by a team of seven international mediators was unsuccessful. The composition of the team is at *Annex IX*.

Following a further intense round of consultations – and in an about turn that took most people by surprise – the IFP announced on 19 April 1994 (one week before voting was due to commence) that it had decided to contest the elections. An agreement reached by the IFP, the ANC and the Government provided for:

- participation by the IFP in both national and provincial elections without changing the election dates;

- provision and safeguards for the Zulu monarchy in the provincial constitution of KwaZulu/Natal; and
- outstanding issues in respect of the King and regional powers to be addressed by international mediation after the elections.

The MNP's Negotiating Council met to approve the agreement and thereafter adopted a resolution committing all parties to accept the election results. Parliament reconvened on 25 April 1994 to consider the required amendments to the Interim Constitution necessitated by the agreement. Since 80 million ballot papers had already been printed for the national and provincial elections, the parties agreed that a special IFP sticker could be added by the IEC at the bottom of each ballot paper.

The IFP entry led to an immediate and dramatic reduction in political violence in the last few days before the elections and during the poll itself, particularly in the PWV and in KwaZulu/Natal. South Africans therefore went to vote in a climate of relative peace and calm, marred only by a spate of brutal bombings which failed to deter them from exercising their right to vote.

The Political Parties

Nineteen political parties contested the election to the National Assembly. Twenty-seven parties contested all or some of the elections to the nine provincial legislatures. The most prominent parties included:

African National Congress (ANC) – led by Nelson Mandela. Founded in January 1912 by a group of black nationalists, the ANC has dominated black political activity for decades and developed into a liberation movement with mass support. A new generation of more radical Youth League leaders – Mr Mandela, Oliver Tambo, Walter Sisulu and Anton Lembede – galvanised the party in the early 1950s into a more militant movement. The ANC successfully launched a programme of protest action involving boycotts, strikes and civil disobedience. The ANC has an electoral alliance with the South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU). The party has always had and practised a strong non-racial philosophy. The ANC's armed wing, Umkhonto we Sizwe (MK), was founded in December 1961 but had difficulty operating as a guerilla force, as neighbouring countries were fearful of providing external bases. The ANC suspended the armed struggle in August 1990, in order to further political negotiations.

Democratic Party (DP) – led by Zach de Beer. The party was founded in April 1989 when the Progressive Federal Party (PFP), the Independent Party and the National Democratic Movement joined forces. Of these, only the PFP had a history of resisting apartheid, with Helen Suzman flying the party banner as its lone representative in Parliament for many years. The DP espouses liberal values and a multiracial philosophy.

Freedom Front (FF) – led by a former Commander of the SADF, General Constand Viljoen. In March 1994 it broke away from the AVF, the umbrella organisation which united several right-wing groups in their demand for an independent *volkstaat*. The AVF was seen as the new driving force of the right, but disintegrated following the misadventure in Bophuthatswana. General Viljoen broke away to form the Freedom Front, taking with him several CP Members of Parliament who believe the way forward to an Afrikaner homeland is through negotiations and the ballot box.

Inkatha Freedom Party (IFP) – led by Chief Mangosuthu Buthelezi. Founded as a cultural movement in 1975, the IFP has been the ruling party of the ‘homeland’ of KwaZulu. It has its strongest following in KwaZulu/Natal and parts of PWV. The party is strongly in favour of federalism.

National Party (NP) – led by F W de Klerk. Founded in 1912 and the architect of apartheid, the NP has dominated South African politics for over four decades. At the outset, the party’s aim was to achieve a more prominent role for Afrikaners in society and in government, and to keep the races socially and politically apart. The party has undergone a radical transformation since 1990 when President de Klerk began dismantling the structures of apartheid.

Pan-Africanist Congress (PAC) – led by Clarence Makwetu. It was formed in 1959 by a faction of the ANC suspicious of growing white, Indian and communist influence within the ANC. As with the ANC, the PAC was banned in 1960. It waged an armed struggle against the South African state through its armed wing, the Azanian People’s Liberation Army (APLA). It recently suspended the armed struggle.

A full list of parties which contested the elections is at *Annex X*. Among the organisations which boycotted the elections were:

Afrikaner Weerstandsbeweging (AWB) – led by Eugene Terre’Blanche. Founded in 1976, it is the most prominent of paramilitary right-wing movements. It is a neo-Nazi political organisation, dedicated to white supremacy.

Conservative Party (CP) – led by Ferdi Hartzenberg. The party was founded in 1982 when a group of 17 MPs led by two Cabinet Ministers broke away from the NP, accusing the then President P W Botha of betraying the true ideals of apartheid. It soon became the white right-wing’s most important representative body. The party remains wedded to the philosophy of apartheid, but realising that it cannot achieve it in a democratic multiracial South Africa, is now fighting for a *volkstaat*.

CHAPTER 2

Legal Framework

The constitution and other legal structures supporting the apartheid regime in South Africa prohibited free political association by the majority of South Africans and denied them the franchise. Free and fair multi-party, non-racial elections were impossible under such conditions and so an entirely new legal environment had to be created.

Transitional Legal Framework

The new transitional legal structures established to facilitate the organisation of such elections included a new Interim Constitution which came into effect on 27 April 1994, a Transitional Executive Council (TEC), an Electoral Act, an Independent Electoral Commission (IEC), an Independent Media Commission (IMC) and an Independent Broadcasting Authority (IBA). The Interim Constitution will be replaced by a new constitution to be adopted by the new National Assembly within two years of these April 1994 elections. The TEC Act lapsed upon the assumption of office by the members of the first Cabinet as provided for in the Interim Constitution. The IEC and the IMC were to be dissolved on a date fixed by the State President by proclamation in the Gazette.

The Interim Constitution

The Interim Constitution confers the franchise on every South African citizen of 18 years or over and any one who, though not a citizen, has been accorded the right to exercise the franchise through an Act of Parliament.

A regime of fundamental rights is provided for in this Interim Constitution. This includes equality before the law and equal protection of the law; the right to life; freedom of expression; freedom to assemble and demonstrate peacefully; freedom of movement; and the freedom to form and to participate in the activities of a political party.

The Interim Constitution provides for a Constitutional Assembly with two Houses of Parliament, the National Assembly and the Senate. The Constitutional Assembly is charged with the task of drawing up a permanent Constitution within two years. In doing so the Assembly will be bound by the Constitutional Principles inscribed in the Interim Constitution.

The National Assembly consists of 400 members elected in accordance with a system of proportional representation. The seats are filled in the following manner:

- (a) 200 seats from regional lists submitted by the political parties, with a fixed number of seats reserved for each region as determined by the commission for a particular election, taking into account available scientifically based data in respect of voters, and representations by interested parties. The representation for these current elections in respect of the various regions is as follows:

Western Cape	– 21 seats
Eastern Cape	– 28 seats
Northern Cape	– 4 seats
Natal	– 40 seats
Orange Free State	– 15 seats
North-West	– 15 seats
Northern Transvaal	– 20 seats
Eastern Transvaal	– 14 seats
Pretoria-Witwatersrand-Vereeniging	– 43 seats

and

- (b) 200 seats from national lists submitted by the respective political parties.

The Senate consists of 10 Senators for each of the nine Provinces, nominated by the parties represented in the provincial legislatures, proportionate to their strengths in the respective legislatures.

Any party with more than five per cent of the vote is entitled to a seat in Cabinet. The President is elected by a simple majority in parliament. Any party with 20 per cent of the vote or, if there are none such except for the winning party, this party and the second largest party, will each nominate an Executive Deputy President with whom the President must consult on major decisions including the allocation of portfolios in Cabinet.

These arrangements are mandatory and are to last for five years, that is three years beyond the adoption of the final Constitution, and until the next election.

Under the Interim Constitution, each Province will have its own legislature, an executive council of not more than 10 people and a regional head of government, or Premier. Each party with more than 10 per cent of the provincial vote is entitled to a seat in the provincial cabinet.

The Transitional Executive Council (TEC)

This body was established by the Transitional Executive Council Act of 1993. The object of the TEC in conjunction with all legislative and executive structures at all levels of government in South Africa, was to facilitate and promote the preparation for and transition to a democratic order in South Africa. The TEC was required to pursue its objectives by creating and promoting a climate for free political participation and by promoting the conditions conducive to the holding of free and fair elections. It commanded a range of powers and advised the State President on the appointment of members of the IEC.

Each government, political party or organisation which at any time participated in the Multi-party Negotiating Process and which met the stipulated conditions for participation, was entitled to appoint one representative to the TEC.

The TEC operated through a series of sub-councils which were subject to its general control and supervision. These included sub-councils on:

- (a) Regional and Local Government and Traditional Authorities
- (b) Law and Order, Stability and Security
- (c) Defence
- (d) Finance
- (e) Foreign Affairs
- (f) Intelligence
- (g) The Status of Women.

Each government and administration was required to keep the TEC informed and provide it with copies of any proposed legislation, including regulations and by-laws which had a bearing on the objectives of the TEC. Where the TEC or the sub-council concerned had reason to believe that a decision or action of any government, administration, political party or organisation was likely to have an adverse effect on the attainment of the objectives of the TEC, it had power to take action against the offending body. In the event of such action the TEC had to allow the body concerned to make representations. Any such direction given by the TEC or the sub-council concerned had to be complied with except where the disputes procedure under the TEC Act was successfully invoked by the body concerned.

The Electoral Law

The new Electoral law, called the Electoral Act 1993, which provided the legal framework for the organisation of free and fair non-racial multi-party elections came into force in January 1994. It had many special features, some of which were unique, which were considered necessary in the circumstances of South Africa to ensure the conduct of free and fair elections.

The main features of the Electoral Act included:

- (a) an Independent Electoral Commission to be established to administer the provisions of the Electoral Act itself. The principal task of the IEC was to create an environment which generated confidence in the electoral process and the secrecy of the ballot and to conduct the elections. The IEC was established by a separate Act which is discussed briefly below in this chapter.
- (b) the establishment of an interim party liaison committee whose function was to establish liaison between the IEC and the political parties represented thereon regarding election matters. The party liaison committee also served as a forum in which parties discussed matters of concern with a view to avoiding infringements of the Electoral Code of Conduct, a copy of which is at *Annex XI*. In effecting any appointment of electoral officers, the IEC was required to invite submissions from the party liaison committee on proposals regarding such appointments.
- (c) the appointment of and control of electoral officers and staff.
- (d) the extension of the franchise to any person of the age of 18 years or older who is a citizen of or permanently resident in South Africa and who is in possession of a voter's eligibility document, which could be any one of the following:
 - (i) an identity document or a temporary identity certificate issued in terms of the Identification Act of 1986 or any other applicable law of the Republic, as the case may be;
 - (ii) a Temporary Voter's Card;
 - (iii) a valid travel document issued in terms of any law of the Republics of Transkei, Bophuthatswana, Venda and Ciskei;
 - (iv) a reference book issued in terms of the repealed Blacks (Abolition of Passes and Coordination of Documents) Act of 1952;
 - (v) an identity document referred to in section 13 of the Population Registration Act of 1950; and
 - (vi) a valid South African passport for the purpose of voting at any foreign voting station.
(Conditions for permanent residence were defined by the Alien Control Act of 1991, Section 25.)
- (e) the registration of political parties and their lists of candidates.
- (f) detailed provisions to govern the preparation and conduct of polling and the determination of the result.

The IEC and Administration of Elections

Under the Electoral Act and the Independent Electoral Commission Act, the responsibility for the organisation and conduct of elections was given to the

IEC. Both Acts envisaged that the IEC was to operate as an independent body in the execution of its functions. The main features of the Commission were as follows:

(a) *Objectives*

- (i) to administer, organise, supervise and conduct free and fair elections for the National Assembly and all other legislatures in terms of their Constitutions and the Electoral Act;
- (ii) to promote conditions conducive to free and fair elections;
- (iii) to determine and certify the results of elections and to certify to what extent such elections had been free and fair;
- (iv) to conduct voter education; and
- (v) to make and enforce regulations for the advancement of such objectives.

(b) *Membership*

The IEC consisted of 11 South Africans and five non-voting Commissioners chosen from the international community in a non-representative capacity. Commissioners were appointed by the State President upon the advice of the TEC. A similar procedure was followed in the appointment of the Chairperson and Vice-Chairperson of the Commission.

(c) *Administrative Structure*

The IEC had two directorates, the Election Administration Directorate and the Election Monitoring Directorate.

- (i) The Administration Directorate consisted of a Chief Director and one or more Deputy Directors and such other officials as the IEC considered necessary to appoint to enable the Directorate to perform its tasks effectively. The Chief Director had powers, duties and functions conferred upon him or her under the Electoral Act and the IEC Act. The principal functions included the preparation for the elections, that is:
 - the appointment of electoral officers;
 - selection of voting sites; and
 - the acquisition and distribution of election materials.
- (ii) The Monitoring Directorate was required to operate independently of the Administration Directorate and consisted of a Chief Director and such other officials as the IEC considered necessary to appoint to enable the Directorate to perform its tasks effectively. The functions of the Monitoring Directorate included the following:
 - appointment of monitors to observe and report upon the electoral process, including political meetings, canvassing, advertising and other campaigns;

- facilitating the roles of both national and international observers and providing them with information and assistance;
- investigating alleged infringements of the Electoral Code of Conduct and other alleged electoral offences;
- inviting or co-ordinating meetings between the various registered political parties participating in the elections with a view to mediating and resolving issues and disputes arising in the course of the elections.

(d) *International Advisory Committee*

The Act provided that a committee to be known as the International Advisory Committee to advise the IEC on any matter regarding the performance of its functions may be established. The committee would consist of persons other than citizens of South Africa from the international community appointed by the State President upon the advice of the TEC. This committee was not established in the end.

(e) *Adjudication*

The IEC Act provided for an adjudication structure consisting of an Election Adjudication Secretariat, a system of Electoral Tribunals and Electoral Appeal Tribunals, and a Special Electoral Court.

(f) *Electoral Officers, Monitors and Staff*

The appointment of electoral officers, monitors and staff of the IEC was governed by provisions of both the Electoral Act (sections 7–13) and the IEC Act (sections 15, 20 and 24). The Electoral Act set out the functions, duties and powers of provincial electoral officers, district electoral officers and deputy district electoral officers, presiding officers, counting officers, voting officers and enumerators who assisted counting officers.

The Independent Media Commission (IMC)

This body was established under the Independent Media Commission Act of 1993. The principal features of the Media Commission were:

(a) *Independence*

The Media Commission was required to function without any political or other bias or interference. It was wholly independent and separate from the state, the government and its administration or any political party, or from any other functionary or body directly or indirectly representing the interests of the state, the government or any political party.

(b) *Objectives*

The primary objectives of the Media Commission were to:

- (i) ensure equitable treatment of all political parties by broadcasting services; and
 - (ii) ensure that state-financed publications and state information services were not directly or indirectly used to advance the interests of any political party during the election period, so as to promote and contribute towards the creation of a climate favourable to free political participation and a free and fair election.
- (c) *Appointment of Media Commissioners*

The Commission consisted of a Chairperson and not more than six other members. The members of the Commission were appointed by the State President on the advice of the TEC. The Chairperson was required to be a retired judge of the Supreme Court of South Africa; or a practising advocate or practising attorney of at least five years standing or a magistrate with at least 10 years appropriate experience. At least two of the Commissioners were required to have experience in the field of broadcasting media and at least one in the field of the print media.

- (d) *Functions*

The Commission was required to monitor all broadcasting services in South Africa and enforce compliance by broadcasting licensees with the provisions of the IMC Act relating to party election broadcasts, political advertisements and equitable treatment of all political parties; and to monitor all state-financed publications and state information services, during the election period.

Where the Commission found a broadcasting licensee, the publisher of a state-financed publication or any state information service to have contravened the provisions of the IMC Act, it could order the respondent to pay such fine as the Commission determined; or it could make an order prohibiting the respondent from carrying on his or her broadcasting services for such period as the Commission determined during the period of the Commission's existence.

The Independent Broadcasting Authority (IBA)

Establishment

The Independent Broadcasting Authority was established by an Act whose primary object was to provide for the regulation of broadcasting activities in the Republic in the public interest. The authority was required to, inter alia, promote the provision of a diverse range of sound and television broadcasting services on a national, regional and local level which cater for all language and cultural groups and provide entertainment, education and information. It was also required to promote, through the granting of broadcasting licences, the

development of public, private and community broadcasting services which were responsive to the needs of the public.

Independence

The Authority was required to function without any political or other bias or interference and to be wholly independent and separate from the state, the government and its administration, any political party or any other functionary or body directly or indirectly representing the interests of the state, the government or any political party.

CHAPTER 3

Preparations for the Elections

The preparations for South Africa's first non-racial multi-party elections were governed by the highly complex legal structures and electoral regulations put in place to deliver free and fair elections. These complexities reflected decades of deep suspicion emanating from South Africa's traumatised political history, including the development of parallel traditional loyalties and systems of government especially in KwaZulu/Natal. Other factors, such as violence and intimidation and the fear among minority ethnic groups of majority domination hindered the timely preparation of some significant aspects of the election process.

The date of the elections was determined in the multi-party negotiation process in June 1993, but the IEC was set up only in December 1993. From the outset, it was faced with the extraordinarily difficult task both of establishing itself and of mounting national and provincial elections within a four-month time-frame.

The political leadership could not afford to gamble with the opportunity presented by the fragile consensus which emerged in favour of an early election. The IEC's task was further complicated by the fact that only rough estimates were available of the voting population of the country, including the former 'homelands' and self-governing territories such as KwaZulu/Natal. Provision also had to be made for South Africans voting overseas in approximately 80 countries.

The adoption of a system of proportional representation using national and provincial lists enabled voters to cast their votes at any voting station and eliminated the need for the delimitation of constituencies. This was designed to make the elections as inclusive as possible. While national ballot papers were uniform throughout the country, nine different provincial ballot papers had to be produced. Voters could vote anywhere in the country for the National Assembly but they could only vote for the Provincial Legislature of the specific province in which the vote was cast.

No register of eligible voters was prepared. In the time available, this was not possible; but it exacerbated the logistical difficulties faced by the IEC in determining the number and location of voting stations and the personnel and materials needed to service them.

Voter Eligibility Documents

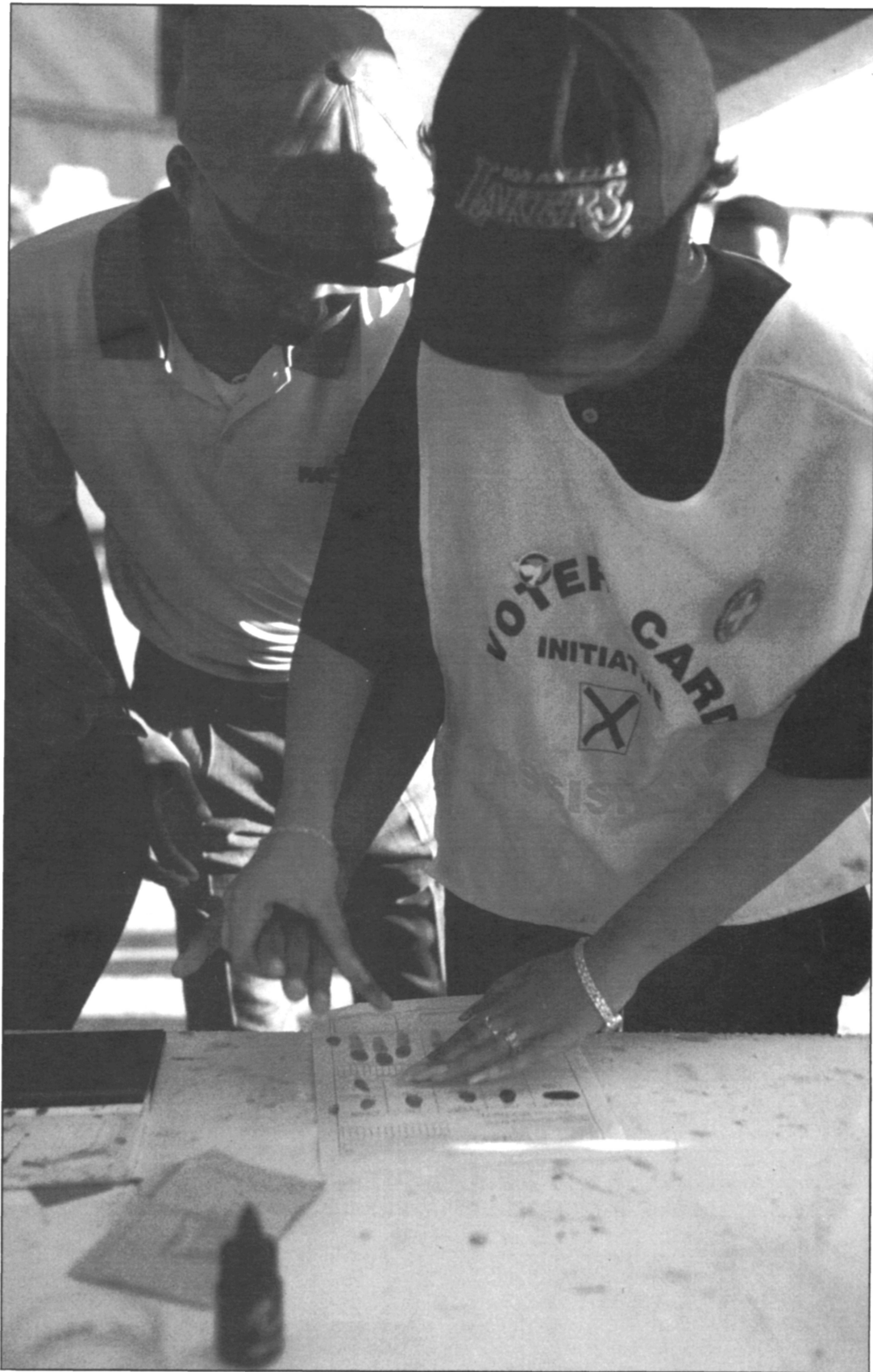
The absence of a voters' register placed greater emphasis on the need for proper identification of the voter at the voting station. Each voter had to produce an eligibility document. This requirement presented a difficulty during the preparatory stages, as many prospective voters were not in possession of any identification documents stipulated in the Electoral Act and had to apply for a Temporary Voter's Card (TVC). The processing of the TVCs was slow, particularly in some 'homelands', and the threat of large-scale disenfranchisement was real. The IEC, in co-ordination with the Department of Home Affairs, sought to remedy the situation by deploying special units to speed up the issue of the TVCs up to and on voting days. We witnessed the operation of this facility in several parts of the country. Mobile units were set up near taxi ranks, at community halls, in shopping centres, in churches, in rural farming communities, in hostels and within the vicinity of some voting stations in order to reach out to as many people as possible.

The IEC estimated two million South Africans lacked valid identification documents for voting. In fact, the figure could have been much higher because of the possibility that the total black population of South Africa had been underestimated. Even during the last day of voting, thousands of TVCs were still being issued. The political parties we met had complained that not enough mobile units were despatched to reach into the townships and 'homelands'. The late entry of the IFP into the elections caused a last minute rush for TVCs by IFP supporters. Facilities were stretched to the limit.

Many of those already in possession of valid identity documents (ID) also applied for TVCs, putting more strain on the system. The failure of the Department of Home Affairs to deliver ID cards to successful applicants meant that they also had to apply, at the last minute, for TVCs. We received many complaints: of rigid application of rules by officials, voters being reluctant to challenge officials when their applications were rejected; of the service being shut down initially by a public service strike in Transkei, Venda, Gazankulu and Lebowa; of failure to publicise the location and opening hours of issuing centres; of shortage of application forms; of officials refusing to issue TVCs over weekends; and of bias in favour of particular parties. In the last few days before voting began, the pace and efficiency of processing TVCs improved significantly, although there were some allegations of abuse. IEC, Home Affairs, SAP and SADF personnel and an army of volunteers worked late into the night and over the weekend to issue TVCs in the townships and 'homelands' up to the last day of voting. Despite all the problems, officials and volunteers were determined to provide an opportunity for every eligible person to vote.

International Assistance

The Commonwealth and other international groups and countries provided technical assistance to help the IEC Election Administration and Monitoring Directorates to prepare training programmes and advise on support services.



A volunteer helping to register a voter for a Temporary Voter's Card at Freedom Square, Soweto.

In many areas, the late appointment of electoral officials and monitors reduced the time available to recruit and train voting station staff and plan for the elections at the local level.

The Commonwealth and the three other IGOs worked closely with the IEC to advise on concerns as they arose. This process culminated on the eve of the poll with a formal letter from the Chairman of the Commonwealth Observer Group to IEC Chairman Mr Justice Johann Kriegler drawing attention to some urgent areas of concern. These included:

- the perceived need for a final effort on voter education, including for electoral officials, particularly through African language radio stations;
- the need to publicise the locations of voting stations in various communities;
- reports of poor communication between IEC headquarters and its various substructures;
- the need to maintain arrangements until the last possible moment for the issue of TVCs; and
- the desirability of keeping in mind the possible need to extend voting hours.

Copies of the letter and response from the IEC are at *Annex XII*.

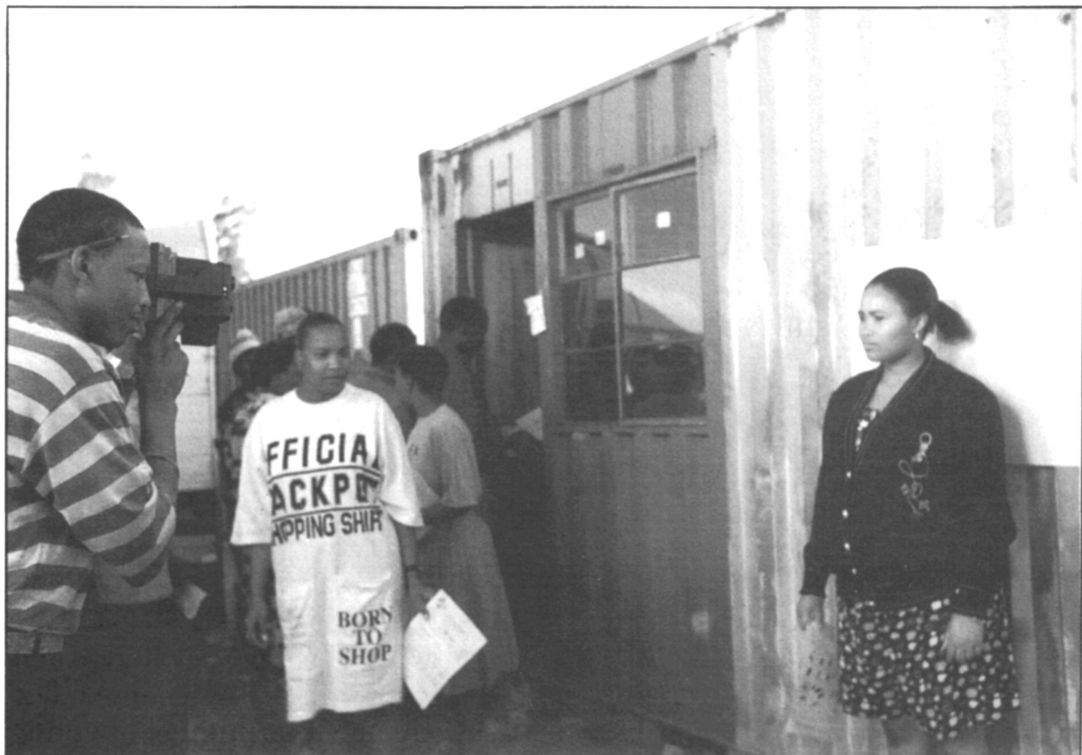
Selection of Voting Sites and Security Constraints

Violence and intimidation in some parts of South Africa, particularly in KwaZulu/Natal and PWV, forced the IEC to adopt extraordinary measures in the selection and protection of voting stations. Stations were selected to meet the special security precautions considered necessary. Each station was required, where possible, to have an outer zone of 1,100 metres, called a controlled area, an intermediate zone called the inner perimeter and an inner zone, called the election centre. These specifications coupled with the need to accommodate expected large numbers of party agents, monitors and observers, meant that voting sites with relatively large available space were needed. In practice, the ideal voting station was seldom achieved but in most cases this did not jeopardise the integrity of the voting.

In order to secure sufficient numbers of security personnel at voting sites, protracted discussions took place between the IEC and the security forces, the latter favouring a smaller number of voting stations than the IEC had contemplated. The IEC had originally planned to set up over 9,000 stations to ensure that there would be one station for a maximum of 3,000 voters per station and that no voter would be more than 10 km from a station. The SAP claimed they did not have sufficient personnel to secure adequately this number of voting stations and at the same time maintain normal policing duties. The IEC also had doubts about its ability to service such a large number of voting stations.



Hundreds of people eagerly lined up to register for Temporary Voters' Cards. Some had converged on the registration stations from early in the morning and continued to seek registration even until the last day of polling.



The rush for Temporary Voters' Cards ... a volunteer takes a Polaroid picture of a voter to enable her to be issued with a card immediately.

Massive reductions were proposed. For example, in Transkei voting stations were to be reduced from the planned 1,800 to 900, in Ciskei from 495 to 320, in Soweto from 245 to 70. Such proposed reductions caused unease and even anger among political parties with some leaders alleging that this was a deliberate attempt to reduce access and frustrate voters. After many emergency meetings up to the eleventh hour between the IEC, the SAP and political parties, it was finally decided that 9,739 stations would be established.

Delays in the final selection of voting stations meant that no final list could be published until the weekend before the commencement of voting. Considerable logistical problems were caused by voting stations being identified and set up on the eve of the poll and in some areas even on voting days. Political parties had difficulty finalising plans for deployment of voting agents and arrangements to transport voters.

Voter Education

In the context of the transition from the apartheid system to a non-racial multi-party democracy, voter education had a key role to play in assisting the millions of black voters who had never voted, many of whom were illiterate. The reach of voter education was extended by the translation of material into several languages.

The IEC was largely dependent on over 100 non-governmental organisations (NGOs) which were active in reaching the people in 'homelands' and townships and target groups like women, the aged and prisoners. The IEC concentrated its own programmes on areas not covered by the NGOs. Because of limited resources, transportation problems and lack of local co-operation, many groups admitted their failure to reach all voters, especially black and coloured farm workers living on the vast tracts of white-owned farmland, and black voters living in deep rural parts of the 'homelands'. Some NGOs and the ANC complained that they were frequently unable to obtain agreement from white farmers to conduct voter education. The closest they could get to the farm workers was on shopping days in town. Tables were then set up in the town centre to distribute IEC and other voter education leaflets.

The ANC, the NP and the DP were particularly active in voter education with the latter two having more success in reaching out to farmers and their workers. We attended a number of rallies where mock voting stations were set up to familiarise voters with the procedures. The many unofficial samples of the ballot paper in circulation assisted this process. But because a party-sponsored voter education programme was often linked to political campaigning, independent NGOs were limited in their ability to reach voters in hostile areas.

The IEC, political parties and NGOs produced a variety of materials and forms of communication for their voter education programmes. For example, two million comic books, one million 'how to vote' booklets and thousands of videos, posters, audio tapes and T-shirts were distributed across South Africa.

The IFP's last-minute decision to enter the elections meant that a crash course in voter education had to be conducted in its strongholds in KwaZulu/Natal and in the hostels in the PWV area. The IEC launched a blitz on the last weekend before voting day, entering what had previously been 'no-go' areas to conduct voter education and to issue TVCs to thousands of people. In KwaZulu, the Air Force dropped five tons of voter education leaflets in order to reach as many people as possible, especially in the rural areas. The effectiveness of dropping leaflets on largely illiterate people is questionable and in fact voter education did not extend into many rural KwaZulu areas. Commonwealth teams were able to enter IFP-dominated hostels and establish the fact that residents were keen to vote and were familiar with the procedures.

Voting Arrangements

Because there was no voters' register at each voting station, the stamping of a voter's eligibility document and the marking of the voter's right hand with invisible ink were the main safeguards against multiple voting. Officials also had to guess how many people might use a given voting station on voting day. Sometimes they miscalculated the amounts of supplies they needed and, unfortunately, there was no effective system to redistribute materials around the country to meet demand. Given the inadequacy of population data and because people were free to vote anywhere, such a system should have been in place.

The voting arrangements included provision for citizens of South Africa in foreign countries to vote on Tuesday 26 April 1994, the day appointed for special votes. South African Embassies and UN agencies in about 80 countries established voting stations abroad. IEC-trained staff and party agents were permitted to observe the voting there.

The categories of people permitted to vote as special voters included the disabled, the infirm, the ill, pregnant women, members of the security forces and some categories of prisoners and IEC officials. Mobile voting stations were designated for the taking of special votes at hospitals, old age homes, prisons and jails. This provided good experience for those voting station staff involved and reduced the burden on general voting days.

Two days were set for general voting, 27–28 April 1994, with stations to open at 7.00 a.m. and close at 7.00 p.m. The shortage of voting materials, and distribution and delivery problems led the IEC to authorise Presiding Officers to extend voting hours, and in six areas, voting day was extended to 29 April 1994.

Secrecy of the Vote

Voting was by secret ballot. The IEC had a specific mandate to ensure that the secrecy of the ballot was observed at all stages of the voting and the counting

of the ballots. The Electoral Act required electoral officers and party agents to swear an oath of secrecy.

The layout of, and procedures at, most voting stations took account of the need to safeguard the secrecy of the vote. There were, however, instances when assisted voters did not enjoy the same level of secrecy due to inadequate facilities. Voter education efforts stressed the fact that the secrecy of the vote would be strictly adhered to by all the political parties. On 24 April 1994, the Business Election Fund established by the business community in support of the electoral process, took out a one-page advertisement in several newspapers publicising pledges by the leaders of the ANC, DP, FF, IFP, NP and PAC to respect the secrecy of the ballot.

Watching the Watchers: The Role of the Media

We quickly became aware that the South African media, and particularly the huge state-owned broadcast media, had undergone considerable change. During the election period, not only was it subject to an unprecedented degree of scrutiny and regulation, but it undertook with enthusiasm a creative and highly constructive role in facilitating free political debate, promoting voter education, and encouraging democratic freedoms, including a sense of fair play among the various parties.

This was in striking contrast to the decades when apartheid had been at its most oppressive. Then the media had often been used as a willing tool of the state. The pro-government bias of the state-funded South African Broadcasting Corporation (SABC) had proved to be an instrument for the propagation of apartheid ideology. SABC policy had even been announced as one 'linked to national policy' and ministerial statements and explanations were expected to be regarded as factual news.

The print media, while always having among its members some who had challenged apartheid, by and large failed to reflect the nature and diversity of South African society. In any case, newspapers faced severe limitations. The Commonwealth Eminent Persons Group, which visited South Africa in 1986, noted that newspapers were effectively debarred from covering certain topics, such as news of detained or banned persons. The ability of journalists to report on areas of unrest and disturbance was curtailed, the threat to withdraw advertising always held over newspapers, and those who defied the law risked prosecution and imprisonment.

Criticism of the media was slow to fade with the dismantling of apartheid. Well in advance of the elections, NGOs, in particular the Broadcast Monitoring Project (BMP), the Campaign for Open Media, the Institute for the Advancement of Journalism and the Public Broadcasting Initiative, had pressed for the introduction of measures that would ensure fair and equitable access to the media for all political parties and an assurance that the various issues would be treated in an impartial way.

The Broadcast Media

Anxiety over the crucial role that the SABC would play in the run-up to the elections sprang from recognition of the near-monopoly it had over broad-

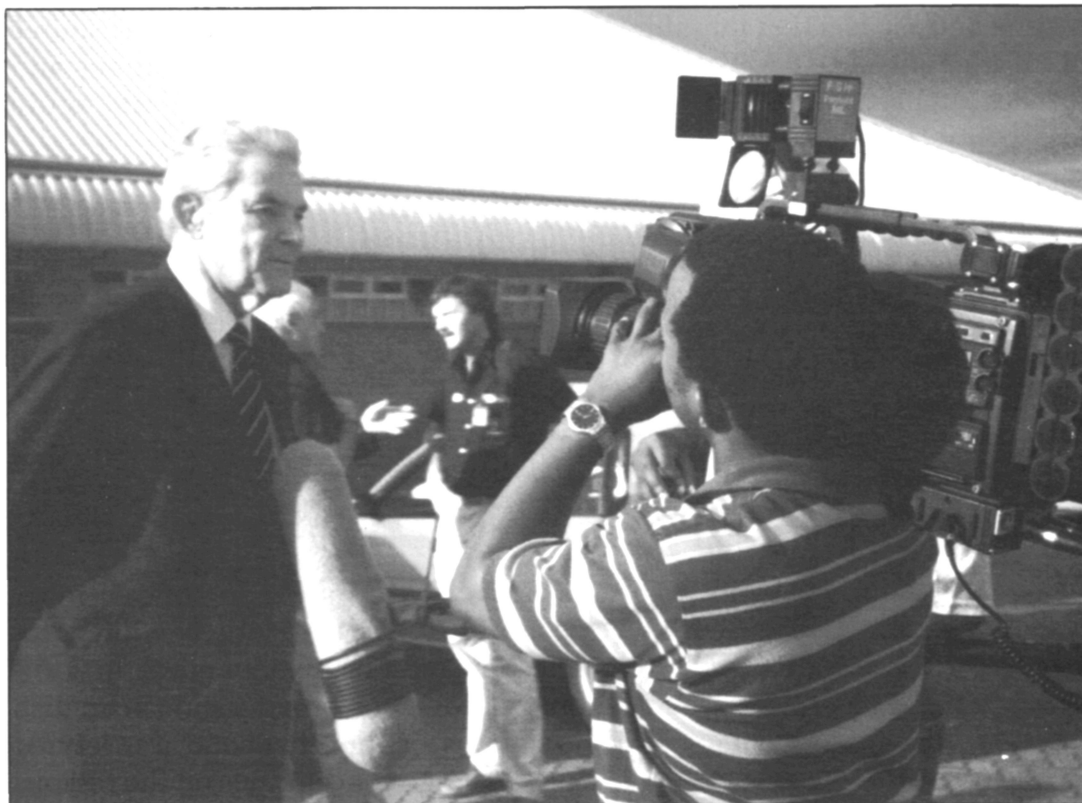
casting and the fact that for millions of South Africans it was their sole source of information. The SABC has three TV channels and 22 radio stations and reaches almost 25 million listeners and viewers each day, a significant figure in a country where many are still illiterate. According to the IMC, radio broadcasts reach 80 per cent of the country, compared with 20 per cent for television and 15 to 20 per cent for the print media.

Radio stations broadcast in all the predominant African languages, and are therefore the sole source of news for people who only understand these languages. The African language stations attract about 12 million listeners daily – about 2.9 million daily to Radio Zulu, 1.3 million to Radio Xhosa and about 1.16 million to Radio Sesotho. In comparison, Radio South Africa (broadcasting in English) reaches only 440,000 listeners and Afrikaans Stereo reaches 660,000 listeners.

Despite their relatively smaller numbers of listeners, only Radio South Africa and Afrikaans Stereo broadcast nationally. A BMP report of December 1993 concluded at that time that they continued to retain a largely white, pro-establishment character in both the selection and portrayal of news. In addition, each major centre also has a regional radio station broadcasting in English and Afrikaans. African language radio stations, on the other hand, are defined as regional broadcasters and their news coverage concentrates on the regions identified by apartheid policies where people of a particular language group originate. Radio Zulu therefore broadcasts issues more relevant to those in KwaZulu/Natal and Radio Xhosa concentrates on events in Ciskei, Transkei and to a lesser extent the Eastern Cape. Because this policy has defined regions largely according to the old 'homeland' structures, the heavily populated PWV province has no African language station which focuses specifically on issues in that region.

Television channels are also divided along language lines which continue to reflect the divisions intrinsic to apartheid. TV1, which broadcasts in English and Afrikaans, has always been largely white and establishment-oriented in character. Of its 5.4 million viewers, 2.9 million are white. CCV, on the other hand, is watched by 7.6 million South Africans, 5.7 million of whom are black. The third channel carries educational programmes. Several 'pirate' radio stations, some run by right-wing groups, also exist. The best known was 'Radio Pretoria' which transmitted from a farm heavily defended by armed guards, barricades and watch towers, and which reluctantly closed down on a court order. There is one private television station, Bophuthatswana TV (BOP-TV), from the former 'homeland' which reaches viewers in other areas of the country and some private radio stations, including the Johannesburg-based Radio 702 which has a reputation for being thought-provoking and even-handed.

The effect of this fragmentation has been that South Africans living in one region are often unable to obtain news on issues happening in another region unless they have major national significance. The isolation has been com-



The Commonwealth Observers attracted media attention wherever they went. Chairman Michael Manley (left), on a visit to townships outside Durban was interviewed and filmed by television journalists.



South African radio and television made great efforts to be as even-handed as possible in their handling of news and views of different political parties. Here, a television cameraman films singers and dancers at an Inkatha Freedom Party rally in Soweto.

pounded by the absence of international news stories in African-language news bulletins.

Change in the SABC

Most of the former management structures and personnel of the 'old' SABC remain in place, thus making the necessary psychological and attitudinal changes difficult. The changes in programming, particularly in news and current affairs, testify to the distance some of these managers have travelled, and to the removal of the SABC from the direct control of the government.

Under the new Independent Board of Directors, a Code of Conduct for editorial staff had been released which began with the following statement: 'We shall report, contextualise and present news honestly by striving to disclose all essential facts and by not suppressing relevant, available facts, or distorting by wrong or improper emphasis.' Training programmes for editors, journalists, producers and technicians were organised and, with the assistance of international advisers, an Elections Unit was also set up specially to oversee coverage of the campaign and the elections.

It has been obvious to us that considerable effort has been made to rectify the imbalance of views in the SABC's news and current affairs programmes. Newsreaders, presenters and reporters on discussion panels now reflect a far better balance of racial groupings and great pains have been taken to allow all political parties time on SABC talk programmes. While some local TV critics felt that the format for these programmes made for dull viewing, the ability for the first time to put a range of alternative views on television and radio must have been exhilarating for those parties which had long been shut out of broadcasting. In our opinion, the overall effect has been that a greater diversity of views than ever before has been presented in an even-handed way to millions of South Africans for the first time, which augurs well for the future of the SABC as a responsible public broadcasting institution.

This new openness culminated in televised debates between leaders of the different parties, the highlight of which was the 14 April 1994 debate between State President de Klerk, leader of the NP, and Nelson Mandela, President of the ANC. Some of us felt that it was a model of even-handedness to be commended to other countries. Both leaders answered questions from a panel of journalists within a strictly observed time period: each was given two minutes to answer a question, and a further minute after that for a final response. They were then given three minutes each for a closing statement. The de Klerk-Mandela debate was one of the most watched televised programmes of the entire campaign, surpassed only by the extensive Election Watch put on by the SABC at the beginning of the counting process.

The two main television channels broadcast in Zulu, Xhosa, Sesotho, Setswana, Afrikaans, Sepedi and English in order to reach a broader audience. SABC Radio presented the largest election programming in South

African history, with all African language stations running programmes for the first time as extensive as those on Radio South Africa and Afrikaans Stereo.

The Print Media

South African newspapers reach an extremely narrow segment of society and, with only very minor exceptions, are not published in the African languages. The result is that despite the country's large population (and partly because of the high rate of illiteracy), only 1.5 million newspapers are sold every day, with weekend circulation at 2.2 million, although their readership is much more widespread among different groups. These newspapers, in English and Afrikaans, have traditionally been aimed at white, middle-class readers even though a recent All Media and Product Survey done by the South African Advertising Research Foundation reported that some newspapers – the Johannesburg-based *Star*, for example, or the *Daily Despatch* in Eastern Cape – had more black readers than readers from all other races put together.

The *Sowetan*, with a national readership of 1.5 million black South Africans daily, attempts to reflect the political views and aspirations of the majority black population. Many other newspapers, however, are beginning to give more space to issues affecting black and coloured communities and are on the whole beginning to take more black journalists on their staff. Some provincial newspapers continued to reflect a narrow, parochial outlook.

Criticism of the print media has also centred around the fact that ownership is highly concentrated, with four media conglomerates controlling almost 90 per cent of the country's daily newspaper production and almost all weekend circulation. Possibly as a result of the caution of the apartheid era, many newspapers continue to suffer from being hesitant to criticise and probe state institutions such as the police, army and some political parties. On the other hand, many newspapers boldly backed parties on the eve of the elections and their analyses of the policies of, or prospects for, the contending parties were refreshingly open. We particularly noticed that to facilitate media coverage of the elections, the IEC relaxed restrictions and allowed journalists and photographers to enter voting stations under certain conditions.

We were able to glean from newspapers a fairly wide range of political opinion and a comprehensive idea of the main political and related events. We quickly learned to treat some articles with caution as not all stories were checked with the rigour which they merited. One such article, claiming that an Embassy was standing by to evacuate hundreds of thousands of its citizens in case of widespread violence, caused some amusement. A radio report on the first day of the elections claiming erroneously that a bomb had exploded in a Johannesburg suburb was far less amusing. We do not believe that these reports were motivated by malice. We believe they sprang from lack of professional care.

The Regulation of the Media

In response to NGO and other pressure to ensure the even-handedness of the media, particularly in the campaign period, politicians engaged in the multi-party negotiations process asked that two bodies, the IBA and the IMC, be created by Acts of Parliament. The focus of work of both these institutions was primarily the state-owned electronic media. The privately-owned print media was left to regulate itself through its own established bodies, including the Press Council.

The IBA was established as the regulator of the electronic media and its powers may well have far-reaching effects on the future of broadcasting. It will issue licences, have the power to mete out punishment to transgressors of its legal provisions and will have the power to guard against the concentration of ownership and cross-media ownership. Over time, the SABC's near-monopoly of the airwaves is expected to be broken. The life of the IMC, on the other hand, began with the election campaign and ended with the dissolution of the IEC. It was headed by a Judge of the Supreme Court, Mr Justice R N Leon, and comprised six other Commissioners.

The Work of the Independent Media Commission

The IMC was both watchdog and regulator and was described to us by one of its Commissioners as 'being rather like a policeman on the beat whose main function is to prevent crime rather than to catch criminals.' It was charged with two main responsibilities: monitoring public broadcasting and any other source broadcasting election topics with a view to ensuring equitable access; and monitoring state-financed publications and communications services so that these were not used to the advantage of any particular party.

The IMC also drew up guidelines for broadcasters (*Annex XIII*) which included, among other things, that all parties be treated equitably with regard to free Party Election Broadcasts (PEBs) and political advertising. It also obliged broadcasting licensees and state information services to give reasonable opportunity to political parties to respond to criticism.

As an extension of its monitoring work, however, the IMC had the authority to take action, which included imposing fines, against any broadcaster or information service which contravened the provisions of the IMC Act, or recommend that the IEC take action. The IMC received a number of complaints, some of which went to public hearings.

For the most part, however, the IMC's monitoring of broadcast and state publications services was a behind-the-scenes affair drawing on the analytical services of the Media Monitoring Project, an NGO, to augment its own work and preferring to use a well-placed quiet word with broadcasters to achieve its purposes. Broadcasters themselves also exercised considerable judgment in this matter, though their sometimes excessive caution may not have been

warranted. On the eve of the poll, the SABC cancelled the telecast of a political satire, *One Man, One Volt*, on the grounds that it was 'politically incorrect' and that it might transgress election laws.

The more difficult problem of determining how much time parties were allowed for PEBs over radio was finally determined by the extent to which each party was participating in the elections at national and provincial levels, and an element of 'gut feel' on the popularity of each party. Total time allocation spread through all stations for the NP and ANC was 945 minutes each, decreasing to 51 minutes for the South African Women's Party. The broadcasts started on 26 March 1994 and ended on 23 April 1994. No PEBs were allowed over TV. We heard of no complaints about airtime.

It is our view that the IMC played a considerable part in ensuring that media coverage of the issues and the elections was more even-handed than ever before, although the SABC still has considerable work to do if it is to finally throw off all of the habits of the apartheid regime.

Conclusion

These were the most watched elections we have attended. Aside from the thousands of local and international observers, hundreds of journalists from all over the world spread out over South Africa to cover what we felt was one of the most significant events of the century. Television reports on South Africa beamed back via satellite were closely followed by South Africans. At one point a strongly worded editorial by *The Sunday Times* (of London), suggesting among other things that the election date be postponed, was quoted extensively by Chief Buthelezi in a statement issued by him on 8 February 1994 and became the subject for lively discussion in local newspaper columns.

In contrast to elements of the foreign media, the local media were completely supportive of the elections and devoted much space and time to voter education (even though some of it was paid for), and explaining the process to readers. Voter education advertisements were also broadcast on television and radio.

The Commonwealth and other observer groups made a special effort to publicise awareness of their activities. Advertisements and handbills were prepared in English, Afrikaans and the African languages (*Annex XIV*) and distributed especially in areas such as Bophuthatswana where voter education began late.

A major point to make is that throughout the election period, the media generally supported the democratic process and we noted the very considerable progress the South African media has made from the days of apartheid and the access political parties had to the media, particularly the broadcasting media.

CHAPTER 5

On the Road to a New Future: The Campaign

The campaign period began in January 1994 when the major political parties launched their manifestos. Against the historical background of the conflict in South Africa, the political campaign, particularly in its early days, was often marred by violence and intimidation stemming from political intolerance. A Report of the Goldstone Commission also confirmed earlier allegations by the press and other quarters that part of the violence was orchestrated by a 'third force' consisting of elements of the right-wing of South Africa's political spectrum.

For much of the campaign period, the death toll in KwaZulu/Natal, the worst affected province, averaged 150 persons a week. Hundreds of people had to flee their homes for safety to other parts of the province. Eventually, on 31 March 1994, a State of Emergency was declared to stem what was seen as an intolerable level of violence and intimidation which had impeded free political activity in the province. But the State of Emergency only exacerbated the hostilities between the two rival parties in the province, the ANC and the IFP, and failed to reduce the incidence of violence.

It was not until 19 April 1994, when Chief Buthelezi announced that the IFP would participate in the elections, that tensions eased in the province and throughout the rest of the country. The incidence of violence and deaths due to political conflict reduced drastically. Previously 'no-go' areas in IFP strongholds were now open to rival parties and IEC officials. A new mood of optimism and anticipation replaced the fears and uncertainties of the recent past. Political activity in KwaZulu/Natal rose to a feverish pitch and Durban and other urban centres saw intense political campaigning. The leaders of the IFP and the ANC held the final rallies of their campaign in Durban.

It should be pointed out that the violence and intimidation that had prevailed in KwaZulu/Natal were largely confined to the rural areas and some of the townships. In other parts of the province, as in most parts of the country, political parties were able to conduct their campaign in relative freedom and peace.

In many provinces, local peace committees, established under the National Peace Accord, were instrumental in maintaining peace, resolving conflicts or preventing conflicts from escalating into violence by playing a vital mediating role in bringing the opposing sides together. Much credit should go

to these committed peace monitors and negotiators who often stepped in and effectively defused dangerous confrontations.

The adjudication division of the IEC was also able to respond quickly to allegations of unfair tactics which impeded free political activity during the campaign period. Party leaders made an important contribution to peace by calling for restraint and a respect for the right of other parties to propagate their views. Mr Mandela, for example, reprimanded his supporters for their intolerance towards the NP in the townships, saying that the injustices inflicted on the people by the NP could not justify countermeasures that subverted fundamental freedoms and basic democratic values.

Generally, the security forces played a stabilising role in potentially volatile areas. In particular, they seemed to neutralise the right-wing threat. The arrests of alleged ringleaders from the militant right-wing and the seizure of their stockpile of weapons after a spate of bombings in Johannesburg and Pretoria in the last days before polling served to boost voter confidence.

Rallies

The last three weeks before voting day saw a period of intense campaigning across the country. Hundreds of rallies, large and small, were held and we attended many of them. We also observed party workers as they campaigned door-to-door, canvassed by the roadside, ran motorcade 'road shows' through townships and held meetings with target groups of voters such as farm workers, miners, students, the elderly and the disabled.

The rallies held by three of the main parties, the ANC, the IFP and the NP, were often festive occasions and those addressed by their national leaders were mammoth events, typically held in sporting stadiums. In major cities like Johannesburg and Durban, an attendance of over 50,000 was common. Live music, cultural dancing, poetry reading, and choir singing were common features. This inevitably led to dancing, toyi toyi-ing (celebratory dance) and revelry among party supporters as they prepared for the arrival of their leaders.

They were, in the main, peaceful and well-organised. We noticed too that the ANC and the IFP had their own party marshals who were impressive in maintaining control of the crowds of party supporters as they marched towards rally venues and at the venues themselves. COMSA experts in crowd control had trained about 2,000 party marshals and the results were evident. At Mr Mandela's final Johannesburg rally on 23 April 1994, thousands of young party supporters walked and jogged the 3-kilometre route between Soweto and the stadium where the rally was held. Party marshals linked arms to keep groups of supporters within a single lane to enable normal traffic to pass through on the other lanes. On the field too, marshals directed guests, performers, observers and the press to designated areas and linked arms to prevent the crush of photographers, cameramen and journalists from surging forward towards the main stage. In Durban, the last IFP march through town



South Africans took to campaigning with enthusiasm ... here supporters of the ANC crowd into a stadium in Soweto to hear Nelson Mandela and other leaders speak.



Once it had agreed to participate in the elections, the Inkatha Freedom Party quickly organised rallies and printed posters. Its followers were also quick to come out to demonstrate their support.



Open show of support for the party of choice ... here members of the South African Communist Party march through the streets urging support for their party.



Members of the South African Defence Force at one of the party rallies.

on 23 April 1994 was also well-marshalled. Marshals not only contained the crowds of party supporters in organised groups, but also assured nervous shopkeepers and onlookers along the march route that there would be no threat to their life or property.

Party officials also used such gatherings and rallies to conduct voter education, describing to the crowds the voting procedure, where to put their crosses and urging them to vote for the same party at both national and provincial levels. At Chief Buthelezi's last rally in Johannesburg on 24 April 1994, IFP workers distributed thousands of party posters, stickers and flags to party supporters in the stadium stands. At Mr Mandela's rally, two giant banners representing the ANC row on the ballot paper with a cross next to Mr Mandela's picture were unfurled on either side of the field.

Access to 'No-Go' Areas

During our meetings with political parties at the provincial and district levels, we received many reports about the prevalence of 'no-go' areas where rival parties were denied access. The most dangerous of these areas were the result of tensions between the IFP and the ANC, especially before the former's decision to participate in the elections. There were also complaints from the NP and the DP that they were not able to enter black townships dominated by the ANC. The vast tracts of white-owned farms in the Northern and Western Cape and in the Orange Free State were 'no-go' areas for the ANC and other black parties. In the former 'independent homelands' of Bophuthatswana and Ciskei, which had initially boycotted the elections, free political activity could not be held until the governments fell and new interim administrations were set up. In Transkei, the IEC successfully mediated a dispute between the NP and the Transkei Government which had refused to allow the NP to open offices in its territory.

The parties adopted various measures to get around these problems of access. In Northern Cape and the Orange Free State, ANC officials trying to reach farm workers distributed party campaign literature and conducted voter education among schoolchildren and instructed them to pass on the knowledge and information to their parents. Activists also joined the work-force on the farms and visiting priests were used to conduct voter education. Despite the difficulties the NP experienced in penetrating black areas, the party held several rallies and 'road shows' in places like Soweto, adapting its campaign to appeal to a multiracial electorate. The party used liberation movement slogans like *viva* and ended its rallies by singing *Nkosi Sikelel' iAfrika* (God Bless Africa).

An interesting and unique feature of the campaign was Operation Access, launched by the IEC to facilitate free access for political parties to campaign and conduct voter education in 'no-go' areas. Each party was entitled to take 10 supporters to the meetings in transport provided by the IEC. Each party spokesperson was given 10 minutes to speak, with the order decided by a draw.

At an Operation Access event in the black township of Khayelitsha in Cape Town we joined a convoy of 11 IEC vans, monitors from the Regional Peace Secretariat, other international observers and the press as it inched its way into the ANC-dominated township. In some cases, Operation Access failed to get off the ground. For example in the East Rand squatter camp of Phola Park – an ANC stronghold – residents drove away an Operation Access vehicle, claiming that the IEC was trying to split the community by introducing new political parties to the area.

The parties we spoke to were enthusiastic about this operation, but the response from communities visited was mixed. Since they were entering the strongholds of particular parties, there was usually a lukewarm response to their presence. Often, crowds would only begin to gather when their favourite party spokesperson was speaking and drift away when others spoke.

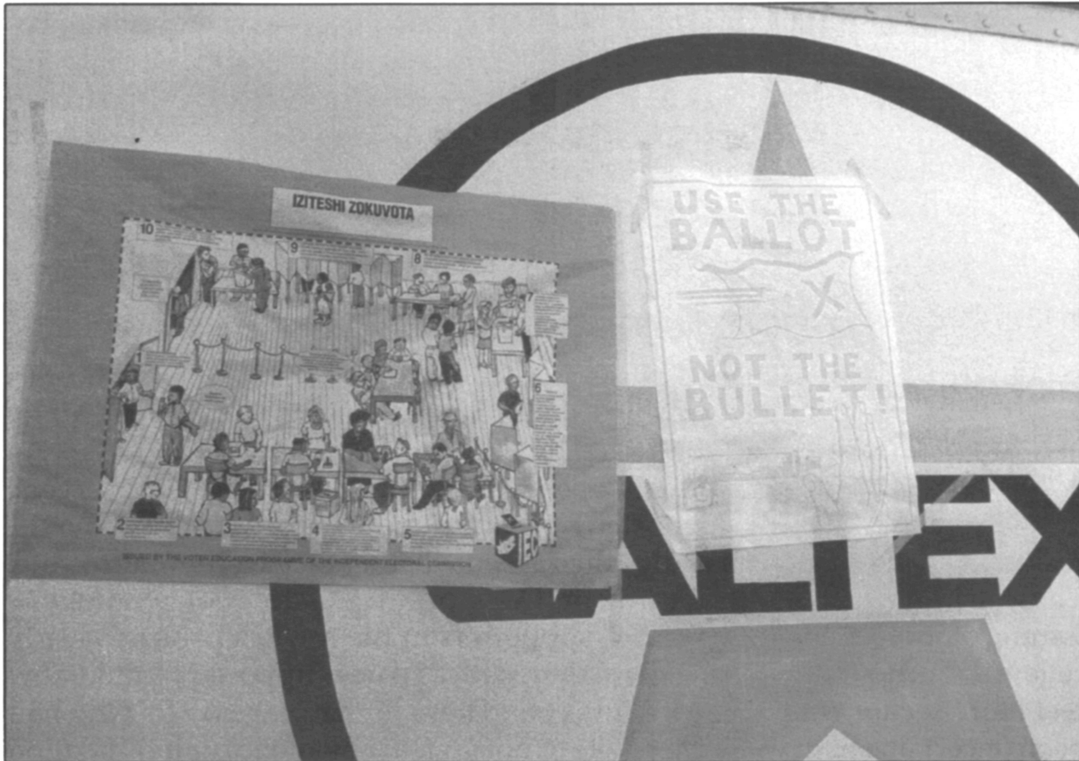
However we felt that it was important that parties taking part in the elections should be heard by the voting public and also for the voters to be exposed to the practice of freedom of speech in a democratic society.

IFP Entry into the Electoral Process

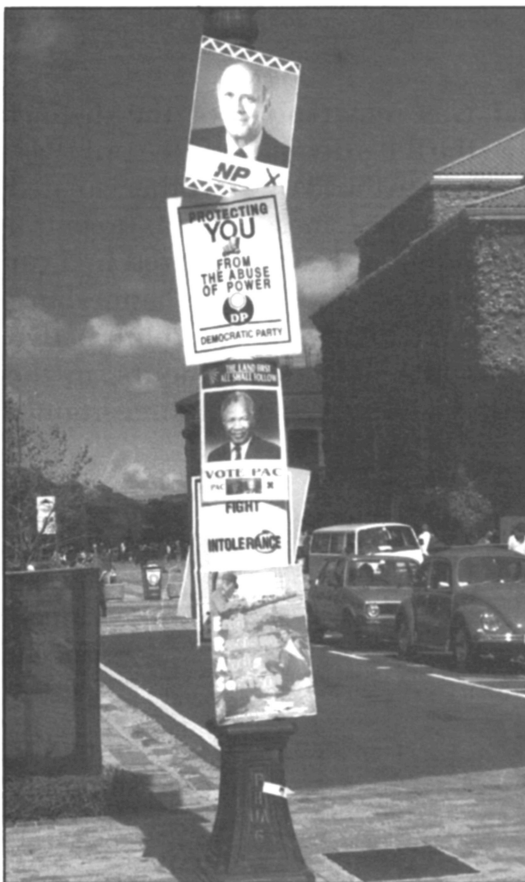
The momentous decision of the IFP to join the process on Tuesday 19 April 1994, just a week before polling day, saw a dramatic change in the conduct and atmosphere of the campaign. Immediately, IFP party workers were feverishly hanging campaign posters throughout KwaZulu/Natal, the Orange Free State and the PWV. An earlier poster urging people to vote IFP *When the Time Comes* was pasted over with stickers saying *The Time has Come*. The IFP moved quickly to take advantage of its position on the bottom of the ballot paper and adapted the erstwhile campaign slogan of the NP (formerly at the bottom) which had urged voters, *To be top, vote at the bottom*. The IFP ran newspaper advertisements urging people to *Put your cross in the last block and come first*, and quoted from the Bible (Matthew 20:16), *So the last shall be first....* The NP, whose action in conceding the bottom spot to the IFP had facilitated the latter's entry into the process, changed its campaign slogan to *To be top, vote second from the bottom*.

In Port Shepstone, party activists who had taken extensive measures to enforce the boycott by blocking roads with huge boulders to prevent people from leaving the hinterlands to vote in urban communities, now summoned bulldozers to move those boulders to provide access. In Ulundi, a rally of thousands who had turned out on 19 April 1994 to protest against the elections suddenly became a celebration of participation when it was announced to them that the IFP had reached an agreement to take part in the elections.

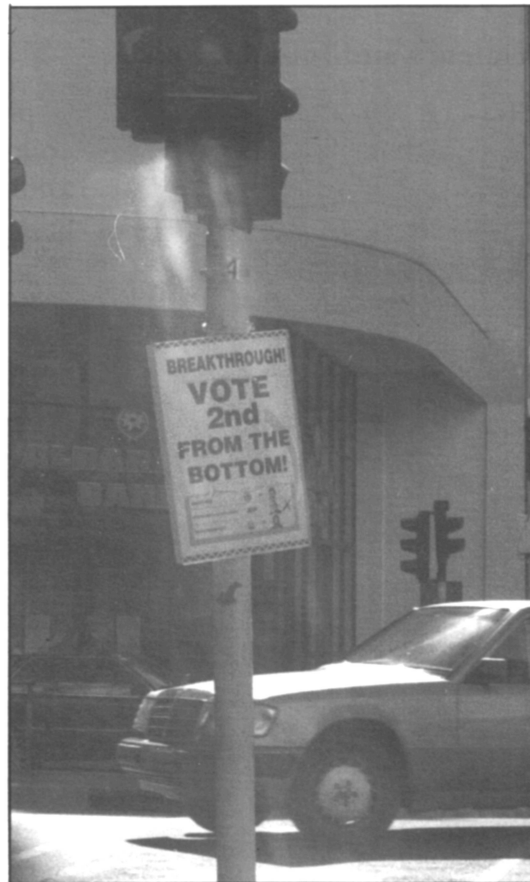
IFP rallies and marches, which had hitherto focused on boycotting the elections, overnight became joyful celebrations. The IFP march through Durban on Saturday 23 April 1994 was peaceful and well-organised. It was obvious to us that many among the IFP supporters wanted to be a part of this historic process. The change in mood was palpable. In many parts of KwaZulu, former



Voter education posters in Soweto.



Poster 'tree' at Cape Town University.



How to recognise the National Party.

'no-go' areas became accessible. KwaZulu officials who had been unco-operative and hostile were now friendly and helpful to electoral officials and observers. Our observers in Port Shepstone, who the day before had been advised not to wear Commonwealth colours because of possible hostility from IFP supporters, were by 20 April universally welcomed in their blue shirts as they visited the area in a car marked with Commonwealth insignia and flag. In Ndwedwe, north of Durban, there was a visible easing of tension; day by day, more and more people were seen to be going about their daily business and became increasingly welcoming to our team of observers.

In the PWV area where thousands of Zulu migrant workers live in hostels amidst ANC-dominated townships, the jubilant mood was also evident. Many of the hostels which were controlled by IFP supporters and had been 'no-go' areas to outsiders were suddenly open to township residents and observers. We visited the Nancefield hostel in Soweto and were welcomed by the residents who all smiled broadly when asked whether they were going to vote. Those without any identity cards or TVCs pressed us to arrange a mobile issuing station in the hostel. ANC supporters in the townships were clearly relieved. Turnout would be higher, they said, as party supporters would now feel more secure when casting their vote. Those living near hostels who had been uncertain about whether to vote or not for fear of violence or intimidation now said they would participate.

Violence and Intimidation

The last stretch of the campaign period was remarkable for the distinct downturn in violence and deaths, following the IFP's decision of 19 April 1994. There was, however, an increase in bomb attacks in the PWV and other isolated parts of the country allegedly by right-wing elements. The worst was in central Johannesburg when nine people were killed and at least 92 injured in a car bomb explosion on 23 April 1994. Six more bombs exploded in Johannesburg and Pretoria which resulted in 12 more deaths and 81 injured. The killing of two ANC agents canvassing in Ulundi and another one within hours, in the presence of Chief Buthelezi, on 23 April rekindled something of the uncertainty which had plagued KwaZulu/Natal before the IFP participation.

There were also many allegations of intimidation and harassment which sometimes led to clashes. In KwaZulu/Natal, the ANC lodged complaints with the IEC after IFP supporters occupied the venues of ANC rallies in Umlazi and KwaMashu, prompting bloody clashes. The ANC was fined (Rand) R100,000 by the Electoral Tribunal for disrupting an NP meeting in Venda in Northern Transvaal.

However, what was obvious to us was the determination shown by the parties and their leaders to ensure that the elections would proceed smoothly and peacefully. At the 23 April ANC rally, an angry Mr Mandela chastised those in the crowd for firing gunshots in the air 'celebrating' his arrival. He told them that criminals had no place in the party and he publicly reprimanded

ANC security officials for not having properly searched those entering the stadium for weapons. Chief Buthelezi interrupted his campaign tour of the Orange Free State to rush to Ulundi following the killing of the two ANC workers. The bombings in Johannesburg and other parts of the country were promptly condemned by President de Klerk and General Viljoen.

At several ANC rallies we attended, ANC speakers exhorted those present to respect other political parties and their right to campaign. At an Operation Access rally in Bloemfontein, we saw ANC marshals reprimanding party supporters for heckling other speakers. One was eventually escorted away for continuing to be unruly. In the North-West, the Local Peace Committee in the right-wing town of Schweizer-Reneke hastily arranged a meeting between the ANC and the IEC following the killing of an ANC youth league leader, allegedly by an IEC monitor. They issued a joint statement appealing for calm and, the next day, the ANC held a rally to explain the incident to its supporters. A reconciliatory meeting was also held between the ANC, NP, IEC and other groups to help calm the situation. A prominent ANC leader in the Western Cape was scathing in his criticism of university students in Cape Town who prevented DP candidate Tony Leon from addressing a rally. At the final NP rally in Cape Town, President de Klerk appealed to his supporters not to harm a heckler, asserting that the NP was a party of peace.

Such actions demonstrated to us the commitment to peace and stability by the leaders of the various political parties at the national, provincial and district levels, and their determination to ensure that nothing should derail the elections.

CHAPTER 6

A Celebration of Freedom: The Poll and the Count

It seemed less an election and more a celebration of freedom as millions of South Africans of all races patiently stood in line, many for long hours, on the first day of general voting on 27 April 1994. From before dawn huge crowds, determined and disciplined, formed outside many voting stations. The expectancy was palpable, as people waited for the daybreak which was to usher in freedom and the final demise of apartheid. Many could hardly believe that they were actually about to exercise the right to vote and elect a new Government. They were overwhelmed with joy and with a profound sense that they were making history. They talked about what they would tell their grandchildren of this momentous day, and of how it all seemed unbelievable that what they had fought and waited for so long had finally come true.

Our 51 teams of observers were spread out at voting stations all over the nine provinces to observe the day. By 6.30 a.m., we were at designated voting stations to observe the voting process. At the head of most queues were men and women who said they had been there since 5.00 a.m. - some even earlier. The IEC estimated that at about 80 per cent of the designated 9,739 voting stations, the polls opened at the appointed time of 7.00 a.m., or slightly later. The record was best in Northern Cape, Western Cape and Orange Free State. However, at about 20 per cent of the stations, particularly in the PWV, KwaZulu/Natal, Eastern Cape and Northern Transvaal, disorganisation prevailed. This was especially so in the former 'homelands', in black townships, and in rural parts of these provinces. Thousands were in line, some for as long as 12 hours, waiting for stations to open. The lucky ones managed to vote by the evening, but many thousands of others had to wait until the next day for the polls to open. As a result of these long delays, 29 April 1994 was declared as an extra voting day for the most affected areas, namely Transkei, Ciskei, Venda, Lebowa, Gazankulu and the KwaZulu parts of KwaZulu/Natal. The East Rand, east of Johannesburg, did not feature in the list, even though, as a result of the severe distribution problems, and a last minute rush to obtain TVCs, a number of stations opened on 29 April. COGSA drew this matter to the attention of the IEC the evening before. These votes were now to be considered separately from the rest. In a letter to the Chairman of the IEC, the COGSA Chairman expressed his hope that the votes would be counted since the need to open the stations was not the fault of the voters. A copy of the letter is at *Annex XV*.

The delays at opening time were caused by a breakdown of the IEC system of supply, distribution and delivery of high security election material which included ballot boxes, ballot papers, IFP stickers, ultraviolet lamps, stamps, ink and seals. In areas such as Soweto, South Africa's most populous township, and in many parts of KwaZulu/Natal, most stations were only able to open by midday when supplies were eventually delivered. In the volatile area of East Rand, voting stations did not open until late in the afternoon, and 75 stations in the black townships of Katlehong and Thokoza did not open until the next day. The East Rand had been the scene of the worst political violence in the PWV in recent times. At some voting stations, we intervened as tempers flared and angry voters demanded that they be allowed to vote. We assisted beleaguered Presiding Officers (POs) to obtain voting materials and helped to open voting stations, one as late as 7.00 p.m. when the poll was scheduled to close. Despite these difficulties many stations received only a trickle of voters on the second day of general voting because most people had voted the day before. Even in areas where it was deemed necessary to open on 29 April, the third day, voting was very light.

There were many positive aspects of these historic days of polling. Above all, there was the enthusiasm and the boundless patience displayed by the people of South Africa who were determined that this special time would proceed successfully. While there were frayed tempers and voluble complaints, most voters were ready to wait in line in the hot sun, in heavy rain and in the chill of the night. Many in the white communities brought out their deck chairs and newspapers to while away the time. The black, coloured and Indian communities displayed a similar patience and were philosophical about the long wait. They had longed for this day all their lives; a five-hour wait was inconsequential, they said. At a tented station in Soweto, an old woman who had been in line since 5.30 a.m. went home three hours later to make tea for all the voting officials when there was still no sign of the station opening up. When we met her at 11.00 a.m., still the first voter in line, she said, *Perseverance, my dear, is the mother of success.* As one newspaper commentator said, *black South Africans learnt what white South Africans already knew: how to vote. White South Africans learnt what black South Africans knew: how to wait.* Many voters and party agents excused the IEC, saying that this was the first time that it had done the job, so mistakes should be expected. They invited us to come back in five years' time when things would be better.

In another positive development, we saw white farmers bringing groups of farm workers by tractor and trailer to voting stations in many regions, thus allaying the initial fears expressed by some political parties that the farm workers would not be allowed to vote.

The unflagging zeal, diligence and dedication shown by voting officials in the face of many challenges and their ability to cope patiently with the incessant pressure from a multitude of voters, while at the same time still streamlining their own procedures, also went a long way to ensure that voting, in the end, proceeded smoothly.

What was remarkable, too, about the voting days was the exceptional peace that prevailed throughout the country, which for several years and up to the last week before polling had been ravaged by political violence. Some of our group had come to South Africa with trepidation because of the vivid images of violence and brutality relayed internationally. The initial briefings we received, especially in KwaZulu/Natal, only seemed to confirm the worst fears of some observers. But the IFP decision to participate in the elections lifted the pall of fear and uncertainty over security on voting days. Even the senseless carnage which briefly burst upon the elections in a spate of bombings in the PWV, allegedly by the extreme right, only served to stiffen the resolve of all to vote. In the event, those three days were the most peaceful days that South Africans could remember in a long time. There was virtually no reported incidence of violence because of political rivalry. After the voting ended, IEC Chairman Mr Justice Kriegler asserted that there was not a single death attributable to the elections during the voting period. There was also hardly any report of large-scale intimidation of any kind. The Bharagwanath Hospital in Soweto, reportedly the biggest in the Southern hemisphere, recorded one of the quietest periods ever experienced in the emergency departments of the hospital.

Special Voting Day

The Special Voting day opened on 26 April 1994 with the disabled, the infirm and the sick standing in long lines waiting for stations to open. Many of the stations opened late and some failed to open at all because of late delivery of high-security materials. In parts of Eastern and Northern Transvaal, after having waited for up to eight hours, voters were told to return the next day as supplies had still failed to arrive by dusk. In the Orange Free State, hundreds of voters who had waited in vain for stations to open in the townships or who were caught in slow-moving lines were bused by party agents to other voting stations, usually in the central business district. In many rural areas across the country, local leaders and party agents quickly arranged 'combies' to take villagers from non-operational stations to neighbouring local stations. At Bharagwanath Hospital, patients in striped hospital bath robes and with all manner of disabilities, stood or sat in line. Many carried their drips with them, draped over their shoulders or, curiously, over their heads. Some of them came in wheelchairs and we saw one patient wheeled in on a trolley. Tables and ballot booths had to be shifted to enable him to pass through and mark his ballot paper in secrecy.

The infirm and elderly also came out in their thousands. At most stations, voting officials had arranged long lines of chairs in the station compound to enable voters to wait in some comfort. Many among the elderly were obviously moved by the occasion and had tears in their eyes when they told us how much this day meant to them. Some clutched their old 'pass books', a mark of apartheid oppression which ironically would now confirm their identity and open the door to the vote and to freedom. Even jaded foreign journalists were

emotional at the sight of hundreds of the old and disabled standing in line with such dignity and pride. At a station in KwaZulu, we saw a 92-year-old woman raise her fist and cry “Amandla” (power) after casting her vote.

In many parts of the country, we saw voters standing in line outside closed stations. Because of the delay in finalising the list of voting stations and the lack of publicity thereafter, many voters did not know which stations would open on the special voting day. On one occasion, we were requested to assist an IEC official to persuade a crowd of elderly and disabled voters to vote at another station as the one they were at would only open the next day.

At many voting stations, ordinary voters had joined the line of special voters to cast their vote. At hospitals and clinics throughout the country, off-duty staff also joined patients, claiming the need to vote as they would be on duty on general voting day. While at some stations, POs were meticulous in weeding out those who did not appear to be ‘special’, at others, ordinary voters were allowed to vote.

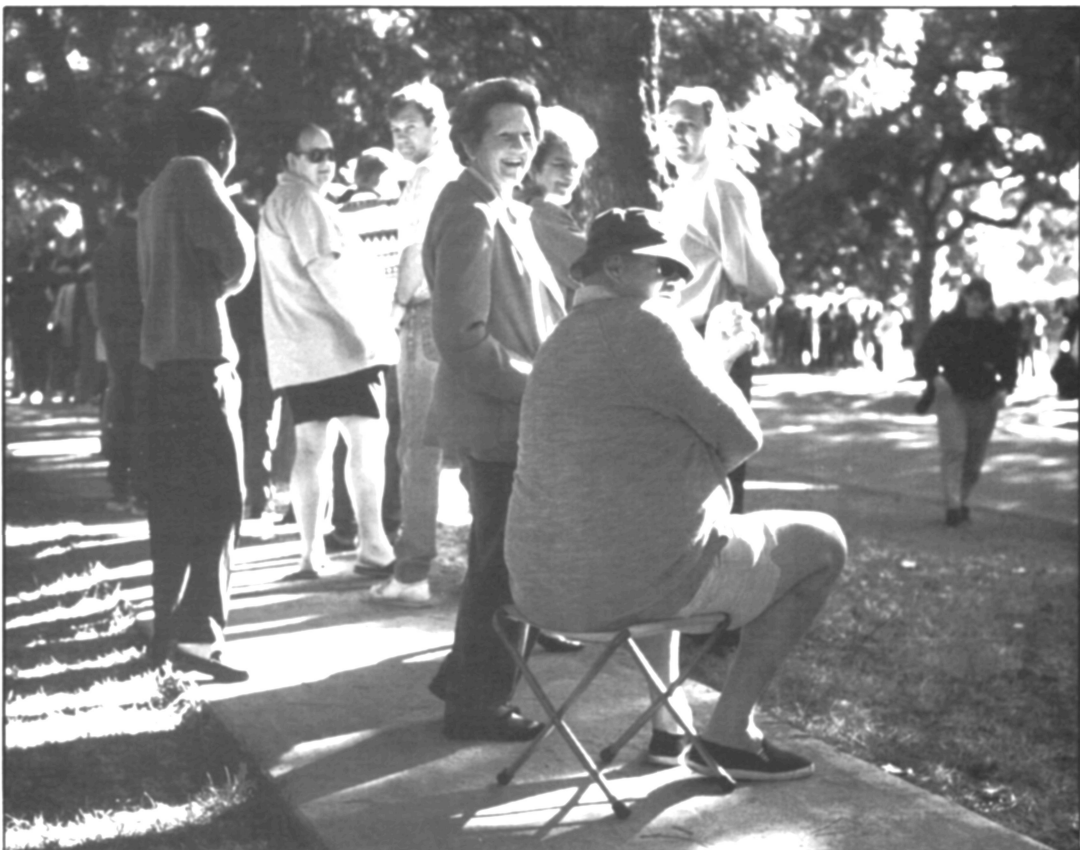
At a number of hospitals, we observed IEC teams administer the voting process from ward to ward among patients too ill to queue. We were moved by the courtesy and care with which this operation was carried out, and the strong message that it conveyed about the need to facilitate the right of each person to vote.

Prisoners, except those convicted for serious crimes, were also allowed to vote on the special voting day. Mobile units were set up in the prisons and we observed voting at several including the Johannesburg Prison, the biggest in South Africa with over 6,500 prisoners. As at many other stations, the supplies for this prison did not arrive on time. Not even low security materials like voting booths and IEC posters and tapes were available. It was not until about 1.30 p.m. that the poll was opened to the clanging and cheers of prisoners watching the proceedings from their cells next to the makeshift stations in mess halls. The IEC had sent seven mobile teams which moved from block to block to conduct the voting. While voting went smoothly in most blocks, at one of the largest with over 2,000 prisoners, only 70 prisoners had voted after six hours of opening. Most of them did not have their TVCs which had been issued the previous week. The cards, issued without prisoners’ identity numbers, were held by prison officials initially and distributed only on voting day. At this block, officials, carrying a box filled with TVCs, had to move from cell to cell to locate the owners. Voting officials did not finish their work until 3.00 a.m.

We were impressed by the kindness and politeness displayed by voting officials. They assisted the special voters to enter voting stations, ushered them from one step of the process to the next and helped them to make their cross against the party of their choice. In some areas, POs told us that they were surprised at the small numbers of special voters who needed assistance. Voter education in these areas had obviously been effective.



On the first day of voting in Johannesburg, the lines of voters snaked up and down on pavements and in fields.



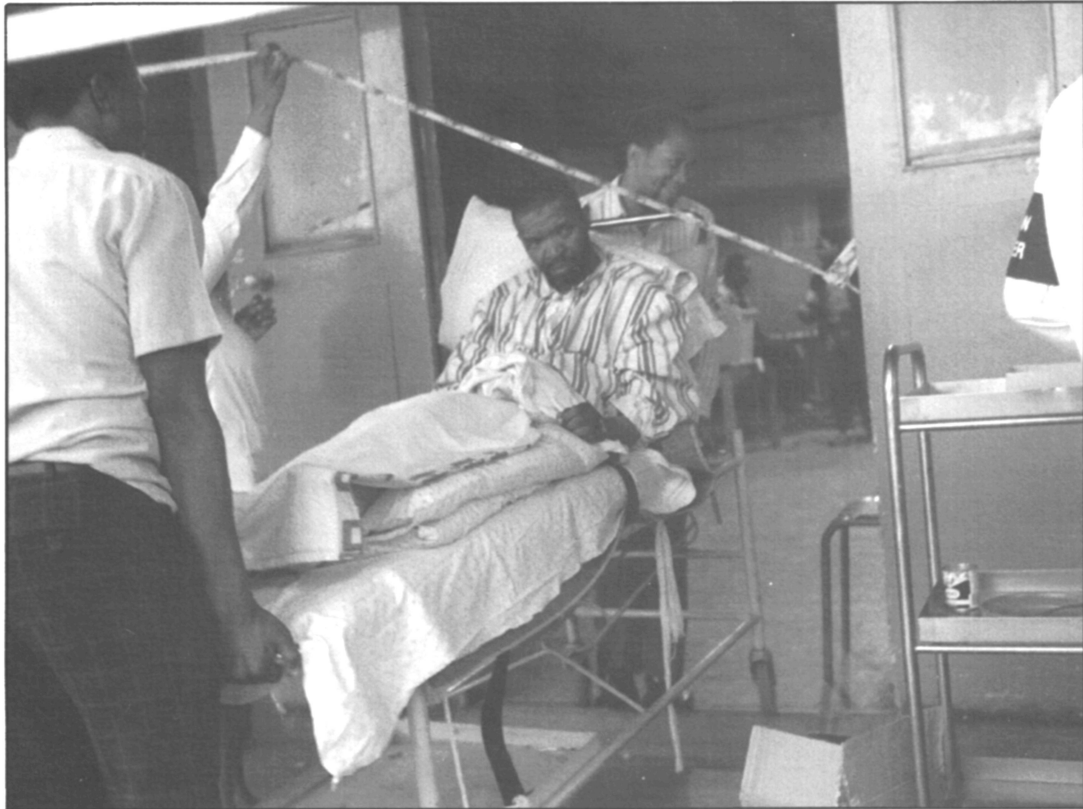
Voters in a Pretoria suburb relax while waiting to cast their vote.



All smiles from an elderly lady who has waited a lifetime to cast her vote.



The disabled and ill cast their vote on a special voting day just before the elections.



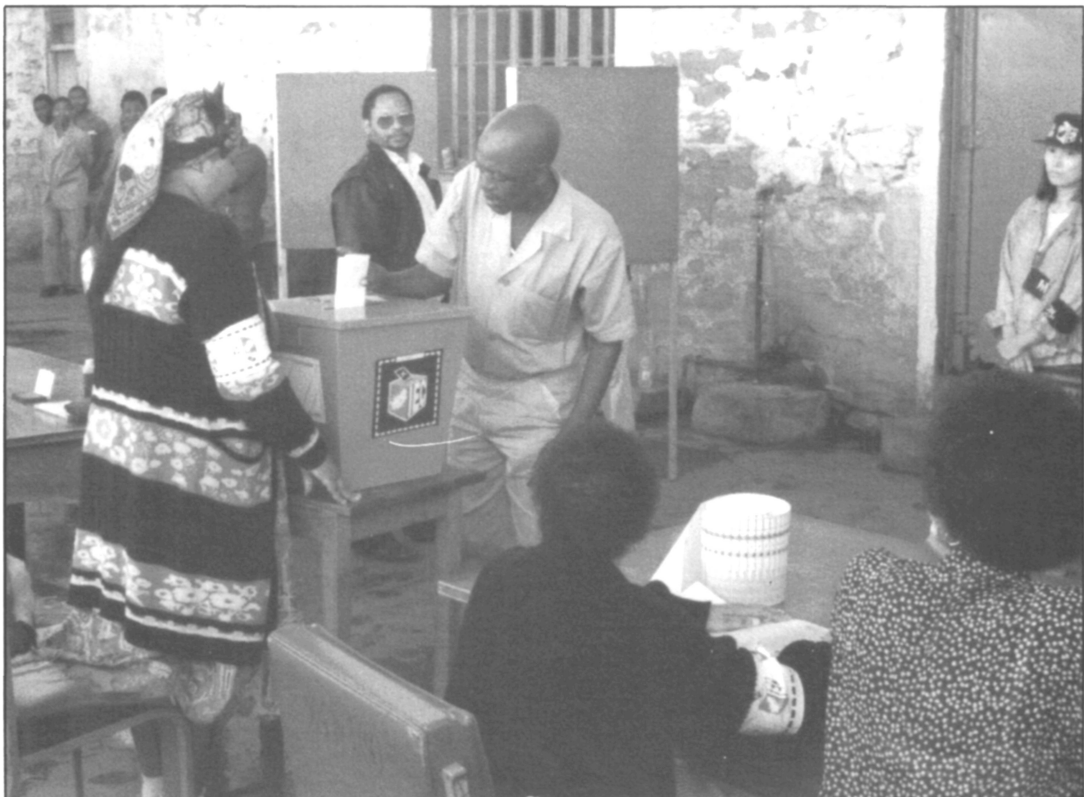
Patients unable to walk were given special assistance to vote at the hospitals.



A patient drapes his drip bag over his head to keep the saline solution flowing as he awaits his turn in line to vote.



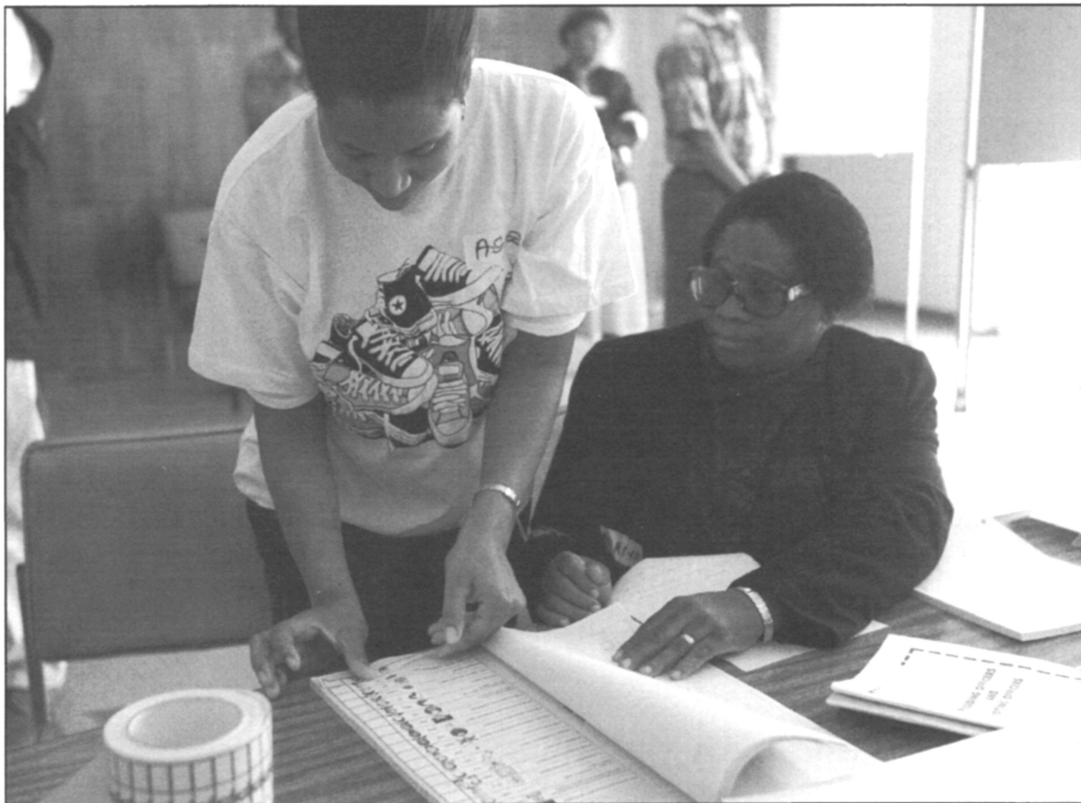
The elderly waited patiently in the sun – some having arrived from well before dawn.



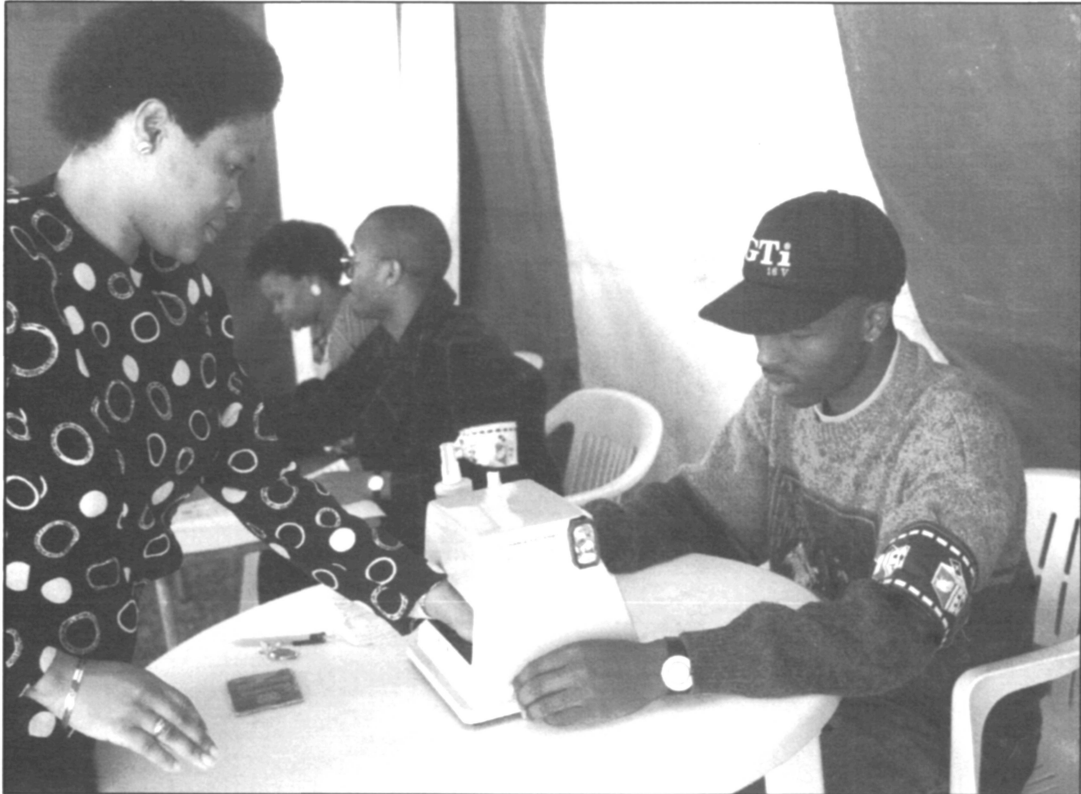
Prisoners were given facilities to vote ... here at Old Umtata Prison, in Eastern Cape.



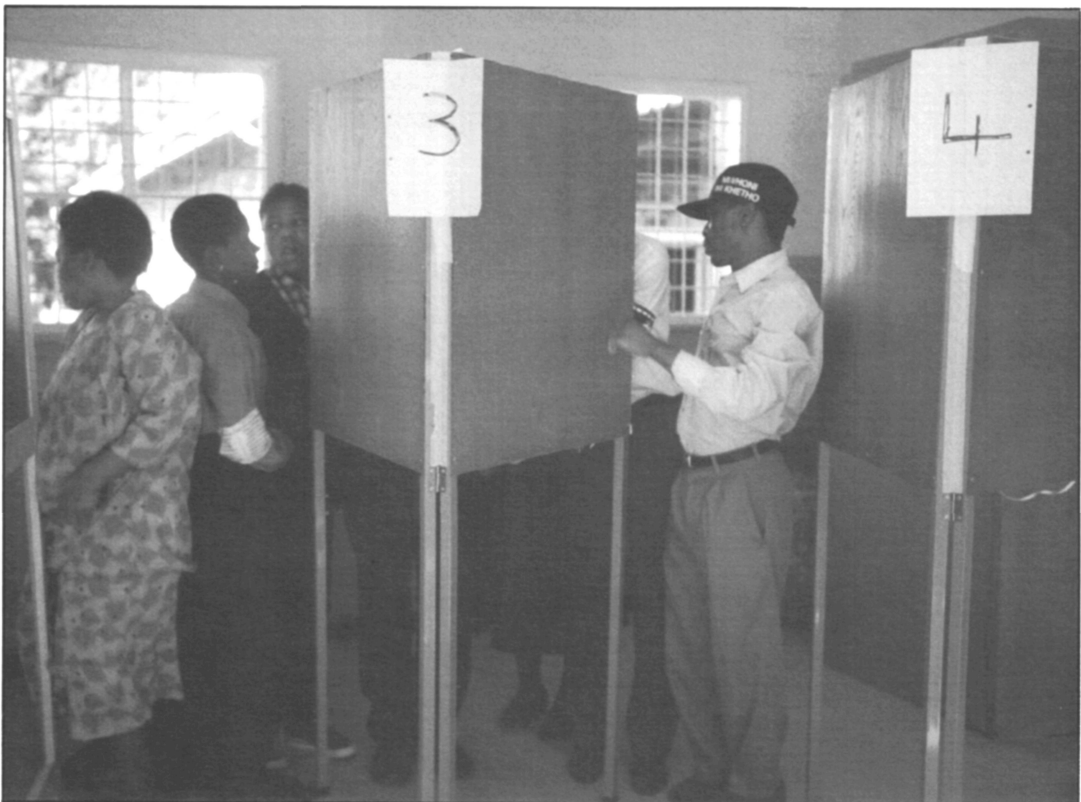
As part of security measures, the police frisked voters at the entrance to voting stations.



An electoral officer carefully aligning an IFP sticker on to the ballot paper.



Checking for evidence of previous voting ... a voter places her hand under the ultraviolet lamp at a tented voting station in Soweto.



Party agents and observers crowd around a voter needing assistance at a voting booth.



The police were used to deliver ballot material to stations which had not received any. Here, the police deliver at Ndwedwe in KwaZulu/Natal.

General Voting Days: Adequacy of Election Materials and Facilities

While most voting stations across the country received their election materials without difficulty, the IEC system of supply, distribution and delivery of high security material did not work for around 20 per cent of the stations and resulted in the failure of over 2,000 voting stations to open at or near the appointed time of 7.00 a.m. on the first day of general voting. These supplies were to have been stored at secure warehouses in regional centres and Deputy District Electoral Officers (DDEOs), each responsible for a cluster of voting stations, were instructed to collect their supplies on the eve of poll. Presiding Officers were requested to be at their voting stations by 5.30 a.m. to receive these supplies from their DDEOs. But for many of them, it was a vain wait. We met many despondent and upset POs waiting for their DDEOs to come, and getting increasingly nervous as they watched the long lines of voters snaking around their stations.

We received several explanations for the breakdown. Foremost seemed to be the failure to finalise the list of voting stations which therefore affected planning for the allocation of supplies to each DDEO. According to the POs we met in Soweto, each station was to get three boxes (1,500 ballots per box) of national and three boxes of provincial ballot papers to cover the 3,000 voters that each was expected to handle, plus 50 per cent extra for contingencies for two or three days of voting. A kit to include the other high security materials, such as ultraviolet lamps, IFP stickers, stamps and ink, was also to be prepared for each station. We were informed that because of last minute changes and additions to voting stations, the manager of supplies at many warehouses did not have a final list to enable them to allocate the proper quantities to each DDEO. He therefore lost control of the distribution of supplies and had no way of preventing DDEOs who claimed they had more voting stations than earlier planned from taking more supplies. Some overzealous DDEOs also collected more boxes of ballot papers than necessary. This meant that nothing was left for those DDEOs who came later.

In the absence of these materials, POs in the affected PWV areas in desperation went to IEC headquarters in Johannesburg to collect supplies, only to be told there were none left as all the IEC reserves had been sent to KwaZulu/Natal and to Transkei for the extra 1,000 voting stations set up there in the last few days. DDEOs and the more assertive of the POs then started driving around from one polling station to another to plead for boxes of ballot papers from POs who had extra. A number from the East Rand drove with headquarters staff to a warehouse late in the day to obtain their supplies. Some POs whose stations had been used as special voting stations on 26 April 1994 went to the strongrooms where their ballot boxes, unused ballot papers and other high-security materials were kept and moved the unused material back to their stations. In some areas, adequate records appeared to have been kept of these unscheduled movements of materials; in others no record was kept.

The late distribution of supplies was also due to warehouse managers failing to break up bulk supplies and allocating sufficient amounts for each

DDEO to collect. In Cape Town, supplies stored at two central warehouses were transferred in bulk to counting centres and DDEOs were left with the responsibility of breaking up these supplies and distributing material as appropriate to the POs. The logistical problems overwhelmed the officials who had not expected to undertake a task which they said should have been the responsibility of the warehouse manager.

Another cause for the breakdown was the non-delivery of supplies or their delivery to the wrong address. Supplies for several areas ended up in warehouses several kilometres in the wrong direction. Some were discovered by the afternoon, while others remained missing. In Umtata, the capital of the former 'homeland' of Transkei, our teams found an abundant supply of ballot papers at the airport warehouse. After the end of polling, IEC monitors discovered hundreds of thousands of undelivered ballot papers in two warehouses in the PWV region which should have been distributed to centres in Thokoza, Katshele and Soweto. This discovery led to allegations of sabotage. As we went to press, the IEC announced that it had summonsed four warehouse managers – two of them seconded to the IEC from the Department of Home Affairs – to answer questions on the matter.

Procedures at Opening and Closing of the Poll

For the most part, Presiding Officers and their staff were able to carry out the procedures at the opening and closing of the poll. There were, however, many inconsistencies in the application of regulations and procedures. The problem was not so much due to incompetence, but more to the IEC's failure to establish an effective communication link so that officials at the bottom could be properly informed of changes made at the top. Regulations and procedures were amended, rescinded or introduced almost on a daily basis in a series of Technical Updates which were to be distributed to all POs. But it was obvious that many POs remained uninformed of such changes. In many cases, DEOs and DDEOs were not in touch with each other and with their POs, therefore breaking the lines of effective communication. Many were unfamiliar with smaller voting materials and more detailed procedures. For example, a considerable number were not aware of the need to use three types of seals (wax, aluminium clip and plastic strap) to seal empty ballot boxes. Many more were unaware of the existence of numbered coloured labels to be pasted on to each ballot box – orange for National and green for Provincial – and the need to record the serial number of each IEC label used. Numerous boxes were either identified by handwritten markings on masking tape, or other IEC stickers. Many were not marked at all until this was pointed out to the POs during our visits. It was obvious, too, that the party agents there were uncertain of some procedural details. But they kept a watchful eye on the proceedings and in most cases were satisfied that nothing untoward had happened.

We are of the view that, taken as a whole, the inconsistencies and irregularities in the application of these procedures did not, in most instances, affect the security of the ballot papers in the boxes, and were the

result of inexperience and lack of information, rather than deliberate intent.

Voter Identification

The decision to issue TVCs to all eligible voters without proper identity documents meant that, in the end almost all those who wanted to vote had some form of acceptable voter eligibility document. The issuing process was, however, a major problem as many voters still did not have TVCs by voting day. Cards were being issued until the last voting day to meet this high demand. All over the country, thousands of residents had converged at fairgrounds, community halls, magistrates' offices, shopping centres, hostels and voting stations to get TVCs at the last minute. At the historic Freedom Square in Kliptown, Soweto, where Mr Mandela had signed the Freedom Charter in 1955, TVCs were being issued on voting days to thousands of people, mainly from the squatter areas and hostels. Several empty containers were converted into offices: for the police to certify affidavits of age and residence; for volunteers to help voters fill up application forms and take their fingerprints; for IEC and Home Affairs officials to take the photographs and issue the TVCs. It was a festive occasion with music blaring, enthusiastic volunteers rushing back and forth to help an endless stream of applicants and grateful voters cheerily holding up their TVCs as they rushed into buses ready to take them to nearby voting stations. We were moved by the commitment and dedication of the volunteers who organised this issuing centre. As the evening light failed them, they bused residents to Uncle Tom's community hall in Orlando West, a few kilometres away, where TVCs were still being issued. We saw voters running in the dark, their TVCs clutched in hand, determined to cast their vote in the last minute of the last day of voting. More poignantly, we noticed that the voting station across the street was next to the monument honouring the many young students killed in the Soweto uprising of 1976.

Secrecy of the Ballot

Each station had specially constructed voting booths that were adequate to ensure the secrecy of the ballot. There was, however, confusion over the proper role of party agents in witnessing the assistance provided by the Presiding Officer to those voters who needed help in marking their ballot paper. At many stations, POs allowed party agents to witness this process in accordance with an earlier IEC directive. However, on 19 April 1994, a new procedure established that only international observers, IEC monitors or voting staff could act as witnesses. Many POs were not aware of this change in the regulations. Where we could, we did our best to advise the POs of the correct procedures. There were a number of occasions when we witnessed the presence of party agents and wondered if the voter felt intimidated surrounded not only by IEC officials, monitors and observers but by party agents as well. Few, however, seemed worried that the secrecy of the ballot could be compromised by such practices.

Allegations of Irregularities

We received reports of irregularities and saw some of them ourselves. There were a number of reported incidents of IEC officials or monitors canvassing for a particular party among voters waiting in the queue. There were allegations of POs or other voting officials trying to pressure special voters into voting for a particular party. We saw party posters on display and stickers being distributed within the inner perimeters of voting stations in some hostels.

In KwaZulu/Natal, our nine teams in various parts of the province, saw a number of irregularities. The PO and officials at one station allowed obviously under-aged residents to cast their votes. The officials confided to us that they feared for their lives and property if they did not allow these youths to proceed. We also saw a few voters being allowed to vote on the strength of TVC application forms and unattached photographs alone. At most stations in IFP strongholds, we saw only IFP and NP party agents. We were told that ANC party agents were too scared for their lives to be present. In one area in KwaZulu, a group of IEC monitors alleged that they had been intimidated on the special voting day. Voting the next day was delayed as the monitors refused to go to their stations without police escort and the POs refused to start the poll without them.

We were advised that pressure was applied by traditional leaders on voters and polling officials in some areas of the country. The recruitment of voting officials at very short notice in KwaZulu meant that the process was carried out without proper verification by the IEC. Some of the POs in KwaZulu were said to be government officials and *indunas* (chiefs) who were likely to serve the interest of the KwaZulu government rather than the IEC. In some cases, the POs recruited their own family members to manage the voting stations. It was felt that such appointments provided opportunities for intimidation and abuse. In one case, an IFP candidate claimed that he was an IEC official and had transported ballot boxes to the counting station. We also received reports of 'pirate' voting stations being opened by IFP supporters who had allegedly seized supplies from legitimate stations.

While we appreciate the constraints within which the polls were delivered in these areas, these irregularities were cause for concern and should be investigated by the IEC.

Performance of Electoral Officials

We were impressed by the dedication, pride and efficiency with which most voting officials carried out their duties. Once supplies arrived and the station was opened, voting proceeded smoothly and briskly. By the afternoon of the first day, as they gained experience and confidence, officials were able to process almost double the rate of voters they had done in the morning. However, voting officials in some IFP-controlled hostels and in parts of KwaZulu were obviously recent recruits and had not received adequate training. They were uncertain about the regulations and procedures to be

followed and often turned to us for assistance and clarification. What voting officials lacked in experience was often made up by a dogged determination to ensure that all those eligible who wanted to vote got the chance to do so.

Most voting stations were well staffed. Officials at the door and in the voting hall kept the flow of voters moving swiftly through each step of the process. At some big and busy stations, voting booths were numbered and ushers briskly directed voters to the appropriate booth. We also came across voting stations where officials at the door greeted voters with a smile and an apology for the long wait. At another, we saw an official apologising to voters for having to spray their hands with invisible ink. We also saw many POs asserting their authority effectively in dealing with over-zealous IEC monitors, party agents or troublesome voters.

What impressed us, too, was the resourcefulness of many officials. At several stations, officials, fearful that stocks would not be replenished on time, devised ways to conserve and share out what supplies were available. The 'wasteful' spraying of invisible ink onto the hands of voters was abandoned; some officials used tissue paper to dab the invisible ink carefully onto voters' fingers, others pressed voters' fingers into stamp pads sprayed with the ink. Identity documents were stamped with red ink to conserve invisible ink supplies. A newspaper reported that in one province, POs had resorted to using ultraviolet lamps used for killing flies to check voters' hands for invisible ink.

There were also inconsistencies in applying voting procedures. At most stations, officials only checked the voter's right hand under ultraviolet light even though both hands were supposed to be checked. Some officials marked the back page of the voter's ID document as instructed, while others marked the second page of the ID document which had space for record of voting. Some used invisible ink to stamp the document, others used red ink. In some cases, officials stamped the ballot paper with invisible ink, instead of red ink. This would naturally affect the validity of the ballot during the counting process. A serious inconsistency too, was in the issuing of ballot papers without IFP stickers. At most stations, voting did not begin or was suspended until IFP stickers were available. But at a few, POs were instructed by IEC officials to write in the IFP name and rule in the boxes on the ballot papers. At others, voters were instructed to write in the letters 'IFP'. The IEC had decided that ballot papers without IFP stickers or where voters had written 'IFP', 'Inkatha' or 'Buthelezi' would be deemed irregular, but valid if the voters' preference was clearly indicated.

Performance of Party Agents

The presence and performance of party agents were mixed. Of the 19 parties taking part in the national elections, only the ANC seemed to have agents at the vast majority of stations – even the NP found it difficult to cover many areas, particularly in the former 'homelands'. The IFP was well represented in areas

where it had substantial support and the PAC and the DP featured in some places. But the other parties were very rarely represented.

While some party agents took a detached view of their responsibilities, others appeared to be over-zealously interested in the voting process, trailing harassed POs, walking all over the station to inspect the work of voting officials and in a few cases, talking to voters. At one station, a party agent seemed to be supervising a ballot box but when questioned volunteered that she was indeed an IEC official but was wearing a party agent armband because no IEC bands were available. We gently suggested that it might be better to wear no armband rather than the wrong one. Many other agents, however, were happy to sit at their designated areas behind officials and quietly and vigilantly observe the voting.

Some parties had agents outside voting stations and had communication lines established to divert voters standing in long queues to other less congested stations. Buses arrived to pick up these voters, send them to vote and then send them back home. In some areas, the ANC had bused thousands of voters from black townships to white towns where voting stations had opened on time and where the lines were short. In an ironic twist, voters from the prosperous white suburb of Sandton, north of Johannesburg, converged on a voting station at a nearby squatter camp which had a shorter line.

We spoke to party agents at the stations we visited. In most cases, they had no complaints about the process, not even the delays. Once voting proceeded smoothly, they forgot about the confusion of the first morning and, like everyone else, were caught up in the spirit and excitement of the historic occasion.

Security Presence

Security presence in most areas was visible and adequate. Because of the peace and calm that prevailed, security officials had little to do. At most stations, voters were able to enter the inner perimeter without being searched for weapons. Some policemen told us that they only frisked those voters who appeared suspicious. Others said they would only act on the instruction of the PO. This practice did not seem to bother either voting officials or party agents as the stations were free of any disturbances or threats. At some stations in Northern Transvaal and in Western Cape, the police on duty used electronic scanners to detect weapons. Sometimes all security cover failed and in one instance, at the request of the PO concerned (who had had no security protection for his station for two days), we intervened with the Ciskei police to ensure that the station was properly protected subsequently.

In volatile areas with a history of violence, security officials were helpful in escorting observers and voting officials and also in allowing them to use their communications equipment to reach IEC officials. For many security officials, it was a novel experience to be amongst residents who until most recently had been hostile towards them and regarded them with suspicion.

The Transport and Storage of Ballot Boxes

The transport and storage of ballot boxes at the end of each voting day was a problem in many areas. Many POs did not know where their boxes were to be taken. At the end of each voting day, ballot boxes were supposed to be delivered to secure rooms, and on the last day, they were to be transferred to designated counting centres. In some cases, DDEOs collected the boxes on the first days of voting and delivered them to counting centres because of a lack of suitable secure storage space. In others they were kept at designated local secure rooms. Sometimes, the POs themselves had to deliver the boxes to storage centres. Yet in other instances, the IEC organised a convoy of security personnel, IEC monitors and party agents to collect the boxes from a cluster of voting stations and transport them to the points of secure storage.

In some areas, co-ordination between DDEOs and POs was poor. We met POs who were stranded at voting stations waiting for their DDEOs to collect the boxes. Some POs had no cars of their own and the police, who were to accompany those boxes to storage centres, did not want to carry the boxes in their vehicles, lest they be accused of tampering with them. It was unfortunate that after the close of poll there were instances of mishandling during warehousing and transport which broke the seals of some ballot boxes. The IEC reportedly received more than 500 complaints from all parties alleging that boxes had been tampered with, seals broken, ballot statements and box identification documents lost and boxes delivered without the required supervision or even misplaced altogether.

The Count

The culmination of the elections – reconciling the number of votes cast and allocating them to the appropriate parties – proved to be a complicated and difficult part of the process. Not only were reconciliation and counting throughout the country delayed by the additional day of voting which affected a few regions, but the highly detailed procedures adopted through a continually changing and ever more complex series of regulations and instructions also proved in the event to be cumbersome, slow and sometimes unworkable.

Some electoral officials, particularly in the Northern Cape and the Orange Free State, were able to streamline the procedures with the approval of local party agents and without sacrificing the integrity of the count. This enabled them to conclude their tasks and report the first results of the vote within approximately 24 hours of the start of the count. At that stage, however, most counting stations were still wrestling with the initial step in the process, namely to reconcile the number of ballots in the box with the number of ballots issued as recorded in the PO's statement. This problem was largely due to the sometimes chaotic distribution of supplies and a failure to maintain proper records on voting days. As concern grew about the reliability and feasibility of this step, Mr Justice Kriegler, late on 30 April 1994, announced that the statutory requirement for reconciliation would be modified for the time



In some places, here at Nasrec outside Johannesburg, ballot boxes were heaped willy-nilly awaiting the count.

being to enable counting to begin. All irregularities and objections would, however, be recorded.

Each ballot was to be unfolded face down and checked to ensure it had the same voting station stamp on it. It was then to be counted in groups of 20 and then packs of 100 ballots to determine the total number of ballots actually in the box.

It was originally intended that counting officials would be divided between reconciliation duties and the subsequent separate process of allocating votes to parties. However, this would have meant half of the enumerators would have been waiting hours to allocate ballots to parties. Some stations abandoned this procedure so that all staff could concentrate on the reconciliation process before turning to the allocation by party. Where this was done on local or provincial initiative, the count proceeded much more quickly and far more smoothly than in most other centres.

A late instruction that the ballot box seal had to be checked to confirm that it contained the appropriate number as recorded by POs reached some counting officials after the reconciliation had been completed. Elsewhere, reconciliation was stalled by inaccurate or unavailable statements, disputes over ballot box seals and other difficulties with details of the counting procedure such as the number of party agents allowed to supervise the process and the time when the process should actually begin. At a few stations, counting was held up when officials went on strike to back their demand for immediate payment of duty allowances.

Following reconciliation, ballots were to be returned to their boxes and resealed until the second count could be undertaken by officials who would display each ballot to party agents before assigning it to its respective pile on party allocation tables. This proved to be a very slow process. As a result, in some stations it was agreed that counters could pre-sort ballots into party piles before displaying the contents of each pile to party agents. At others, party agents, satisfied that the sorting was being done properly, waived the need to display each ballot paper. Such actions significantly reduced the counting time.

A further check on the count was then to have been undertaken by a different set of enumerators who would count the piles on the party allocation tables. The final agreed counts for each party were then to be totalled and reconciled again with the total number of ballots cast.

It was also originally intended that ballots from several stations would be massed together so that party preferences of any one station would not be known. This complicated the verification process further, so some stations in Johannesburg and the Orange Free State counted the ballots station by station to facilitate the verification of the total party allocations.

Once the count had been agreed, the party totals were to be communicated to the IEC provincial headquarters which would forward them to the national centre in Johannesburg where they were to be released officially from time to

time. Parties then had a further opportunity to appeal to the IEC over any disputes remaining with the Counting Officer.

In centres such as the Nasrec counting centre in Johannesburg, there were allegations that some ballot boxes turned up full of grass. Elsewhere, there were charges that boxes had disappeared. In Port Elizabeth, it was alleged that boxes full of ballots, but not accounted for, arrived at the counting centre. Allegations mounted as the counting process dragged out.

By midday on 2 May 1994 – three days after the poll closed – scarcely more than a third of the results had been declared. For the following 24 hours, the IEC suspended the release of incoming results when it discovered that its computer system which collated results had been interfered with, adding three to four per cent to each incoming tally for some small parties.

The counting process had been designed to be as transparent as possible and to provide for internal recounts and cross-checks on officials so there would be no doubt that the final results accurately reflected the votes cast for the parties. However, the time taken to conduct the count due to the complexity of the nine individual steps in the delivery, storage, reconciliation, counting and publication process in fact confused the counting process and contributed to the suspicions that they were meant to allay.

Among the positive signs that emerged from the counting process were the low percentage of rejected ballots and the enormous dedication of counting officials in sticking with a task that was fraught with difficulties. In many cases, party agents, once confident with the process, were co-operative and agreeable with dispensing some steps and procedures that had only further delayed the counting.

As results continued to be released, it appeared that the number of invalid votes would be very low. Considering that the great majority of voters were going to the polls for the first time and that the level of illiteracy among black voters was high, the great number of valid votes cast indicated that voter education by parties, private foundations, NGOs, the media and the IEC had effectively reached the public. It was also a tribute to the diligence of individual voting station POs and staff in assisting voters who were unable to cope on their own but were determined to participate.

The commitment of the great majority of voting officials was also reflected among most counting officials who persisted with their work, despite unwieldy procedures and frustrating delays. They shared the evident determination of the vast majority of South Africans of all races to make this election work, no matter how difficult the challenges facing them.

CHAPTER 7

A Liberation Election: Summary of Conclusions

The Commonwealth Observer Group wholeheartedly congratulates the people of South Africa on their achievement in bringing about a fully democratic and non-racial Government.

We salute the statesmanship of South Africa's political leadership. The transitional structures which they established enabled the people to leave behind centuries of discrimination and to begin anew with a government of national reconciliation. The real and undisputed winners were all the people of South Africa who demonstrated to each other and to the world that they could successfully accomplish this historic and momentous transition.

Context

- Even in the best of circumstances, meeting the deadlines set for the organisation and conduct of the first South African elections would have been a monumental and daunting task and bound to encounter substantial organisational challenges.
- The IEC had both to establish itself and deliver national and provincial elections within a four-month time-frame. The challenges confronting the IEC were compounded by the political decision in early February to have separate ballot papers for the national and provincial elections and by the last minute entry into the elections of the IFP.
- The IEC's preparatory work was seriously affected by the unavailability of adequate data on the size of the potential voting population. A nationwide census will greatly help the conduct and administration of the next elections.
- These elections were also complicated by the complex legal structures and electoral regulations put in place to deliver free and fair elections. These complexities reflected decades of deep suspicion emanating from South Africa's traumatised political history. Other factors, such as violence and intimidation in some areas, hindered timely preparations throughout much of the campaign period.
- The absence of a register of eligible voters exacerbated the logistical challenges facing the IEC, making it difficult to estimate the likely



At the inauguration, President Mandela, flanked by his Deputies, Thabo Mbeki (right) and F W de Klerk.



Outside, jubilant crowds celebrated the death of apartheid.

demands upon individual voting stations and reducing the controls over possible abuse. The lack of a voters' register also made the identification of voters at voting stations more onerous.

- The right of the voter to cast a vote anywhere in the country provided flexibility, but created considerable problems in the provision of materials for voting stations.

Preparations

- This was South Africa's first experience of democratic elections, with most of the electorate having no previous experience of voting. Voter education played a significant part in introducing and familiarising millions of South Africans with the procedures involved in voting. The success of voter education was borne out by the small proportion of invalid ballots.
- Many South Africans did not possess valid identity documents. This required a considerable administrative effort in issuing TVCs. A concerted attempt to enfranchise would-be voters was exerted in the final period up to the elections, and on voting days. We are not able at the time of publication to judge the overall success of this effort but believe it to have been largely successful. We were impressed by the particular efforts made to ensure that nobody was denied access to a TVC.
- The late appointment of Provincial and District Electoral Officers and the difficulties in selecting sites for voting stations delayed the recruitment of POs, thereby reducing the time available to select and train voting station staff. The last minute entry of the IFP necessitated the recruitment and training of additional POs, in some cases only a day before the elections. Delays in the final selection of voting stations affected the planning and logistical arrangements for the elections as voting stations were being identified and set up on the eve of the poll, and even on voting days.

The Campaign

- The decision by the IFP to contest the elections led to a marked easing of political tension. The final days of the campaign were remarkably free of violence. Sadly, the prelude to voting was marked by bombings on the streets of Johannesburg, Germiston and elsewhere. Such actions only seemed to unite all South Africans in a determination to exercise their right to vote without regard to intimidation or violence.
- These later stages were also marked by large rallies held by the major parties. These were peaceful and generally well-organised, with party marshals exerting impressive control over supporters. The conciliatory approach by many speakers at these rallies contributed to a climate of political tolerance, and there was little evidence of incitement against the supporters of other parties.

Areas of Concern

- The inability of the IEC to provide high security electoral materials to around 20 per cent of South Africa's voting stations on the first day of general voting caused some initial chaos.
- Regulations and procedures changed rapidly and in many cases were only imperfectly communicated to Presiding Officers and other election staff, thereby creating administrative confusion.
- We received numerous reports of irregularities and saw direct evidence of some. In a number of different areas, social pressure was exerted by traditional and community leaders and party agents on those casting their votes. Many of these procedural irregularities are the subject of formal complaint and investigation and have yet to be resolved.
- An extension of polling hours and an additional voting day were necessary in certain selected areas where failures in the delivery of supplies and other preparations deprived voters of considerable voting time. However, in our view, all who were qualified to vote and wished to do so were able to cast their ballots.
- Problems with the transport and the storage of ballot boxes appeared to result from poor co-ordination between District Electoral Officers and the officers functioning under them. Allegations of malpractice in certain instances in the distribution of materials as well as the handling of ballot boxes are being investigated.
- The counting of the votes proved to be a lengthy process, with only a third of the results having been declared three days after the close of the poll. Difficulties in the reconciliation of ballot papers contributed to the delays.

Performance

- Against the background of negotiations to draw those boycotting the elections into the fold, the Chairman of the IEC and his Commissioners demonstrated both creativity and flexibility in facilitating the consequential changes. Such flexibility was typified by the IFP stickers which made it possible for the party to be represented on the ballot papers and thus to contest the elections.
- The great majority of voting officials carried out their duties with dedication and efficiency. A number of them displayed great initiative and ingenuity in overcoming logistical problems and ensuring that voting continued without interruption. Undoubtedly, there were inconsistencies but these were rarely sufficient to compromise the overall integrity of the voting process.
- The security presence in most areas was visible and adequate to the task. During the period of the election campaign, including voting and the count, the security forces were generally perceived to have behaved

impartially and responsibly. They undoubtedly made a creditable and positive contribution. So too did the National Peace Secretariat and their Peace Monitors.

The Media

- The media in South Africa has undergone considerable change. Not only was it subject to an unprecedented degree of scrutiny and regulation during the election period, but it undertook with enthusiasm a creative and constructive role in facilitating free political debate, promoting voter education, and encouraging democratic freedoms, including a sense of fair play among the various parties.
- We recognise the importance of national and local radio which provided the most effective means of communicating information about elections to those living in the least accessible regions of the country. Radio was crucial to the dissemination of news of the late participation of the IFP in the elections, as well as in many other ways.

General Conclusions

- For the majority of South Africans, the elections were more than the exercise of democratic choice. Marked by the determined and patient way in which people voted, they were a celebration of freedom which sealed the final demise of apartheid.
- In the final analysis, the elections represented a free and clear expression of the will of the South African people. The outcome was the result of a credible democratic process which was substantially fair. We do not believe that abuses were widespread or had a determinative impact on the overall result. We are confident that the new South African Government will want to reinforce impartial and independent mechanisms for analysing these difficulties in preparing for the next elections. In nurturing the culture of democracy, there is much to say in favour of maintaining a mechanism for organising and conducting future elections which is perceived to be impartial and independent of government structures.

Acknowledgements

We wish to record our appreciation to the many persons who assisted us in a variety of ways in carrying out our mandate.

- Leaders of the major political parties, who found time in the midst of their heavy campaigns to meet with the Chairman;
- Representatives of the parties, who gave their time to brief the Observer Group;
- Representatives of the Independent Electoral Commission, the Independent Media Commission, the churches, the National Electoral Observer Network, the National Peace Secretariat, the Goldstone Commission, the Human Rights Commission, and the South African Police, and Mr Andrew Feinstein – all of whom briefed the Observer Group;
- Mr Justice Johann Kriegler, Chairman of the Independent Electoral Commission, his fellow Commissioners and staff, for their willingness to meet with us both in Johannesburg and around the country;
- Mr Lakhdar Brahimi, Special Representative of the Secretary-General of the United Nations, Professor Jacob de Ruyter, Head of the European Union Observer Mission, and Ambassador Joe Legwaila, Head of the OAU Observer Mission, for briefing the Group, and for their co-operation;
- All those members of other observer groups – international, ecumenical, local and international NGOs, peace monitors – with whom we were privileged to co-operate ‘in the field’;
- The Secretary-General of the Commonwealth, Chief Emeka Anyaoku, who invited each of us to be present to observe this momentous event, and whose guidance as we began our task was invaluable;
- The members and staff of the Commonwealth Observer Mission to South Africa (COMSA), from whose groundwork and experience of the last 18 months we learned much, and whose assistance to us was much appreciated;
- Mr Max Gaylard and his Commonwealth Secretariat support team, whose competence and judgment and very long hours greatly enhanced the quality of our work and this Report;
- The people of South Africa, whose commitment to the end of apartheid, and whose cheerful patience through all the difficulties and frustrations of the process, were an inspiration to us all.

Annexes

ANNEX I

Composition of the Commonwealth Observer Group

The Rt Hon Michael Manley (Jamaica – Chairman)

The Rt Hon Michael Manley was Prime Minister of Jamaica from 1972–80 and from 1989–92 when he retired. Throughout his political life he has been an outspoken critic of apartheid in South Africa, and this was recognised when he was awarded the United Nations Gold Medal in 1978 by the Special Committee against Apartheid.

He has also been active in the struggle for developing countries to achieve greater parity in international trade and international affairs. In 1979, he was given the Joliot Curie Award of the World Peace Council for his contribution to the people of Jamaica and the rest of the non-aligned world in fighting for economic independence.

Mr Manley was born in Kingston in December 1924, the second son of a former Prime Minister, Mr Norman Manley. He obtained a BSc in economics from the London School of Economics and from 1949–52 worked as a journalist with the BBC in London. On returning home, he became Associate Editor of a newspaper, *Public Opinion*. He became involved in the trade union movement and in politics when he was first appointed organiser of one of the largest unions in the Caribbean, the National Workers' Union. That year, he was also elected to the National Executive Council of the People's National Party (PNP).

By 1964, he was president of the Caribbean Bauxite Mine and Metal Workers' Federation and from 1962–67 served as a senator. In 1967, he was elected to the House of Representatives, became vice-president of the PNP and in 1969 was elected party president. In 1972, Mr Manley led the PNP to victory in elections and became Jamaica's fourth Prime Minister. He was re-elected in 1976, but lost the 1980 elections.

After several years on the Opposition benches, Mr Manley and the PNP were in 1989 re-elected to office and he remained as Prime Minister until 1992 when he retired. He is also a coffee farmer and horticulturist and an avid sports fan, especially of cricket. He is the author of several books, including *A History of West Indies Cricket* which was published in 1988.

The Rt Reverend Sir Paul Reeves (New Zealand – Deputy Chairman)

The Rt Rev Sir Paul Reeves is a former Governor-General and Primate and Archbishop of New Zealand. He began his career in the Church as a deacon in 1958 and became a priest two years later. From 1966–69, he was lecturer in church history at St John's Theological College in Auckland and later became Director of Christian education in the Diocese of Auckland. In 1971, he was appointed Bishop of Waiapu where he served for eight years before becoming Bishop of Auckland. He was Archbishop from 1980–85 and Governor-General from 1985–90. Since 1990, he has been the Anglican Church Representative to the UN. Sir Paul has been on several Ecumenical/Church missions to South Africa, most recently as leader of the Second Ecumenical Eminent Persons Group in July–August 1993. He was educated at the University of Wellington, St John's Theological College, Auckland and St Peter's College, Oxford.

Mr P M Abraham (India)

Mr P M Abraham, a lawyer by training, is a former Permanent Secretary in the Ministry of Surface Transport. He has had a long career with the Indian Administrative Service which began with service in the Government of Kerala in 1957. Since then, he has served in various capacities and in different departments both in Kerala and in New Delhi in fields such as Food and Civil Supplies, Agriculture Production, Industries and Commerce and finally in Surface Transport. He retired in 1992. Mr Abraham has been a member of the Commonwealth Observer Mission to South Africa (COMSA), Phase III.

Mr James Allan (Britain)

Mr James Allan has served in a wide range of diplomatic posts in Africa, including Cape Town and Pretoria, as well as elsewhere. In London, he worked for a number of years on Southern Africa problems. He was Information Adviser to Lord Soames in Rhodesia concerned with access to the media during the election leading to Zimbabwe's independence in 1980. His last diplomatic appointment was as British Ambassador to Mozambique. Subsequently, he was for three years the senior civilian member of the Directing Staff at the Royal College of Defence Studies. He is a graduate of the London School of Economics.

The Hon John Cain (Australia)

The Hon John Cain was the Premier of Victoria from 1982–90. He joined the Labour Party in 1948 and was elected a member of the Legislative Assembly in 1976, serving as Shadow Minister until 1981 when he became Leader of the Opposition. He had also concurrently served as Attorney-General, Minister Responsible for Women's Affairs and Minister for Ethnic Affairs during the time when he was Premier. He graduated from Melbourne University in 1952 with a degree in law. Since 1991, he has been a member and conciliator of the Victorian Solicitors' Board and Professorial Associate in the Department of Political Science of Melbourne University.

Professor Duncan Chappell (Australia)

Professor Duncan Chappell, a lawyer and criminologist, is currently Director of the Australian Institute of Criminology and also Deputy President of the Administrative Appeals Tribunal. Professor Chappell, who graduated with first class honours in law from the University of Tasmania in 1962 and received his PhD from the University of Cambridge in 1965, has occupied a range of academic and other professional positions in Australia, the United States and Canada. He has been a faculty member at the University of Sydney's Law School (1965–70) and the School of Criminal Justice at the State University of New York at Albany (1971–73) and Director of Battelle Memorial Institute's Law and Justice Study Centre in Seattle, Washington (1973–77).

Since 1980, he has been a member of the School of Criminology at Simon Fraser University in Vancouver, Canada where he retains an adjunct professorial appointment. He has also published widely on subjects like the criminal justice system, the police and the public, and violence. From October 1992 to May 1993, Professor Chappell co-chaired COMSA, Phase I and subsequently chaired COMSA, Phase II.

The Hon Victoria Fikile Chitepo (Zimbabwe)

The Hon Victoria Chitepo was a member of the Cabinet in the Government of

Zimbabwe for 10 years, first as Minister of Natural Resources and Tourism from 1982–90 and then as Minister of Information, Posts and Telecommunications until she retired in June 1992. Prior to her involvement in politics, Mrs Chitepo was a teacher and social worker. She is currently a member of the Central Committee of the ruling ZANU–PF party and also a member of the Advisory Group to the UN Secretary-General on the Fourth World Conference on Women. Mrs Chitepo was a member of the Commonwealth Observer Group to Kenya in 1992 and also of COMSA, Phase III.

Mr Brian Cox (Australia)

Mr Brian Cox is currently the Australian Electoral Commissioner. Prior to this appointment in 1989, he has held several senior positions in the Australian public service, including Director-General, Archives (1985–89) and Secretary, Royal Commission of Inquiry into Australia’s Security and Intelligence Agencies (1983–84). He has also served for several years in the Department of the Prime Minister and Cabinet as Assistant Secretary in the Domestic Economic Policy branch and subsequently as First Assistant Secretary in the Parliamentary and Government Division, Cabinet Division and Operations Division. He was also Head of the Commonwealth Heads of Government Meeting Task Force for the Melbourne CHOGM (1980–81). Mr Cox was educated at the Australian National University.

Mr Headley Cunningham, QC (Jamaica)

Mr Headley Cunningham is a practising lawyer and also a Queen’s Counsel. He was a Member of Parliament from 1989–93 when he also served as Speaker of the House of Representatives. He was co-President and Chairman of the Executive Committee of the Commonwealth Parliamentary Association (CPA) (Jamaica) and also its regional representative for the Caribbean, the Americas and the Atlantic. He was educated at Cornwall College, Jamaica and read law at the Inner Temple, London.

Mr C Peter Daniel (Canada)

Mr C Peter Daniel is Assistant Deputy Minister in the Department of Foreign Affairs and International Trade. From 1975–78, he was Deputy Spokesman, then Chief Spokesman at NATO headquarters in Brussels. Subsequently he was Special Adviser to the Executive Director of the International Energy Agency in Paris from 1980–83. He returned to Ottawa in 1983 to become the Director General, Consultations and Communications in the Department of Finance and in 1985 was promoted Assistant Deputy Minister. Mr Daniel had also worked for 15 years in television journalism in Canada. Mr Daniel was a member of COMSA, Phase III.

The Rt Hon the Lord Ennals (Britain)

The Rt Hon the Lord Ennals, a former Cabinet minister, has a long and distinguished record in politics and public service. He was a Labour Member of Parliament from 1957–83, serving in various capacities in government, starting as Parliamentary Private Secretary to the Minister of Overseas Development in 1964 and rising to Parliamentary Under-Secretary, Minister of State and Secretary of State for Social Services from 1976–79. He is on the board of several NGOs and is chairman of the Gandhi Foundation and vice-chairman of the United Nations Association. He is also the author of several publications on the UN.

Alderman Oriah Anthony Gara, MP (Zimbabwe)

Alderman Oriah Gara is an accountant by qualification, but has been in politics since 1979 when he became city councillor of Harare and eventually its mayor (1985–86). Since 1990, he has been a Member of Parliament for Mbare East and is currently the secretary for administration of the ruling party, the Zimbabwe African National Union (ZANU–PF), Harare Province. Mr Gara is also a trustee of the Zimbabwe National Conservation Trust and chairman and chief executive of the Negondo Chemical Company.

Tan Sri Ghazali Shafie (Malaysia)

Tan Sri Ghazali Shafie is a former Minister of Foreign Affairs and since his retirement in 1984 has been a special envoy of the Government of Malaysia. He began his career as a civil servant assigned to the Office of the Commissioner for Malaya in London. At independence in 1957, he was appointed Deputy Secretary for External Affairs and became Permanent Secretary in 1959. In 1970, he was appointed a senator and made Minister with Special Functions. In 1971, he was also made Minister of Information. He was elected as a Member of Parliament in 1972 and was appointed Minister of Home Affairs the following year, holding the portfolio until 1981 when he became Foreign Minister. He retired from politics in 1984. Tan Sri Ghazali was educated at Raffles College, Singapore, and University College, Wales and the London School of Economics. He is currently a Distinguished Fellow of the Malaysian Institute of Strategic and International Studies, a Fellow of the University of Wales and Resident Writer at the National University of Malaysia. He is also Chairman of the Malaysian Economic Consultative Council.

Miss Grace Githu (Kenya)

A lawyer by training, Miss Grace Githu is a human rights activist. She is currently the Executive Director of the Institute for Education in Democracy which aims to foster and nurture a national democratic culture in Kenya. In 1992, as Director of the National Election Monitoring Unit, she co-ordinated the local initiative to monitor Kenya's first multi-party elections for almost 30 years. She is also a founder member and chairperson of the International Federation of Women Lawyers, Kenya section.

Mr C V Gooneratne, MP (Sri Lanka)

Mr C V Gooneratne is a Member of Parliament for Colombo District and also central committee member of the Sri Lanka Freedom Party. He is the party's chief spokesman on trade, commerce and shipping and member of the Parliamentary Standing Committee on Public Accounts. He has also worked with Hayleys Ltd, a leading industrial company in Sri Lanka, joining them as a factory manager and eventually moving up to personnel manager, director of a subsidiary company and management consultant.

Mrs Janine Haines (Australia)

Mrs Janine Haines entered politics in 1977 when she was elected a senator for South Australia. She held the seat until 1990 and from 1986–90 was also Federal Parliamentary Leader of the Australian Democrats. During that period, she served on several parliamentary committees, including the Senate Select Committee on Private Hospitals and Nursing Homes and Senate Standing Committees on scrutiny of bills,

standing orders and procedure. Since retiring from politics, Mrs Haines has been a prolific writer. She has recently written a book, *Suffrage to Sufferance: 100 Years of Women in Politics*, contributed articles and columns to newspapers and other publications and also appeared on various radio programmes. She is actively involved in community work, serving on various boards and committees, including at the University of Adelaide Council. She was educated at the University of Adelaide.

Dr Kamal Hossain (Bangladesh)

Dr Kamal Hossain is a senior advocate of the Supreme Court of Bangladesh and also chairperson of the Advisory Commission of the Commonwealth Human Rights Initiative. He was a Member of Parliament from 1972–75 during which time he held three Cabinet portfolios: Law, Foreign Affairs, and Petroleum and Minerals. He was also the chairman of the Constitution Drafting Committee of the Constituent Assembly of Bangladesh in 1972. Mr Hossain is currently the chairman of the International Law Association Committee on Legal Aspects of Sustainable Development and member of its Committee on Enforcement of Human Rights Law. He is also a member of the UN Compensation Commission in Geneva and vice-chairman of the Bangladesh Bar Council. He has served on the South Asian Association for Regional Co-operation (SAARC) and Election Observers' Missions to Pakistan in 1993 and to Sri Lanka in 1990.

The Hon M M Jacob, MP (India)

The Hon M M Jacob has been a Member of the Rajya Sabha (Upper House) of the Indian Parliament since 1982 and has served as Deputy Chairman. He was a Minister of State in the Ministry of Parliamentary Affairs and later in the Ministry of Home Affairs. He joined politics as an active worker for the Congress Party in 1952 and has held various organisational positions in the party and the community. He has been particularly active in co-operative and youth movements. He has served on several Rajya Sabha committees including on subordinate legislation, business advisory, rules and general purposes. He is currently chairman of the Parliamentary Standing Committee on Home Affairs. Mr Jacob was educated at Lucknow University and the University of Chicago.

Ms Asma Jahangir (Pakistan)

Ms Asma Jahangir is an advocate of the Supreme Court and chairperson of the Human Rights Commission of Pakistan. She is a well-known activist who has worked with several national, regional and international NGOs involved in human rights, women's and children's rights. She has been a council member of LAWASIA and chairperson of its Human Rights Standing Committee, Australia, vice-chairperson of the Defence for Children International in Switzerland, a steering committee member of the Asia Pacific Forum for Women, Law and Development, Malaysia, and executive member of the Punjab Bar Council and also the Women's Action Forum, Pakistan. She is currently a director of the International Centre for Human Rights and Democratic Development in Canada and since 1980, has been the convener of the Punjab Women Lawyers' Association. Ms Jahangir has also written several papers on women's rights and the law, child exploitation, and independence of the judiciary. She is also the author of *Hudood Ordinance: A Divine Sanction?* She was educated in Pakistan.

Mr Henry Jensen (Canada)

Mr Henry Jensen is the former Deputy Commissioner of Operations of the Royal Canadian Mounted Police (RCMP). He joined the service in 1952 and in 1960 became a detective in its Criminal Investigation Department. From 1967–75, he was the Director of the Economic Crime Directorate, developing a concept of specialised investigators to deal with white collar crime, organised crime and corruption among public officials. In 1976, he was promoted to Commanding Officer of RCMP British Columbia, a position he held until 1981 when he became Deputy Commissioner in charge of Operations. Between 1985–87, he was in charge of Law Enforcement and Protective Services, before moving back to Operations. He retired in 1989 and since then, has been a consultant on various law enforcement and security matters. He was a member of COMSA, Phase I.

Mr Martin Kenyon (Britain)

Mr Martin Kenyon has had a career in non-governmental and charitable organisations. From 1962–92 he was Director of the Overseas Students Trust and in 1968 helped to found the UK Council for Overseas Student Affairs. He was Managing Trustee of the Fund for International Student Co-operation from 1969–89 in which capacity he visited South Africa and many Commonwealth countries. He is President of the Southern Africa Church Development Trust, and a UK Trustee of Waterford Kamhlaba United World College of Southern Africa, and the New Era Schools Trust of South Africa (NEST). He has been Treasurer of the Council for Education in the Commonwealth and the Commonwealth Youth Exchange Council. He was educated at Eton College and Corpus Christi College, Oxford.

Mr Myron Kuziak (Canada)

Mr Myron Kuziak is the Chief Electoral Officer (CEO) for Saskatchewan, Canada. He is a distinguished lawyer and was Counsel to the Saskatchewan Human Rights Commission from 1973–79, Chairman of the Saskatchewan Public and Private Rights Board from 1976–83, Lecturer at the Human Justice School, University of Regina from 1988–92 and has been Director of the Canadian Civil Liberties Association since 1973. He was appointed as CEO in August 1992. Mr Kuziak holds Bachelor of Arts and Bachelor of Law degrees from the University of Saskatchewan. He was a member of the Commonwealth Observer Group to Lesotho in March 1993.

Dr Peter Lyon (Britain)

Dr Peter Lyon is Reader in International Relations and Academic Secretary of the Institute of Commonwealth Studies, University of London. He has long been associated with the Commonwealth, having lectured, broadcast and written extensively on the organisation. Since 1983, he has edited *The Round Table: the Commonwealth Journal of International Affairs*. He is also a life Vice-President of the Royal Commonwealth Society, a governor of the Commonwealth Trust, and a member both of the Commonwealth Journalists' Association and the Commonwealth Press Union. Dr Lyon was formerly on the faculty of the University of Leicester and the London School of Economics and Political Science where he still teaches part-time. Among his many publications are *Neutralism, Britain and Canada: Survey of a Changing Relationship* (editor) and *The Commonwealth and the Third World*.

The Hon Russell Marshall (New Zealand)

The Hon Russell Marshall is a former Minister of Foreign Affairs of New Zealand, holding the post from 1987 until he retired at the 1990 general election after 18 years as a Member of Parliament. He was a member of the Labour Government from 1984–90 during which time he held the posts of Minister of Education, Conservation, Pacific Island Affairs, and Disarmament, as well as Foreign Affairs. Mr Marshall currently chairs the Trustees of the New Zealand National Commission for Unesco, the Trustees of the New Zealand Africa Information Centre and the Cambodia Trust (NZ). He was a member of the Commonwealth Observer Group to Lesotho (March 1993), the chairman of the Commonwealth Observer Group to the Seychelles elections (July 1993) and also chairman of COMSA, Phase IV.

The Hon Peter E M Maundu, MP (Kenya)

The Hon Peter Maundu is a Member of the National Assembly and Assistant Minister for Agriculture, Livestock Development and Marketing. He graduated with a law degree from the University of Nairobi and worked as a magistrate and later as general manager of the Prudential Assurance Company, Kenya.

The Hon Rev Walter McLean (Canada)

The Hon Rev Walter McLean is a former Cabinet minister and Special Representative to the UN for Southern African and Commonwealth Affairs. He became a Member of Parliament in 1979 and has held various positions in the Government. He was Secretary of State from 1984–85, Minister of State (Immigration) and Minister Responsible for the Status of Women (1984–86). From 1987–91, he was the Canadian Representative to the Southern African Development Co-ordination Conference and to the Commonwealth Committee of Foreign Ministers on Southern Africa (1987–89). He is the President of the International Council of Parliamentarians for Global Action. Mr McLean was educated at the University of Toronto and University of Edinburgh.

Mr Obeira Menke (Nauru)

Mr Obeira Menke is a former Member of Parliament and currently Permanent Secretary of the Ministry of Foreign Affairs. He was educated at the University of the South Pacific in Fiji and started his career as a schoolteacher. He served as a Member of Parliament from 1976–82 before being appointed as Nauru Consul-General in Melbourne, Australia (1983–87) and in Auckland, New Zealand (1987–89). He returned to Parliament in 1990 for two years when he was also Acting Secretary for External Affairs. In 1993, he was appointed as Permanent Secretary.

The Hon Robert Morris, MP (Barbados)

The Hon Robert Morris has been a Member of Parliament for the Democratic Labour Party since 1986. He is also the Deputy General Secretary of the Barbados Workers' Union and a member of the Administrative Committee of the Caribbean Congress of Labour. He was a member of the executive committee of the CPA from 1987–90. He was educated at the Universities of the West Indies, Harvard and at the International Institute of Labour Studies in Geneva. Mr Morris was a member of the Commonwealth Observer Group to the National Assembly Election in Pakistan in October 1993.

The Hon Lesedi Mothibamele, MP (Botswana)

The Hon Lesedi Mothibamele is a member of the National Assembly of Botswana. He was elected to Parliament in 1979 and was appointed Assistant Minister of Finance. In 1982, he was transferred to Local Government and Lands and two years later was promoted to full minister. In 1986, he became Minister of Health. He is a member of the central committee of the ruling Botswana Democratic Party and also on the executive committee of the Botswana branch of the CPA. He was educated at Moeding College.

The Hon Lavu Mulimba, MP (Zambia)

The Hon Lavu Mulimba has been a Member of Parliament for the United National Independence Party (UNIP) since 1979. From 1988–91 he was a member of the Cabinet holding the defence and labour portfolios. He is now chairman of the Public Accounts Committee. Mr Mulimba is a lawyer by training and started his career in 1967 as Legal Adviser to the Ministry of Foreign Affairs. He was a Councillor and later Mayor of Lusaka from 1970–75, and was also vice-president of the Zambia Congress of Trade Unions and chairman of the executive committee of the CPA (1987–90). He was educated at Bristol University, Britain.

Mr Niaz A Naik (Pakistan)

Mr Niaz Naik, a former Foreign Secretary of Pakistan, is currently the Chairman of the Institute of Strategic Studies in Islamabad. He has had a long and distinguished career with the Foreign Service, having first served as an Ambassador and Permanent Representative of Pakistan to the European Office of the UN in Geneva (1971–74). In 1978, he went to New York as Permanent Representative to the UN before returning to Pakistan in 1982 to become the Foreign Secretary. He retired from the Foreign Service in 1990 after further serving as Ambassador to France, Ireland and High Commissioner to India. Mr Naik has been actively associated with North-South dialogue on international economic issues and has attended several South-South co-operation meetings of the Group of 77 which he chaired in 1973. In 1982–83, he chaired the UN Committee on the International Development Strategy for the Third UN Development Decade. Mr Naik has been on the SAARC Observer Missions to the parliamentary elections in Bangladesh (February 1991), Local Bodies elections in Sri Lanka (April 1991) and Provincial Councils elections in Sri Lanka (May 1993).

The Hon Margaret Neckles (Grenada)

The Hon Margaret Neckles is the President of the Senate and former Deputy Governor-General of Grenada. She has had a wide-ranging career as a radio and television journalist, community development officer and senior co-ordinator in the Ministry of Women's Affairs. She entered politics in 1984 and is joint President of the CPA (Grenada) since 1990.

Mr Ng Kah Ting (Singapore)

Mr Ng Kah Ting is a former Member of Parliament. He was first elected to the pre-independence Legislative Assembly in 1963 at the age of 23 and was subsequently re-elected in six consecutive general elections to serve until 1991 when he retired from active politics. He continues to be involved in the labour movement. He has served

on the executive committee of the CPA and was its regional representative for South-East Asia from 1981–84.

Mr Justice Josiah Ofori-Boateng (Ghana)

Mr Justice Josiah Ofori-Boateng is a judge of the Court of Appeal and is the former Executive Chairman of the Interim National Electoral Commission which organised the presidential and parliamentary elections in 1992. He started his legal career in 1963 as an Assistant State Attorney, then went into private practice before becoming a District Magistrate and subsequently Deputy Judicial Secretary of Ghana and Executive Secretary and Director of Research of the Ghana Law Reform Commission. He then worked in Kenya with the United Nations Environment Programme as a Senior Programme Officer and Chief of its Environmental Law Unit. From 1981–89, he was Director of Legal Education and Head of the Ghana School of Law. He has published extensively on legal cases and legal issues of Ghana and also on environmental law. Mr Justice Ofori-Boateng was educated at University College of the Gold Coast and University College, London. He was called to the Bar at Lincoln's Inn in 1963.

The Hon Sir Ebia Olewale (Papua New Guinea)

The Hon Sir Ebia Olewale is a former Deputy Prime Minister of Papua New Guinea. He entered the House of Assembly in 1968 and was a member of the first government of independent Papua New Guinea. He has held the education, commerce, justice, foreign affairs and trade portfolios. After leaving Parliament in 1982, he has been involved in business affairs.

The Hon Oki Ooko-Ombaka, MP (Kenya)

The Hon Oki Ooko-Ombaka is a Member of Parliament in the National Assembly of Kenya. He is also the executive director of the Public Law Institute, a human rights NGO. A lawyer by training, he holds degrees from the University of Dar-es-Salaam, Tanzania and Harvard Law School. He has worked for the UN and taught at the University of Nairobi. He was an observer at the 1990 general election in Pakistan.

Dato' K Pathmanaban (Malaysia)

Dato' K Pathmanaban has had wide experience as a senior civil servant as well as a Deputy Minister in the Malaysian Government. He was Director of Manpower in the Economic Planning Unit of the Prime Minister's Department and Acting Secretary-General in the Ministry of Labour before entering politics in 1974. He was a Member of Parliament from that year until 1990. Dato' Pathmanaban has been Deputy Minister in the Labour and Manpower and Health Ministries. He was an executive council member of the CPA in 1984. He is now a director in several national organisations. Dato' Pathmanaban chaired the Commonwealth Observer Group to the Bangladesh elections in 1991.

Mr Zeel Peerun, MP (Mauritius)

Mr Zeel Peerun, a founder member of the Mouvement Militant Mauricien (MMM), has been a Member of Parliament since 1987. He has also served as High Commissioner to Australia in 1982–83. Mr Peerun is an agriculturalist by training and is the Scientific Liaison Officer of the Sugar Industry Research Institute in Reduit,

Mauritius. From 1970–90, he was a Plant Breeder with the Institute, working on improving maize and sugar cane varieties. He was educated at the University of Wales.

Mr Cecil Pilgrim (Guyana)

Mr Cecil Pilgrim is the former High Commissioner of Guyana to Britain where he served from 1986–93. He was also concurrently Ambassador to France, Netherlands, Yugoslavia and Unesco. During this time he sat on the boards of several Commonwealth organisations, including the Commonwealth Institute, the Commonwealth Foundation and the Commonwealth Fund for Technical Co-operation. He was also the Guyana representative on the International Maritime Organisation and the International Sugar Organisation. Mr Pilgrim began his foreign service career in 1967 and has served in Jamaica, China, the former Soviet Union and Cuba where he was dean of the diplomatic corps. He was educated at the University of Guyana and the University of the West Indies.

The Hon Elizabeth Renner, MP (The Gambia)

The Hon Elizabeth Renner has been a Member of Parliament since 1990 when she was appointed to one of the eight nominated seats by the ruling People's Progressive Party. She sits on the board of several committees including the Gambia Medicine Board, the Parliamentary Group on Population and Development, and the party's National Women's Executive and Political Education Unit. She is also a member of the Interparliamentary Human Rights Network. Mrs Renner has been an educationist since 1964 and is currently also a principal of a high school. She was educated at the Advanced Teacher Training College, Ghana, the Western Australia Institute of Technology and Bristol University, Britain.

The Hon Philip Ruddock, MP (Australia)

The Hon Philip Ruddock, a lawyer by training, has been a Member of the House of Representatives since 1973. He has held several positions in the party including Shadow Minister for the Australian Capital Territory (1983–84), Immigration and Ethnic Affairs (1984–85, 1989–93) and spokesman for Foreign Affairs in the House of Representatives (1989–93). He is currently a member of the Shadow Cabinet for Social Security and also sits on the Parliamentary Committee Service for Community Affairs. He has served on numerous other parliamentary committees and has also held office in the anti-apartheid group and Amnesty International.

The Hon Mr Justice André Sauzier, OBE (Seychelles)

The Hon Mr Justice André Sauzier is the former Director of Elections and Registrar of Political Parties during Seychelles' transition period to multi-party democracy (1992–93). Born in Mauritius, Mr Justice Sauzier has lived in Seychelles since 1950 where he has had a long and distinguished career in the judicial and legal service. He started as an Assistant Attorney-General and Registrar of Deeds and became the Attorney-General in 1955. He held this post until 1970 when he was appointed a Judge of the Supreme Court. From 1983, he was a Justice of the Court of Appeal until he retired in 1987. Since 1988, he has practised as a legal consultant. He read law at the Council of Legal Education in London and qualified for the Bar at Middle Temple. He is a member of the English, Mauritius and Seychelles Bar.

Mr Eustace Seignoret (Trinidad and Tobago)

Mr Eustace Seignoret is a retired diplomat. Having served in the civil service since 1953, he was one of the first members of the diplomatic service of newly independent Trinidad and Tobago in 1962. His first posting was to the UN in New York before serving in Geneva and then London. He served as Permanent Representative to the UN from 1971–75, during which time he was Vice-Chairman of the UN Committee against Apartheid. He returned home to become Permanent Secretary of the Ministry of External Affairs. In 1977, he was appointed High Commissioner to Britain where he served as chairman of the Commonwealth Committee on Southern Africa from 1978–82. His last posting before retirement was as High Commissioner to Guyana. Mr Seignoret was a member of the Commonwealth Observer Group to the Malaysian general election in October 1990 and the Guyana elections in October 1992.

Mr Anand Sharma (India)

Mr Anand Sharma is a lawyer. From 1984–90, he was a Member of Parliament, during which time he was also Chief Spokesman for the ruling Congress Party. He went on several missions abroad as the Prime Minister's Special Envoy or leader of various Indian delegations. He was also active in the youth movement, chairing the first Non-Aligned Youth Conference in Delhi in 1985, the National Preparatory Committee for the XII World Youth and Students Festival and the International Youth Conference Against Apartheid in Delhi, 1987. He has been chairman of the World Youth Action Against Apartheid since 1987 and the Indian Anti-Apartheid Movement since 1990. Mr Sharma was educated in Simla and Himachal, India. He was a member of the Commonwealth Observer Group to Namibia in 1989 and of COMSA, Phase I.

Mr S K Singh (India)

Mr S K Singh has had a long and distinguished career in the Indian Foreign Service. He served as Ambassador in Lebanon, Jordan, Cyprus, Afghanistan, Austria and Pakistan. He was also India's Permanent Representative to the UN in Vienna and also Governor for India on the Board of Governors of the International Atomic Energy Agency from 1982–85. He ended his diplomatic career as Foreign Secretary in 1990. For two years afterwards, he was Visiting Professor of International Affairs at the Jawaharlal Nehru University in Delhi. He was a member of the Commonwealth Observer Groups which observed the elections in Kenya in December 1992 and Lesotho in March 1993.

Mr Philip Smith (The Bahamas)

Mr Philip Smith is a former Member of Parliament and Parliamentary Secretary in the Foreign Ministry. He was in Parliament briefly in 1972 and for three full terms from 1977 to 1992. During those years, he served as chairman of numerous government corporations and boards and was concurrently employed in the private resort industry responsible for human resource management.

Mrs Ambika Soni (India)

Mrs Ambika Soni, a well-known political and social activist in India, is a former Member of Parliament. She is an elected member of the All India Congress Committee, the general body of the ruling Congress (I) Party and was also the only woman President of the Youth Congress, the youth wing of her party. During the premiership

of Mrs Indira Gandhi, Mrs Soni was in charge of the Foreign Relations Department of the Congress Party. She was also a member of its core group on policy and programme which was responsible for national debate and subsequent legislation on electoral reforms and devolution of developmental authority to the grassroots. Mrs Soni is also active in the education field where she is the president of the Jan Ekta, an institution dedicated to the levelling of social and economic disparities in the slums.

The Hon Hugh Templeton (New Zealand)

The Hon Hugh Templeton is a former Minister of Trade and Industry (1981–84). He was a member of the Cabinet from 1975, holding the posts of Posts, Broadcasting, Customs, and Inland Revenue. He had also served as Deputy Finance Minister during which time he was responsible for the negotiations of free trade arrangements between Australia and New Zealand. Mr Templeton is now a business consultant, a director of the New Zealand Institute of Social Research and Development, chairman of the Pacific Development and Conservation Trust and an honorary vice-president of the New Zealand Institute of International Affairs. Mr Templeton took first class degrees in history from the Universities of Otago and Oxford where he was a Rhodes Scholar. He joined the New Zealand diplomatic service where he served in London, South-East Asia, Western Samoa and New York before entering Parliament in 1969. In 1992, Mr Templeton was the Prime Minister's Special Representative to Russia and the CIS.

Mr G P Tiwari (India)

Mr G P Tiwari is a former Speaker of the Rajasthan Legislative Assembly from 1986–89. He had been a longtime active member of the Congress Party and was first elected to the Legislative Assembly in 1972. He had served in several party positions at the district and state levels. Mr Tiwari is a lawyer by training. He was a member of COMSA, Phases III and IV.

HE Mr Dudley Thompson, OJ, QC (Jamaica)

HE Mr Dudley Thompson has had a distinguished career as a barrister and statesman, and served his country in several ministerial posts, including those of National Security and Foreign Affairs. After serving in the Royal Air Force in the Second World War, he was awarded a Rhodes Scholarship in 1947 which took him to Oxford. He qualified for the Bar at Gray's Inn, and then went to East Africa where he served on the defence team at the trial of Jomo Kenyatta in the early 1950s. He then returned to Jamaica to practise law and became active in politics. Mr Thompson was a member of the Commonwealth Observer Group to Namibia, 1989, to Kenya, 1992, and chaired the mission to Malaysia in 1990. He is now Jamaica's High Commissioner to Nigeria.

Miss Judith Todd (Zimbabwe)

Miss Judith Todd, a free-lance writer, broadcaster and consultant, is the former Director of the Zimbabwe Project Trust, an agency specialising in demobilisation and employment creation. She is the author of *The Right to Say No* published in Britain (1972), USA (1973) and Zimbabwe (1988).

The Hon Paul J Tovua, OBE, MP (Solomon Islands)

The Hon Paul Tovua is the Speaker of Parliament in Solomon Islands. He began his

working life as a graduate associate member of the Australian Commonwealth Institute of Valuers and was first elected to Parliament in 1976 (before independence). He was appointed Minister of Natural Resources in the first independent government of Solomon Islands in 1978, and subsequently became Deputy Speaker in 1980. From 1984–87, he was the Minister of Foreign Affairs. He has held the presidency of the ACP (African, Caribbean, Pacific States) and was also co-chairman of ACP/EEC. In addition to his parliamentary duties, Mr Tovua is also Chairman of the Electoral Commission. He was educated in Solomon Islands and Australia. He was a member of the Commonwealth Observer Group to Pakistan in October 1993.

HE Mr Mohlabi Kenneth Tsekoa (Lesotho)

HE Mr Mohlabi Kenneth Tsekoa is the High Commissioner of Lesotho to Britain, concurrently accredited to Portugal, Spain and Ireland. From 1978–84, he was the Director of the Lesotho Distance Learning Centre and went on to become the Deputy Permanent Secretary of the Ministry of Education. In 1986, he was appointed its Principal Secretary, serving until 1989 when he was made High Commissioner to Britain. Mr Tsekoa was educated at the University of Botswana, Lesotho and Swaziland, the University of Newcastle-Upon-Tyne and the University of Massachusetts.

The Hon Michael Tshipinare (Botswana)

The Hon Michael Tshipinare is a Member of Parliament for the ruling Botswana Democratic Party and from 1984–91 was the Assistant Minister for Local Government, Lands and Housing. He started his career as a schoolteacher in Gaborone and later became the Chief Executive of the Southern District Council. He left government service to join the private sector in 1979 before standing for elections in 1980. He was educated in Botswana and Britain.

The Rt Hon the Lord Weatherill (Britain)

The Rt Hon the Lord Weatherill is the former Speaker of the House of Commons. He has been active in politics for well over 47 years, beginning with his appointment as First Chairman of Guildford Young Conservatives in 1946. Between 1964–92, he was the Member of Parliament for Croydon NE. His political career culminated with his election as Speaker of the House of Commons in 1983, a position he held until 1992 when his term ended and he was appointed a Life Peer. Lord Weatherill has also worked with Her Majesty the Queen's Household as Vice-Chamberlain, Comptroller and Treasurer in the early 1970s. He was Deputy Chief Government Whip (1973–74) and Opposition Deputy Chief Whip (1974–79). From 1979–83, he was Chairman of Ways and Means and Deputy Speaker. He has also been the Chairman of Commonwealth Speakers and Presiding Officers and President of the CPA.

Miss Loren A Wells (Canada)

Miss Loren Wells is Assistant Chief Election Officer, Elections Ontario. She has an extensive background in electoral administration at both the federal and provincial levels. At Elections Ontario, she assists the Chief Electoral Officer with all aspects of the electoral process, including the conduct of polling, training of election officials and the dissemination of information to the public. Her international experience has taken her to Haiti, Lesotho, Comoros and South Africa on assignment for the Organisation

of American States, the United Nations Centre for Human Rights, the International Foundation for Electoral Systems and the National Democratic Institute. She has also prepared reports for the Canadian Government on the electoral process in Ghana and Russia. Miss Wells was a member of the Commonwealth Observer Group to Pakistan in October 1993.

Ms Janet Willwerth (Canada)

Ms Janet Willwerth is Chief Electoral Officer (Acting) of Elections Nova Scotia.

Ms Susanne Wood (New Zealand)

Ms Susanne Wood is a former president of the National Party of New Zealand (1982–86). She is now managing director of her own consultancy firm which specialises in communications management. Ms Wood has been an international observer at the Philippines elections (1986), the Chilean Plebiscite (1988), and the Romanian and Pakistan elections (1990) and the Pakistan elections again in 1993.

Tan Sri Zain Azraai (Malaysia)

Tan Sri Zain Azraai is chairman of Malaysia Airlines (MAS) and of related companies. He is also chairman of Malaysian Industrial Development Finance (MIDF), Malaysian International Merchant Bankers, Orient Bank and MIDF Consultancy and Corporate Services. He began his career in the civil service and rose to become the Principal Private Secretary of the then Prime Minister of Malaysia. He was later appointed Malaysia's Permanent Representative to the UN and Ambassador to the United States. He was also an Executive Director of the World Bank, representing the South-East Asia Voting Group. He later became Secretary-General of the Malaysian Finance Ministry. Tan Sri Zain has a Master's degree in philosophy, politics and economics from Oxford.

Mr David M Zamchiya (Zimbabwe)

Mr David Zamchiya is a lawyer with much experience in the political, legal, electoral and constitutional affairs of his country dating from 1966 when he became a full-time worker for the ZANU party. From 1972–78, he served in the Zambian Ministry of Legal Affairs as State Advocate and then Parliamentary draftsman. At Zimbabwe's independence in 1980, he was appointed a member of the first Delimitation Commission drawing up the boundaries for constituencies for the 1985 elections. He was appointed Permanent Secretary in the newly created Ministry of Legal and Parliamentary Affairs in 1982, which, two years later, was combined with the Ministry of Justice. He held the position until 1989 when he was appointed Senator and Chairman of the Senate Legal Committee (1989–90). He is currently a director of several companies, including Barclays Bank of Zimbabwe, and deputy chairman of Air Zimbabwe. He was educated at Bristol University and the London School of Economics, and qualified for the Bar at Gray's Inn. Mr Zamchiya was a member of the Commonwealth Observer Group to Lesotho in March 1993.

SECRETARIAT SUPPORT STAFF

Mr Max Gaylard (Team Leader)
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Mr Clive Banson (Australia)
Ms Sue Best (Britain)
Mr Vic Butler (Britain)
Ms Pam Charteris (New Zealand)
Mr Kwame Damoah-Agyemang (Ghana)
Mr Victor Doku (Ghana)
Mr Pius Dunaiki (Namibia)
Mr M Farathullah (Pakistan)
Ms Agnes Gambura (Zimbabwe)
Mr Gerry Johnson (Britain)

Mr W Lawton (Britain)
Major C Mabhumbo (Botswana)
Ms M Matete (Lesotho)
Mr Morgan Ncube (Zimbabwe)
Mr Ephraim Ndebele (Zimbabwe)
Major G Ndebele (Zimbabwe)
Ms Jean Satterwaite (Britain)
Ms Linda Shumba (Zimbabwe)
Ms Theo Sowa (Ghana)
Ms Gladys Teske (Canada)

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Mr Warrick Hutchings (New Zealand)
Ms Helen Molony (Britain)
Ms Alison Redford (Canada)
Ms Caroline Seagrove (Australia)
Mr David Vetch (Britain)
Mr David Walker (Australia)
Ms Sue Wardell (Britain)
Dr Diana Yach (Britain)

ANNEX II

Arrival Statement of 13 April 1994



National and Provincial Elections in South Africa

Commonwealth Observer Group

News Release

ARRIVAL STATEMENT BY THE RT HON MICHAEL MANLEY
CHAIRMAN, COMMONWEALTH OBSERVER GROUP TO SOUTH AFRICA

We have come to South Africa at the request of the Commonwealth Secretary-General, Chief Emeka Anyaoku, to observe these historic first non-racial democratic national and provincial elections. This follows an invitation by the Transitional Executive Council of South Africa and a United Nations Resolution calling for an international presence at the elections.

We come from over 30 Commonwealth countries, all of which have over the years worked towards the establishment of a non-racial democracy in this country. As Observers, however, we will serve in our personal capacities and not as representatives of countries, governments or organisations to which we may belong. Our broad task here is to observe all relevant aspects of the organisation and conduct of the elections in accordance with the law of South Africa. We will be based in different parts of the country both before and on election day, and we will meet all the contending political parties and other groups who wish to meet us.

We have no executive role. Our function is to observe the process as a whole and to form an impartial judgement. On completion of our task, we will submit a report to the Commonwealth Secretary-General who will make it known to the Government of South Africa, leaders of political parties and thereafter to Commonwealth Heads of Government.

We are honoured to be in South Africa on this historic occasion and welcome the fact that at long last all the people of South Africa will have the right to vote.

Johannesburg,
13 April 1994

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ANNEX III

Schedule of Engagements

Friday 8 April

a.m. Arrival of Observers and Secretary-General

Saturday 9 April

a.m. Arrival of Observers
1000 ANC Rally in Kagiso, West Rand
1800 Welcome Reception by Secretary-General

Sunday 10 April

1400 Briefing by Secretary-General

Monday 11 April

0900 Briefing by Commonwealth Secretariat Staff
1400 Meeting with Independent Media Commission
1530 Briefing by Independent Electoral Commission

Tuesday 12 April

0800 Meeting with Pan-Africanist Congress
0915 Meeting with UN, EU, OAU Heads of Mission
1030 UN briefing on electoral processes

Wednesday 13 April

0800 Arrival of Chairman
0900 Meeting with National Electoral Observer Network
1000 Briefing by political analyst, Mr Andrew Feinstein
1130 Meeting with South African Council of Churches
1400 Chairman's press conference
1530 Meeting with National Peace Secretariat and the Goldstone Commission
1700 Meeting with Democratic Party

Thursday 14 April

1100 Tour of Soweto
1500 Meeting with Inkatha Freedom Party
1600 Meeting with Freedom Front
1830 Chairman's Reception

Friday 15 April

0830 Chairman's Meeting with State President F W de Klerk
0900 Meeting with Human Rights Commission
1030 Briefing by South African Police
1200 Meeting with National Party
1400 Deployment Briefing

Saturday 16 April

1000 NP Rally in Nasrec, Johannesburg
a.m. Observers depart to provincial centres

Sunday 17 April

1000 Observers on provincial-level duties
 IFP Rally at Orlando Stadium, Soweto
 1700 Chairman's meeting with Mr Andrew Feinstein

Monday 18 April

1400 Observers on provincial-level duties
 Chairman visits voting sites in Soweto

Tuesday 19 April

0730 Observers deployed to sub-regions
 Chairman's breakfast meeting with Editors
 1130 Co-ordinating Committee Meeting with UNOMSA, EU,
 OAU Heads of Mission
 1630 Co-ordinating Committee Meeting with Mr Justice Johann
 Kriegler, Chairman, Independent Electoral Commission

Wednesday 20 April

1000 Observers on deployment duties
 Chairman visits Durban
 1100 Meeting with KwaZulu/Natal Peace Committee
 1130 Meeting with Provincial Electoral Officer
 1400 Chairman's telephone conversation with Chief Mangosuthu
 Buthelezi, President, Inkatha Freedom Party
 1430 Visit to Umlazi
 1500 Meeting with Umlazi Mayor, Town Council and Umlazi
 Peace Committee
 1810 Chairman departs Durban

Thursday 21 April

0930 Observers on deployment duties
 Chairman's meeting with Dr Antoine Gildenhuys,
 Chairman, National Peace Secretariat
 1015 Chairman's meeting with Mr Clarence Makwetu,
 President, Pan-Africanist Congress
 1100 Chairman's meeting with Mr Justice Kriegler
 1600 Chairman's meeting with Mrs Christine Stewart,
 Canadian Secretary of State for Latin America and
 Africa and Head of the Canadian Observer Group

Friday 22 April

1005 Observers on deployment duties
 Chairman visits Cape Town
 1115 Meeting with Mr Zach de Beer, Leader, Democratic Party
 1230 ANC Rally at University of Cape Town Campus
 1330 Meeting with Mr Allan Boesak, ANC Premier candidate
 1800 Commonwealth Reception with UN, EU, OAU and IEC officials
 2145 Chairman departs Cape Town

Saturday 23 April

Observers on deployment duties

Sunday 24 April

Observers on deployment duties

Monday 25 April

1130 Observers on deployment duties
Eve-of-Poll Joint Statement Issued

Tuesday 26 April

Special Voting Day
Teams observe voting

Wednesday 27 April

General Voting Day
Teams observe voting

Thursday 28 April

General Voting Day
Teams observe voting

Friday 29 April

1030 *Extra Voting Day for some areas*
Reconciliation of ballots begins in some areas
Teams observe voting and reconciliation
Chairman's Meeting with Mr Nelson Mandela,
President, African National Congress

Saturday 30 April

1430 *Counting Day*
Teams observe counting
Joint Interim Statement Issued

Sunday 1 May

1600 Observers return to Johannesburg
Debriefing by Observers

Monday 2 May

0900 Discussion of Final Report
1200 Chairman's meeting with Mr Joe Slovo, Chairman,
South African Communist Party
1500 Discussion of Final Report

Tuesday 3 May

0900 Discussion of Final Report
1100 Chairman's meeting with Mr Cyril Ramaphosa,
General Secretary, African National Congress
1400 Discussion of Final Report
1600 Discussion on Summary of Conclusions
1700 Chairman's final press conference
Summary of Conclusions and Chairman's Departure
Statement Issued
2000 Discussion and approval of Final Report

Wednesday 4 May

Departure of Observers

ANNEX IV

Deployment of Observers

<i>Teams/Province</i>	<i>Area</i>
PWV	
1. Mr Manley (Chairman) Mr Gaylard Ms Dorall	Soweto
2. Mr Cain Ms Zainah	Soweto
3. Tan Sri Ghazali Dr Bogues	Soweto/Eldorado Park
4. Mr Sharma Dr Anglin	Alexandra
5. Ms Best Ms Sowa	Central Johannesburg
6. Mr Marshall Mrs Lowe-Morna (Team Co-ordinator)	Katlehong/Germiston
7. Mr Zamchiya Mr Dundas	Vosloorus
8. Mrs Soni Mr Abdul Rahman	Thokoza
9. Mr Tiwari Ms Gambura	Daveyton
10. Dr Lyon Mr Ncube	Sebokeng/Evaton
11. Mrs Haines Mr Jensen	Boipatong/Vanderbijl Park
12. Miss Wells Mr Walker	Pretoria/Mamelodi
13. Mr Jacob Ms Wardell	Soshanguue
KwaZulu/Natal	
14. Sir Paul Reeves (Deputy Chairman) Mr Abraham Dr Anafu (Team Co-ordinator) Mrs Mason (Secretary)	Durban/Umlazi
15. Mrs Scarlett Mr Bowman	Ndwedwe
16. Mrs Chitepo Mr Kenyon	Umbumbulu

17. Mr Singh
Mr Templeton Nongoma
18. Mr Mulimba
Major Ndebele Lower Umfolozi
19. Sir Ebia Olewale
Mr Allan Vryheid/Nquto
20. Dato' Pathmanaban
Mr Johnson Pietermaritzburg
21. Mr Ooko-Ombaka
Miss Todd Mpumalanga
22. Professor Chappell
Mr McLean Port Shepstone

Eastern Cape

23. Miss Githu
Mr Mole (Team Co-ordinator)
Ms Kiwanuka (Secretary) East London/Mdantsane
24. Mr Butler
Ms Satterwaite Port Elizabeth/Uitenhage
25. Mr Gara
Dr Hossain Queenstown
26. Mr Kuziak
Major Mabhumbo Umtata
27. Mr Cunningham
Ms Jahangir Umtata

Western Cape

28. Lord Ennals
Dr Coomaraswamy (Team Co-ordinator)
Miss Lee Ling (Secretary) Cape Town/Khayelitsha
29. Mr Thompson
Mr Vetch Cape Town
30. Tan Sri Zain
Dr Yach Mitchell's Plain
31. Mr Peerun
Mr Ruddock Crossroads
32. Mr Ng Kah Ting
Mr Tovua George/Mossel Bay

Northern Transvaal

33. Mr Damoah-Agyemang
Mr Godfrey (Team Co-ordinator) Pietersburg/Tzaneen
34. Mr Gooneratne
Mrs Wood Retavi
35. Mr Maundu
Mr Morris Thohoyando

36. Ms Matete
Ms Molony Nylstroom
37. Mr Ndebele
Ms Redford Sekhukhune

North West

38. Ms Charteris
Dr Kamara (Team Co-ordinator) Klerksdorp/Ventersdorp
39. Mr Mothibamele
Mr Naik Rustenburg/Bafokeng
40. Justice Sauzier
Mr Smith Vryburg/Schweizer-Reneke
41. Justice Ofori-Boateng
Mr Banson Mmbatho

Orange Free State

42. Mr Tshipinare
Mr Imlach (Team Co-ordinator) Bloemfontein/Botsabelo
43. Mr Pilgrim
Mrs Renner Bethlehem/Qwa Qwa
44. Mr Tsekoa
Mr Hutchings Welkom
45. Ms Willwerth
Mr Carter Kroonstad

Eastern Transvaal

46. Mr Daniel (Team Co-ordinator)
Ms Shumba Nelspruit/Nsikazi
47. Mr Atkinson
Mr Farathullah Kangwane
48. Mr Cox
Mr Lawton Ermelo
49. Mrs Neckles
Mr Menke Witbank/Moutse

Northern Cape

50. Mr Seignoret
Mr Dunaiski (Team Co-ordinator) Roodepan/Galeshewe
51. Lord Weatherill
Mr Doku Upington

ANNEX V

Observation Notes, Voting and Counting Observation Forms

COMMONWEALTH OBSERVER GROUP TO SOUTH AFRICA

OBSERVATION NOTES FOR POLL AND COUNT

The Observers may focus particular attention on the following aspects of the conduct of the elections:

IDENTIFICATION FOR VOTING

1. Public understanding of qualifying documentation.
2. Availability of TVCs.

THE CAMPAIGN

1. The extent of access to the electronic media available to all parties.
2. The procedure (if any) for the allocation of time for political broadcasts and advertisements on radio and television.
3. The extent of access enjoyed by the political parties to the media.
4. The tone and content of political broadcasts, advertisements and posters put out by the political parties.
5. The conduct of political meetings.
6. The conduct of house to house canvassing of voters.
7. The voter education programme on radio and television conducted by the IEC etc.
8. Permission for public meetings.
9. Access to printing facilities.
10. Access to funds and sources of funds.
11. Access to state services.

QUESTIONS BEFORE POLLING DAY

1. Are electoral officials confident about arrangements? Are political parties and local notables satisfied?
2. Who are the electoral officials? How were they chosen? Are voters confident they will be impartial?
3. Is the person in the street satisfied with arrangements? Will he/she vote? If not, is he/she afraid to do so?
4. Have all parties been able to campaign freely? Has the campaign been free of intimidation, etc?
5. Is there freedom to advertise and distribute (posters, leaflets, etc)?
6. Are all voting materials secured and guarded before distribution to voting stations?
7. How will voters' IDs be checked? Will it be possible to vote twice?
8. How will those away from home or ill in bed be able to vote?

THE POLL

1. The location of voting stations.
2. Distance travelled by voters to voting stations, particularly in rural areas.
3. The length of time voters wait to cast their votes.
4. The steps taken to ensure that the secrecy of the ballot is assured.
5. The performance of electoral officials at the voting station visited.
6. The procedure followed at the opening of the poll.
7. The adequacy or otherwise of facilities at voting stations and their state of readiness.
8. The adequacy of facilities issuing Temporary Voter Cards
9. The procedures in place to ensure proper control and security of ballot papers, ballot boxes and official seals.
10. The general atmosphere at the voting stations visited.
11. Availability of adequate supplies, e.g. ballot papers, official stamps and pads, invisible ink, etc.
12. Security of ballot papers prior to election and between voting days.
13. Security of ballot boxes after sealing

14. Access of party agents and observers to voting stations.
15. Did the process of marking voters' hands with invisible ink cause any difficulty?
16. Was the mark with invisible ink an effective means of preventing multiple voting?

THE COUNT

1. Inspection of seals.
2. The process of reconciling the number of people who voted, the ballots rejected, spoilt ballots, unused ballot papers, with the number of ballot papers issued.
3. The determination of invalid ballots which are stamped "Rejected".
4. The conduct of the counting officers and their enumerators.
5. The preparation for the Declaration of the Result of the Poll.
6. The facilities for parties and their representatives to witness and verify the count.

VOTING OBSERVATION FORM

Province						
District						
Voting Station Number						
Names and ID numbers of IEOs						
	ID:		ID:		ID:	
Date and duration of visit	Date (tick the relevant box)			Time in (24 hour clock)	Time out (24 hour clock)	
	26	27	28			

(Tick the appropriate box in response to each question)		YES	NO
1. Was the vicinity of the voting station free from:			
a.	campaign materials?		
b.	illegal political activity?		
c.	any form of interference with the free passage of voters?		
2. Were the voters checked for weapons before entering the voting station?			
3. Were there only authorized people inside the voting station?			
4. Were all official voting procedures being applied during your visit?			
5. Did the voters leave the voting station immediately after voting?			
6. Was there a sufficient stock of election materials and supplies during your visit?			
7. Was the situation as reported by party voting agents/IEC monitors/observers normal?			
If not, indicate the nature of the complaint received:			
a.	intimidation		
b.	breach of secrecy		
c.	insufficient election equipment		
d.	obstruction of monitors/observers/party agents		
e.	others		
8. Circle parties which were represented by a voting agent: 1.PAC 2.SOCCER 3.KISS 4.VF-FF 5.WRPP 6.WLP 7. XPP 8.AMP 9.ACDP 10.ADM 11.AMCP 12.ANC 13.DP 14.DPSA 15.FP 16.LUSAP 17.MF 18.NP			
9. Were monitors/observers present from:			
a.	IEC?		
b.	NGOs?		
c.	other sources?		

COUNTING OBSERVATION FORM

Province			
District			
Counting Station Number			
Names and ID numbers of IEOs			
	ID:	ID:	ID:

(Tick the appropriate box in response to each question)	YES	NO
1. Was the vicinity of the counting station free from:		
a. illegal political activity?		
b. any obstruction of the counting process?		
2. Were only authorized people present inside the counting centre?		
3. Were one staff and facilities adequate to ensure uninterrupted counting?		
4. Were the ballot boxes accompanied by a Peace Officer and IEC officials during transit to the counting centre?		
5. Was the official delivery procedure adhered to?		
6. Was the official reconciliation procedure adhered to?		
7. Was the official counting procedure adhered to?		
8. Was the situation as reported by party agents/IEC monitors/observers normal?		
If not, indicate the nature of the complaint received:		
a. failure to respect official procedure		
b. missing or additional ballot boxes		
c. handling of disputed ballots, requests for recount		
d. insufficient supplies		
e. obstruction of monitors/observers/party agents in their work of witnessing and verifying the count		
f. others		
9. Circle parties which were represented by an agent: 1.PAC 2.SOCCER 3.KISS 4.VF-FF 5.WRPP 6.WLP 7. XPP 8.AMP 9.ACDP 10.ADM 11.AMCP 12.ANC 13.DP 14.DPSA 15.FP 16.LUSAP 17.MF 18.NP		
10. Were monitors/observers present from:		
a. IEC?		
b. NGOs?		
c. other sources?		

ANNEX VI

Eve-of-Poll Joint Statement, 25 April 1994

JOINT STATEMENT BY THE INTERNATIONAL OBSERVER MISSIONS
IN SOUTH AFRICA

Statement by the observer missions of the United Nations,
Commonwealth, European Union and Organization of African Unity
Johannesburg, Monday 25 April 1994
11h30

In less than 24 hours, South Africans of all races will at last be able to exercise the fundamental right to vote--for which they have waited so long.

For over 18 months we have closely followed the transitional process. We welcome the recent agreements which have made the process more inclusive, allowing people of all political persuasions to participate in the elections. We hope that they will be able to do so peacefully and without any hindrance.

We deplore in the strongest possible terms the violent incidents in Ulundi on Saturday, in Johannesburg on Sunday and continuing incidents calculated to instil fear in voters.

We wish to emphasize the paramount importance of peaceful conduct during the voting, both at voting stations and in the surrounding communities. Political leaders and voters themselves should strictly observe the Electoral Code of Conduct. They should refrain from any activity which may disrupt the voting. Communities and security forces should extend the hand of cooperation to one another in the interest of maintaining peace and good order.

We unanimously believe that in a very short period, the IEC has achieved an extraordinary feat in the work they have done to prepare for these elections. We have shared with the IEC our observations on the electoral process, in order to enhance the Commission's ability to detect and resolve difficulties. The IEC has been receptive to our comments, which we have always offered in a constructive and supportive spirit. In view of all the constraints that have complicated the IEC's work, and considering the enormous logistical tasks they face, we appeal to all South Africans to be patient and cooperative if they encounter problems, such as the late opening of voting stations, which might make voting a long and tiring exercise in certain areas.

Voters should rest assured that their vote is secret. We welcome the pledge affirming the secrecy of the vote by leaders of political parties last week. We wholeheartedly welcome the resolution adopted unanimously on 20 April by the Multi-Party Negotiating Council under which the parties pledge that they "will accept the results of the election and will abide by the decision of the Independent Electoral Commission in respect of the fairness and freeness of the elections". We urge all parties which have not explicitly endorsed this resolution to do so.

By adhering to this principle, and acting in the interest of peace, democracy and national reconciliation, the people and political parties of South Africa will send a powerful message of national reconciliation to peoples around the world.

ANNEX VII

Interim Joint Statement, 30 April 1994



UNITED NATIONS OBSERVER MISSION
IN SOUTH AFRICA
(UNOMSA)

PUBLIC INFORMATION AND MEDIA ANALYSIS SECTION

UNOMSA/PR/54

P R E S S R E L E A S E

INTERIM STATEMENT BY INTERNATIONAL OBSERVER MISSIONS
ON SOUTH AFRICA'S FIRST NON-RACIAL ELECTIONS

Cite "dramatic reduction in scope and intensity of violence",
and South Africans' "commitment to the end of apartheid and
the transformation to non-racial democracy"

(Johannesburg 30 April 1994) The following is the text of an interim statement on the South African elections, issued by the heads of the observer missions of the United Nations, Commonwealth, European Union and Organization of African Unity:

With the end of voting in these historic national and provincial elections in South Africa, in which all South Africans could vote for the first time, we the Heads of Mission of the UN, OAU, Commonwealth, and European Union election observer groups have jointly agreed an interim assessment of the process up until the end of voting and before counting is completed. Our assessment is based on the work of more than 2,500 election observers deployed throughout the country, under the coordination of the United Nations.

We have benefitted from the work of colleagues representing our organisations who have been in South Africa since late 1992, supporting the peace structures and observing the transition process. They were concerned in particular with the central problems of violence and intimidation.

While the time-frame for these elections was determined in the multi-party negotiation process almost one year ago, the Independent Electoral Commission (IEC) was set up only in December 1993. From the outset it was faced with the extraordinarily difficult task of mounting elections in four months, a task which normally would have demanded much more time. The Commission was required to cater for the entire voting population including the former homelands, and for South Africans overseas.

The people of South Africa clearly demonstrated their commitment to the end of apartheid and the transformation to non-racial democracy by turning out in enormous numbers to vote: most for the first time in their lives. They did so with obvious patience and enthusiasm - and not a little stoicism.

(more)

CONTACT: PUBLIC INFORMATION & MEDIA ANALYSIS SECTION
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Queues formed from the early hours of the first day of voting and at many stations were several kilometres long even before voting began. People evidently felt confident about the arrangements for voting and in particular the secrecy of the ballot. We are satisfied that the people of South Africa were able to participate freely in the voting.

The escalation and spread of violence which was widely predicted and feared did not happen. In a remarkable departure from recent trends there was a dramatic reduction in the scope and intensity of violence during polling. A spate of bombs which led to the brutal and senseless killing of 21 people and injuring of hundreds in the days leading up to and even during the poll failed to intimidate and deter the voters. The voting days themselves were virtually free of any significant evidence of intimidation.

It is not surprising, given the short lead time, to organise the elections and the constant changes typified by the last-minute political decision to place an additional party on the ballot papers, that major administrative and logistical problems were experienced. These included: difficulties in the provision of identity documents, including Temporary Voters Cards; the late recruitment of polling staff; the delayed and constantly changing decisions on the siting of polling stations; shortcomings in the supply, control and delivery of voting materials; and uncertainties, even during the voting days, concerning administrative regulations.

The IEC remained firmly committed throughout to ensuring that every eligible South African who wished to vote could do so. In that endeavour, we maintained a fruitful and open dialogue with the Chairman of the IEC and his fellow Commissioners, who were always responsive to our suggestions.

Constructive intervention of the IEC's own monitoring mechanisms in many cases not only identified the problems but found solutions to them. We were impressed too with the efficiency, dedication and perseverance shown by the many thousands of well trained IEC voting officials.

We also commend the members of the army and the police for their professional approach to the particular demands placed on them, including assistance at critical times with the transport of election materials. We also take this opportunity to express our gratitude to them for the constant cooperation they gave us. We commend the many thousands of peace monitors who contributed to the achievement of a peaceful election.

What we have observed, over the four days of voting from 26 to 29 April 1994, has been a great achievement for South Africa: a people who have, in the past, been systematically separated came together in an historic national expression of their determination to create a peaceful, non-racial and democratic South Africa.

* * * * *

ANNEX VIII

Departure Statement by Chairman, COGSA of 3 May 1994



National Assembly and Provincial Legislatures Election in South Africa

Commonwealth Observer Group

News Release

3 May 1994

**DEPARTURE STATEMENT BY MR MICHAEL MANLEY,
CHAIRMAN, COMMONWEALTH OBSERVER GROUP**

The Commonwealth Observer Group wholeheartedly congratulates the people of South Africa on their achievement in bringing about a fully democratic and non-racial Government.

We salute the statesmanship of South Africa's political leadership. The transitional structures which they established enabled the people to leave behind centuries of discrimination and to begin anew with a government of national reconciliation. The real and undisputed winners were all the people of South Africa who demonstrated to each other and to the world that they could successfully accomplish this historic and momentous transition.

In the body of this document we deal with issues that arose and problems that surfaced which are adumbrated here and dealt with in detail in the main report which will be available by Thursday.

Now to the general conclusions concerning this event which we believe will come to be seen as a hinge of history in South Africa, in Africa as a whole and in the world at large.

For the majority of South Africans, the elections were more than the exercise of democratic choice. Marked by the determined and patient way in which people voted, they were a celebration of freedom which sealed the final demise of apartheid.

In the final analysis, the election represented a free and clear expression of the will of the South African people. The outcome was the result of a credible democratic process which was substantially fair. We do not believe that abuses were widespread or had a determinative impact on the overall result.

We are confident that the new South African Government will want to reinforce impartial and independent mechanisms for analysing

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these difficulties in preparing for the next elections. In nurturing the culture of democracy, there is much to say in favour of maintaining a mechanism for organising and conducting future elections which are perceived to be impartial and independent of government structures.

Our conclusions, now relayed to the Secretary-General of the Commonwealth, complete a long process.

The report provides the key that unlocks the door to renewed Commonwealth membership within whose ranks a warm welcome awaits the New South Africa.

ANNEX IX

Team of International Mediators

Justice H K Bhagwati (India)

Lord Carrington (Britain)

Justice A Leon Higginbotham (USA)

Professor Paul Kevenhorster (Germany)

Dr Henry Kissinger (USA)

Justice Antonio La Pergola (Italy)

Professor Jean Antoine Laponce (Canada)

Dr Washington Okumu from Kenya was appointed adviser to the team.

ANNEX X

List of Registered Parties for National and Provincial Elections

African Christian Democratic Party (ACDP)
African Democratic Movement (ADM)
African Moderates Congress Party (AMCP)
African Muslim Party (AMP)
African National Congress (ANC)
Democratic Party (DP)
Dikwankwetla Party of South Africa (DPSA)
Federal Party (FP)
Freedom Front (FF)
The Green Party (GRP)
Inkatha Freedom Party (IFP)
Islamic Party (IP)
Luso South African Party (LUSAP)
Merit Party (MP)
Minority Front (MF)
National Party (NP)
Pan-Africanist Congress of Azania (PAC)
Right Party (RP)
South African Women's Party (SAWP)
Sports Organisation for Collective Contributions and Equal Rights
(Soccer Party)
The Keep it Straight and Simple Party (KISS)
United People's Front (UPF)
Wes-Kaap Federaliste Party (WKFP)
Women's Rights Peace Party (WRPP)
Workers' International to Rebuild 4th International (SA-WI)
Workers' List Party (WLP)
Ximoko Progressive Party (XPP)

ANNEX XI

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.

ANNEX XII

Letter of 25 April 1994 from Chairman, COGSA to Chairman, IEC and IEC's Response



National Assembly and Provincial Legislatures Election in South Africa

Commonwealth Observer Group

Telephone: (11) 331 1162 - 6
Fax: (11) 331 9337

Suite 4418
Carlton Centre
Commissioner Street
Johannesburg

To: **Justice Johann Kriegler**
Chairman, IEC

From: **Hon Michael Manley**
Chairman, COGSA

Date: 25 April 1994

I wish to bring to your personal attention a number of last minute impressions garnered from our debriefing with the Commonwealth teams last night. They are being raised at the technical level and I urge you to see if a last-minute effort can help with the problems, for example saturation use of the "language" radios could still make a difference.

The points are:

- the perceived need for a last-minute push on voter education, including for election officials, particularly through "language" radio stations, eg. Zulu and Sesotho;
- the need to publicise the location of voting stations in various communities;
- reports coming to us of sometimes poor communication from IEC headquarters to its various sub-structures. For example, we still find many presiding officers who are not clear about the latest changes in procedure and regulations;
- the need to maintain arrangements until the last possible moment for the issue of Temporary Voters' Cards;
- identification of a person in the IEC whom we should contact with very urgent matters which have come to our attention in the course of our observation efforts;
- the desirability of keeping in mind the possible need to extend voting hours.

I would also like to explore with you the possibility of an eve-of-poll visit to IEC headquarters by the Heads of Mission of the four IGOs.

A handwritten signature in cursive script, appearing to read "Michael Manley". The signature is written in black ink and is positioned above the typed name and title.

Hon. Michael Manley
Chairman, COGSA

Independent Electoral Commission

Telephone (011) 353 1406/7

Fax (011) 353 1160

26 April 1994

Hon Michael Manley
Commonwealth Observer Group
Fax (011) 331 9337 (2 pages)

Dear Mr Manley

Forgive our remissness in not responding earlier to your concerned fax received yesterday. I did phone your office earlier today, but found that — as is proper! — you were out at the polls.

Let me give you quick feedback from Judge Kriegler on the points you raise:

- voter education: the points you mention are already in hand and the drive will continue up to the last possible moment
- publicising locations of voting stations: in hand
- poor communications from HQ outwards: we are aware of the problem, which is an inevitable consequence of the last-minute changes we've had — we're doing the best we can
- last-minute issue of TVCs: we've just spent R18 million ensuring this!
- contact at IEC HQ for very urgent matters: our National Operations Centre is there precisely for this: phone 0800-10-10-10, (011) 353 1300, (011) 353 1117 or (011) 353 1118; fax (011) 333 0011. *Please ALWAYS identify the sending agency (in your case COGSA) so that an issue is treated with the seriousness it deserves.*

- extension of voting hours: instructions have been given to all presiding officers to this effect

As to your wishing to visit us what is now some hours ago — the Judge says he would have loved to say yes, but quite frankly we're in crisis-management mode.

Thank you and COGSA for all your concern.

Yours sincerely



Betty Welz

ANNEX XIII

Editorial Guidelines for Broadcasters

Equity in editorial programming

Guidelines for broadcasters

The Independent Media Commission was established, according to its enabling legislation, to contribute towards and promote the creation of a climate favourable to free political participation and a free and fair election (*Section 3*)

The Act identifies the means by which the IMC does this as ensuring equitable treatment of all political parties by broadcasting services (*Section 3(a)*).

The commission has interpreted the Act as directing it to view itself as accountable to the South African public at large - the electorate - rather than to the registered political parties or to the broadcasters, and to ensuring that the electorate has access to full and accurate information on which to base its decisions on April 26-28.

The IMC Act lays down three specific requirements for the treatment of political parties during the election period by broadcasters in their editorial programming. These apply to all broadcasters, public broadcasters, commercial licenses and interim licenses.

The requirements are:

- that the broadcaster "shall afford reasonable opportunities for the discussion of conflicting views";
- that each broadcaster shall "afford [political parties] reasonable opportunity to respond to...criticism" broadcast by that broadcaster; and
- that broadcasters must treat all political parties equitably.

The Commission intends to intervene as little as possible in the normal news and programming operations of broadcasters, and intends giving broadcasters as much latitude as possible in interpreting and fulfilling the requirements laid down in the legislation.

This document is intended as a guideline to broadcasters. These are intended to support and encourage broadcasters' obligations to inform their listeners - who include the overwhelming majority of South Africans - fully and accurately on events and developments in the crucial two months ahead of the elections.

1. **EQUITABLE TREATMENT**

1.1 **Equitable treatment does not mean equal treatment**

The Commission will not expect broadcasters to distort their news values and processes by giving the same weight to small or one-person parties as they do to serious contenders for a place in national or provincial government.

The electorate is entitled to more comprehensive coverage of serious contenders for a place in government.

1.2 Equitable treatment is unlikely to be achieved in a single programme

Each broadcasting service (that is, each radio station or television channel) will be expected to treat parties equitably. This is unlikely to be achieved in a single programme. It can be achieved only over time. Specifically, this means that not all parties have the right to appear on every programme covering a topic or geographic area in which they have an interest.

1.3 Each broadcast service should be consistent in its treatment of contesting parties

Within the loose hierarchy outlined under 1.1, each broadcast service should be consistent in its treatment of contesting political parties and of conflicting viewpoints.

1.4 Broadcasters must seek out information

Broadcasters should recognise their obligation to the electorate to provide a full and accurate record of events and developments. They should not rely on political parties to bring information to them, but should actively seek out information. Failure to do this will give parties with greater resources inequitable amounts of news coverage.

2. NON-PARTICIPATING ORGANISATIONS

This does not strictly fall within the mandate of the Commission. The Commission nevertheless recognises that the requirement laid down in the Act that equitable treatment of participating parties could cause difficulties for broadcasters in their treatment of organisations not directly contesting the election.

2.1 Treatment of non-participating organisations

Broadcasters should note that the Act does **not** require that organisation not participating in the election be treated inequitably or excluded in any way. It is not the function of the Commission to regulate the coverage or involvement in broadcast debates on non-participating organisations.

2.2 Conflicting views

Broadcasters should also note the requirement of the IMC Act that

broadcasters "provide reasonable opportunity for the discussion of conflicting views".

The commission believes this provides adequately for the inclusion of non-participating political parties and the range of organisations which routinely and as a matter of journalistic convention participate in political debates on air.

2.2.1 Affiliates of participating alliances

When assessing the "conflicting views" requirement, broadcasters should take account of the position of organisations affiliated to alliances registered to contest the election.

These should be treated in the same way as non-participating organisations. They should be included in debates in terms of normal journalistic practice - that is when the topic is one in which they have a material interest. The same principle applies in news coverage of their activities. They should not be included with such frequency that they distort the general principle of equatability between registered, contesting parties.

2.2.2 The issue of non-participation

Non-participation is, in its own right, a legitimate topic for debate. Broadcasters should note, however, that it is one topic among many, and that it is not necessary to afford non-participants an opportunity in all debates to give their reasons for non-participation.

3. RULING PARTIES SHOULD NOT BENEFIT FROM THEIR INCUMBENCY IN GOVERNMENT

During the election period, broadcasters must recognise that elected government officials of local authorities are in a position to use their incumbency to advance their electoral prospects.

It is the responsibility of broadcasters to ensure that they do not become the vehicles by which participants in the election benefit from their incumbency in government.

During the election period, broadcasters should regard with particular caution any statement or action by an official of an incumbent party. In particular, broadcasters will need to ensure that, during the election period, they do not afford the policies or actions if the party were not in government.

The general guideline with regard to broadcasts on matters involving government policy or the actions of government officials is that they should not directly or indirectly benefit any political party or the viewpoint of any political party. Any action or statement which benefits a political party should be recognised as a *de facto* action of that political party, and time be allocated

accordingly.

3.1 Traditional leaders

During the election period, the actions and statements of traditional leaders should be treated with more than usual caution. Any action statement which benefits a political party should be recognised as a *de facto* action of that political party, and time be allocated accordingly.

No action or statement by any civil servant should benefit any political party.

3.2 Civil Servants

No action or statement by any civil servant should benefit any political party.

4. THE RIGHT TO REPLY TO BROADCAST CRITICISM

The journalistic convention that those subjected to criticism should have the right to reply to that criticism is included in the IMC Act through the requirement that each broadcaster shall "afford [political parties] reasonable opportunity to respond to...criticism" broadcast by that broadcaster.

Interpretation of this obligation requires an elaboration of the phrase "reasonable opportunity".

The commission does not wish to force broadcasters to turn their editorial programmes into a series of replies-to-replies. This does not fit with the commission's general approach that audience need for information should be paramount.

The commission intends to distinguish between demands for the right to reply to mild or rhetorical criticism, which properly forms part of the cut and thrust of robust political contest; and demands for the right to reply to criticisms which result in clear and immediate damage to a political party.

With regard to the former, the commission accepts that broadcasters must have the flexibility to incorporate responses into their normal news patterns-when, for example, in the normal course of events they next interview an official of the offended party.

With regard to clearly and immediately damaging criticisms, broadcasters should accept they have a particular obligation to allow the offended party to respond, and should afford that party the earliest and most appropriate opportunity to do so.

When granting political parties the right to reply to mild or rhetoric criticism, broadcasters should not grant parties more time than they would otherwise grant in the normal course of events.

Broadcasters should not allow political parties to use their right to reply to criticism to manipulate or distort the general principle of equatability.

5. AIRING CONFLICTING VIEWS

The requirement that broadcasters give an opportunity for conflicting views to be heard should not be interpreted as a requirement that all parties be heard on any subject; only that all views be heard. Nor is a requirement that all views be heard on the same programme.

ANNEX XIV

International Observer Missions' Poster

SOUTH AFRICA: THE WORLD IS WITH YOU.



We are the international observer missions in South Africa:

**We come from all the regions of the world.
We are for human rights and democracy for everyone.
We are against violence and intimidation.
We are neither for nor against any political party.
We are for free and fair elections.**

On April 26, 27, 28 for the first time, all eligible adults in South Africa will have the right to vote - no matter what their race. The choice is yours.

Your great effort to make this first non-racial election work is appreciated around the world. For this reason, you may see us at voting stations, on the roads, at meetings or voter education workshops.

You are in charge of the elections. Building peace, tolerance and democracy is your job. By being here with you, we hope to help.

YOUR VOTE IS YOUR SECRET



UNOMSA - United Nations Observer Mission in South Africa



COGSA - Commonwealth Observer Group in South Africa



EUNELSA - European Union Elections Unit in South Africa



ECOMSA - European Community Observer Mission in South Africa



OAU - Organization of African Unity Observer Mission

ANNEX XV

Letter of 30 April 1994 from Chairman, COGSA to Chairman, IEC



National Assembly and Provincial Legislatures Election in South Africa
Commonwealth Observer Group

Telephone: (11) 331 1162 - 6
Fax: (11) 331 9337

Suite 4418
Carlton Centre
Commissioner Street
Johannesburg

30 April, 1994

Dear Judge Kruger,

As you are no doubt aware, several voting stations in the East Rand, notably in Thokoza and Katlehong, were seriously impaired by administrative and logistic problems during the elections. To our certain knowledge, at least 75 stations failed to open at all on the first day of voting.

I personally visited a hostel in Thokoza on 28 April and witnessed the problems faced there when the voting queue came to a halt as officials awaited a camera to enable TVC's to be issued.

The Commonwealth had two teams in Katlehong and Thokoza who followed events in the worst affected areas over the two days of official voting. One station - Zonkesizwe - only finally opened late on 28 April, and only continued functioning after my team agreed to stay until the queue that had been waiting to vote for two days had been catered for. Needless to say, by that time many in the area had given up, and some were still awaiting TVC's. At Kwesine hostel, many prospective voters, having obtained TVC's at Germiston late that evening returned to Kwesini to find that the station had closed.

On the evening of 28 April, my team visited your offices to discuss this matter, and were handed a copy of the attached memorandum. The next morning, they found that TVC's were continuing to be issued at some of these stations by IEC officials acting on the authority of the Department of Home Affairs. For those who had received TVC's late on 28 April and the morning of 29 April, not to proceed with the vote would have been unfair and unwise.

I appreciate that, as required by the law, the ballots cast at the stations that opened in the East Rand on 29 April will have be treated separately from the rest. However, I thought that, in weighing how to treat these votes, it may be helpful for you to be aware of the extenuating circumstances that led to these stations being reopened on 29 April. I hope you will decide to accept the affected votes in the National and Provincial totals.



Michael Manley
Chairman
Commonwealth Observer Group in South Africa

Justice Johan Kriegler
Chairman, IEC
41 Kruis Street
Johannesburg



INDEPENDENT ELECTORAL COMMISSION

A FREE AND FAIR ELECTION FOR ALL

41 Kruls Street, Johannesburg, South Africa • P.O. Box 1001, Isando, 1600
Tel: (011) 353-1000 • Fax: (011) 353-1058

MEMORANDUM

Date: April 28 1994
To: Graham Mathewson
cc: Colonel Chris Du Toit

In order to accommodate the vast number of prospective voters that have converged on voting stations, please ensure that the persons who are awaiting the issuance of Temporary Voters Card are deemed to be in a voting station queue. Thus, they should be given the opportunity to vote.

Commissioners: Judge J.C. Krieger (Chairperson), Adv. E.D. Moseneks (Vice Chairperson), Rev F. Chikane, Dr O.D. Dhlomo, Mr J Ma R. Jager, Ms D.N.M. Mokheba, Mr C.D. Nupen, Mrs H. Suzman, Mr B. van der Ross, Adv Z.M. Yacoob
International: Dr J. Eikix (Denmark), Mr R Gould (Canada), Professor W.J. Kamba (Zimbabwe), Ms G McDougall (USA), Dr A. Teke



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