

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)
Mr Carl Dundas (Electoral Adviser)
Ms Cheryl Dorall (Media Adviser)

Assistants to Observers

Mr Stuart Mole
Dr Anthony Bogues
Mr Chris Bowman
Dr Moses Anafu
Dr Indrajit Coomaraswamy
Mrs Colleen Lowe-Morna
Ms Zainah Anwar
Mr Steve Godfrey
Dr Samura Kamara
Mr Andrew Imlach
Mrs Prunella Scarlett
Asst Supt Rosalie McDonald Barker

Administrative Officers

Ms Jean Fryer
Mr Larry Mbazima
Mrs Anita Amoa-Awua

Secretaries

Mrs R A Mason
Miss Charlene Lee Ling
Ms Betty Kiwanuka

COMSA

Mr Abdul Rahman bin Ismail (Malaysia)
Mr Timothy Glanville (Australia)
Major-General Charles Ndiomu (Nigeria)
Chief Supt Peter Stevens (Britain)

COMMONWEALTH TECHNICAL EXPERTS

Mr Harry Atkinson (Canada)
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)

EMBASSIES/COMMONWEALTH GOVERNMENTS

Dr Douglas Anglin (Canada)
Mr Chris Carter (New Zealand)
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

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.SOCGER 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 freedom 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
TEL. (011) 331-2311 or 6511; FAX (011) 331-1963, 3990, 2810

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

Suite 4418 ♦ Carlton Centre ♦ Commissioner Street ♦ Johannesburg ♦ South Africa
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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.

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. Mosenke (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. Suman, Mr B. van der Ross, Adv Z.M. Yeeceob
International: Dr J. Eikix (Denmark), Mr R Gould (Canada), Professor W.J. Kamba (Zimbabwe), Ms G McDougall (USA), Dr A. Teje