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REPORT:

**LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW**

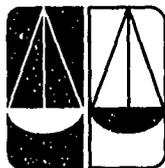
**OBSERVER DELEGATION TO SOUTH AFRICA'S
FIRST NON-RACIAL NATIONAL ELECTION
APRIL 16 - MAY 2, 1994**

**"WITNESSES TO THE BIRTH OF
A NEW SOUTH AFRICA"**

**Johannesburg and Mmabatho,
Republic of South Africa
Written by: Francesca E. Farmer
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June 16, 1994

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June 14, 1994

Keith Brown, Director
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Washington, D.C. 20523

Dear Mr. Brown:

I am pleased to send you a copy of the final report of the Lawyers' Committee for Civil Rights Under Law's observer delegation to the South African election. The report contains the delegation's observations and recommendations and it will be made available to the Independent Electoral Commission of South Africa and interested others. The observer delegation, composed of prominent African and American lawyers, spent over two weeks in the North West province of South Africa observing the conduct of political parties, government officials, security forces and others. The delegation was able to report on activities before, during, and immediately after the April election.

By all accounts, the South African election was a resounding success. Clearly, the courage, patience, and flexibility of the South African people, and the commitment of political leaders and election officials to a democratic future ensured success. International support for the process also made a difference. Thousands of international observers from all over the world took part in the process and South Africans warmly accepted their presence and involvement. Everything possible was done to facilitate the work of the observers. It is no wonder then that South Africa has received overwhelming international support for its new all-race democracy.

In addition to sponsoring the observer delegation, the Lawyers' Committee provided support and coordination for over two dozen United States-based non-governmental organizations which sent observers to the election. The Lawyers' Committee is proud of the role that it played in this historic process and deeply grateful for the support that you have provided to the Election Monitoring Project. We look forward to working with you in the future.

Sincerely,

Ibrahim J. Gassama
Elections Monitoring Project Coordinator

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They came on foot, by combi, and by car; in wheel chairs and in wheel barrows. They came with stout canes, leaning on their children, in their "Sunday best" to celebrate a great day. The young, bursting with enthusiasm and respect for the elders among them, came and helped. They came before dawn and waited with supreme patience in long lines under the hot sun, cloaked in the dignity and determination of those whose improbable dreams are about to come true.

They came knowing whom they wanted to represent them, knowing by heart the names and signs that to them represented liberty, justice and freedom. Whether or not they could read or write, they wanted to make their mark in the place of their choice. And so ... they voted in an atmosphere remarkably free of violence and intimidation and symbols of oppression.

They voted, solemnly and carefully, recognizing the awesome responsibility that each individual has in a democratic system. They voted, and the joy that each new voter showed upon placing his or her ballot in the sealed box was in itself a vindication of the long, protracted struggle for democratic, non-racial elections. For all of us, it was a vivid and moving demonstration of the ennobling character and vitality of democracy.

The US-based Lawyers' Committee for Civil Rights Under Law (hereinafter "Lawyers' Committee") sponsored an observer delegation¹ to the first non-racial, multi-party elections in the Republic of South Africa. The delegation was deployed in various parts of the new North West province, including the former homeland of Bophuthatswana. The sixteen-person delegation, including many distinguished lawyers (from the United States and Africa) who have long been concerned about, and involved in, efforts to end apartheid in South Africa, were privileged to participate in an historic and deeply moving event that changed the political landscape of a country and a continent. The delegation wishes to acknowledge, with deep gratitude, the support of its South African National Electoral Observer Network (NEON) counterparts, election officials, drivers, and the hundreds of others who made the visit to South Africa so memorable.

¹ The Delegation was led by Judge Nathaniel Jones of the United States Court of Appeal for the Sixth Circuit, John Douglas, partner at Covington and Burling and member of the Lawyer's Committee Board of Directors, and Ibrahim J. Gassama, assistant professor of law at the University of Oregon School of law and coordinator of the Lawyers' Committee election observer project. They were assisted by Eve Thompson, staff attorney and Gary Flowers, of the Lawyers' Committee in Washington, D.C. Members of the Lawyers' Committee Delegation and their National Election Observer Network ("NEON") counterparts are listed at Appendix A.

MISSION SUMMARY

The impending democratic revolution in South Africa captured the imagination of the world. For the Lawyers' Committee for Civil Rights Under Law--which for over two decades has worked for the abolition of apartheid and the introduction of democracy in South Africa--it was the end of one era and the beginning of a new dispensation. Mindful of the fact that the successful rejection of apartheid would largely depend on the integrity of the electoral process, the Lawyers' Committee mounted the South African Election Observer Project to assist South Africans in making the difficult and complicated transition from racist autocracy to multi-racial democracy. The peaceful devolution of power in Africa's most developed nation now depended on one historical event: the free and fair conduct of the April elections.

As part of its historical commitment to South Africa, the Lawyers' Committee was determined to help ensure the success of the transition. Its Observer Project, conceived and established by Gay McDougall before she took a leave of absence to serve on the Independent Electoral Commission ("IEC") in South Africa, was guided by Mark Quarterman in Johannesburg and Ibrahim Gassama and Eve Thompson in Washington. The project sought to assist the observing and monitoring of the elections and to provide technical assistance to South African organizations engaged in the observation and monitoring of the elections. The Lawyers' Committee also coordinated and supported American and other foreign non-governmental election observer delegations. With the support of the IEC, the Ford Foundation, and other South African and American organizations, the Observer Project was able to meaningfully participate in the creation of conditions for a free and fair election.

A central component of the Lawyers' Committee's work in South Africa was its election observer delegation which visited the country before and during the election period. A major purpose of the pre-election mission was to assess the overall preparedness for the election in the North West Province which included the former Bophuthatswana. The delegation evaluated the extent to which political parties, the IEC, civic organizations, governmental authorities, and private citizens were engaged in the electoral process.

The delegation sought to establish whether the political and security situation allowed for political mobilization and popular participation. It concluded that in light of the history of repression in the area and despite remaining security concerns, voter education was proceeding reasonably well and that the overall prospects for a substantially free and fair election were good. The other purpose of the mission was to digest and synthesize this information to guide the Lawyers' Committee delegation as well as other foreign election observers. The report of the pre-election mission was produced by the Lawyers' Committee and widely distributed to NGO's and policymakers.

The Lawyers' Committee delegation during the election was charged with the responsibility of observing the election in a key part of the North West Province. This mission was crucial in that the commitment of the international community to a free and fair election in South Africa was, in the view of many, the difference between a legitimate election and a compromised process. The presence of international observers throughout the country--and in this case a part of the North West with a high level of white extreme right-wing resistance--told South Africans that an expectant world was keenly watching all sides. Indeed, the presence of the observers proved to be enormously helpful to the many South Africans who, although

committed and diligent, at times, needed the support and expertise of outsiders. On many occasions, the advice of the more experienced observers was eagerly sought and warmly received by many South Africans. Apart from giving confidence to the many voters who had never voted all their lives, the observers helped smooth out many procedural difficulties and irregularities, including assisting with the procurement of ballot papers, resolving diverse logistical difficulties, obtaining crucial information from the IEC and conveying such information to the presiding officers at the polling stations. In the end, the Lawyers' Committee's delegation concluded without any difficulty, that the voting in their part of the North West Province had been substantially free and fair.

I. THE PROCESS

Delegation members engaged in a three-part process. First, the Lawyers' Committee sponsored a pre-election mission to South Africa from March 20-17, 1994. Those participating in the mission met with a broad spectrum of persons and organizations in Johannesburg and the new Northwest province, including the former homeland of Bophuthatswana. The delegation traveled to Bophuthatswana just after the fall of the Lucas Mangope regime (the former dictatorial President of the homeland) due to a popularly-supported uprising by local citizens who were opposed to conditions within the homeland and anxious to participate in the upcoming national elections. A summary of the findings of this pre-election missions is attached as Appendix B.

Second, the entire delegation participated in extensive orientation activities sponsored by the Lawyers' Committee in Johannesburg for several foreign observer delegations.² During this orientation, observers were briefed about the legal framework for the election, the work of the Independent Election Commission (IEC), the role of observers, plans for deployment of observers, security and emergency procedures, and the policy positions of some of the 20 separate parties who ultimately appeared on the ballot. Observers also received credentials, an Observer Handbook, other written materials (including several forms for reporting on incidents, complaints, voter station observations, counting stations observations, etc.), area-specific information (such as local IEC and security contacts, voting station locations, etc.), hats, and arm-bands. The orientation also gave various observer delegations an opportunity to review sites and to coordinate with each other, thereby reducing duplication in their field activities. (See Appendix C for examples of orientation materials).

Third, Lawyers' Committee delegation members and their local National Electoral Observer Network ("NEON") volunteer counterparts, observed election preparations in at least sixty-six sites. On-site activities for the three days³ were preceded by visits to announced sites

² Ms. Gay McDougall, on leave from her position as head of the Southern Africa Project of the Lawyers' Committee, and the only American among five international members of the IEC, facilitated the orientation session before having to leave for the Natal/KwaZulu province--her geographic area of responsibility for the IEC--to preside over selection of additional polling stations due to the late entry of Inkatha Freedom Party into the elections. Mark Quarterman, Lawyers' Committee Project Manager and Leticia Martinez, coordinated the work of the Lawyers' Committee in South Africa.

³ The North West province was not one of the provinces selected for extended voting on April 29. Voting was conducted at selected sites on April 26 (for elderly and disabled voters) and general voting occurred on April 27 and 28 for all voters. Lawyers' Committee delegation members were particularly moved by the special voting day and will long remember vivid scenes of elderly and disabled persons, many of whom had never expected to vote in their life-times, patiently waiting in extremely long lines to cast their first ballots. Delegation members observed special voting in prisons, hospitals and homes for the aged (including many that were still segregated).

to "map-out" routes for team activities during the election. These pre-election visits, also jointly conducted with NEON members, on occasion resulted in the addition of new sites because of concerns about potential problems or constraints to free and fair voting expressed by local residents, NEON or IEC contacts. Among the specific concerns were: a) voting by workers and pensioners on large farms; b) AWB ("Afrikaner Weerstandsbeweging," a para-military organization of extreme right-wing Afrikaners) strong-holds and activities within the area; c) remote areas that could present logistical challenges to the IEC.

Working in teams of four persons (two Lawyers' Committee observers, a NEON observer and a South African driver), sites were visited and revisited in sequence. The observers coordinated within the delegation to maximize coverage and reduce duplication. They were able to cover the most urban and most rural parts of Molopo-Ditsobotla-Lehurutshe area, stretching hundreds of kilometers from Supingstad, 10 miles away from the border with Botswana, to Lichtenburg and Itsoeng. Each site was visited at least twice and some as many as three to five times to observe the progress of voting and to ensure that problem areas, such as ballot or equipment shortages, lack of adequate personnel (such as IEC monitors) and procedural disputes (such as what to do if ballot boxes or IFP stickers did not arrive) were addressed and resolved.

II. SPECIFIC FINDINGS

Therefore, based upon in-depth delegation observations of election activities in its assigned area, the following are specific findings about the quality and impact of South Africa's

first non-racial, multi-party election:

- Despite some logistical problems, the voting was "substantially free and fair". By substantially free and fair, we mean that the individual voter was able, notwithstanding some logistical problems, to cast his or her ballot for the person of his or her choice without fear, intimidation, or undue hindrance.
- The NEON volunteer observers were indispensable to the process. Not only were they sensitive and non-partisan interpreters and arbiters of local views, needs or concerns, but they also were invaluable in assisting foreign team members to find obscure rural polling stations, and in providing local language interpretations so that others could understand better what was happening at polling sites. As voters themselves, they also were invaluable in facilitating free and fair voting of an electorate that, in the area covered, was estimated to be mostly illiterate.
- Contrary to initial fears, the security forces -- Bop police and defense forces, South African Police (SAP), South African Defense Forces (SADF) and even emergency and fire department personnel -- not only did not interfere with, or intimidate voters in any way, but carried out their responsibilities with professional, even-handed skill. In addition, they facilitated more speedy distribution of voting supplies, equipment and materials.
- A climate of peace and calm prevailed throughout, despite long lines and some disorganization, especially on the special voting day and the first day of general voting. Voters cooperated with polling station officials and with each other, often devising ways to enable elderly or disabled voters to go first in areas where

special voting was not conducted, or assisting in devising alternative logistical systems such as transporting voters to less busy stations to reduce crowding. Inevitably, polling station officials gained confidence between the first and second day of general voting, with the result that operations were much more efficient on April 28 overall.

- The IEC showed remarkable flexibility, sensitivity and responsiveness in managing the election.⁴ When alerted to systemic problems, they reviewed the situation and promptly issued new guidance. The degree of organization, while not perfect, was commendable, especially since local IEC faced daunting logistical problems, including the relatively late inclusion of Bophuthatswana as a voting area (Mangope had opposed the homeland's participation in the election before his downfall) and the late entry of the Inkatha Freedom Party ("IFP"). Another problem that became evident during the election was a legacy of apartheid: many of the logistical problems, especially shortages, occurred because estimates of the amounts of voting materials needed were based on inaccurate population statistics that often did not reflect the actual number of black South Africans in various communities.
- Voter education and mass media campaigns had been effective. Most voters, even those who were illiterate, readily recognized party candidates and symbols.

⁴ The report from Edward Kwakwa, International Legal Advisor to the Commission on Global Governance (Geneva) made this point. He noted that "...[o]ne of the most interesting things about this election was the speed with which the IEC changed its own rules to respond to obvious failures in the electoral system ..." [citing rules on voting with IFP stickers, non-availability or shortages of election supplies, etc.].

They seemed to understand the voting process and coped well the complex ballot (20 parties) or a two-tier voting process (national and provincial).

- Party observers (based upon a very limited sample, since only the ANC, the Pan Africanist Congress of Azania ("PAC"), the National Party and the Democratic Party, had observers in the area) were generally very cooperative and disciplined though inexperienced and often untrained. They did not engage in any campaigning that was noted by Lawyers' Committee observers and were willing to follow the rules as explained by presiding officers.⁵ At the one polling place where there was a challenge to a party observer's credentials (and not a very substantial challenge since there were no standardized forms or ID cards for Party Observers; most presented xeroxed letters on party stationery), the dispute was quickly resolved and the party observer was admitted.
- Effectiveness and confidence of presiding officers varied widely and it often appeared that election officials (including IEC monitors) were not as well trained as might have been desirable, although all were intent on upholding their interpretation of the primary mandate: "to provide an environment conducive to free and fair voting." Some Lawyers' Committee observer teams reported being asked to provide technical assistance to IEC officials at voting stations and to re-state or interpret IEC rules, especially with regard to the following areas: assisted voting (a major issue in an area with high rates of illiteracy), the presence and

⁵ However, according to the Richardson, Burns, and Mosiane team, in at least one instance in Lehurutse Community Hospital on April 26, party observers attempted to overwhelm a presiding officer and claimed the right to accompany some voters to the booths to assist them. This was halted by IEC monitors supported by Lawyers' Committee observers.

role of observers (party, international and local), procedures for constructing and sealing ballot boxes, and--subsequently--the IEC's new directives about IFP stamps and what to do if certain materials (e.g., ink, stamps, ballot boxes) were insufficient (see Appendix D).

Lawyers' Committee and NEON observers generally limited their role to observing the process to make sure that the presiding officer or IEC monitor (the only two polling station officials or persons authorized to assist voters other than an independent person of the voter's choice) accurately reflected the voter's choice in marking the ballot. In most of the very rural polling stations, polling officials were under great pressure due to the number of persons requiring or requesting assistance.

- There were problems with obtaining Temporary Voting Cards but they did not seem to have made a significant impact on voting in the areas we covered. Voters who needed cards were not always sure when or whether mobile stations would arrive or where other, more permanent stations were located. However, two of our teams observed reasonably successful attempts by the IEC to address these issues. The first was a same-day card issuing system at Phakedi High School in Lecufontein. There, voters needing cards were sent through a separate line in another part of the school to obtain them before voting. At another Temporary Voting Card issuing station in Lehurutshe, another team saw a "model of efficiency."⁶

⁶ Report of George Lindsay (May 19, 1994) on behalf of his team, at page 17. The report notes: "The line was long but moving rapidly. They had an electronic camera wired to a computer. As the voter's picture was taken, it appeared on the screen on a facsimile of the temporary voting card and, as an

- Campaigning seemed limited, but it may be that there were few activities to observe by the time the observer delegation arrived in Mmabatho, capital of the former Bophuthatswana. Several observers did go to a sparsely attended (approximately 2-3,000 persons) near Motswedi (home village of former president Mangope) that was addressed by Winnie Mandela. The rally was orderly and peaceful. The only other campaigning observed were signs for the participating parties. ANC signs predominated in rural villages and black townships, while larger towns like Zeerust and Lichtenburg had a mixture of signs--with those for the NP, the Democratic Party and the Freedom Front (a party representing conservative whites who wanted a white homeland) predominating.

III. BOPHUTHATSWANA: AN AREA IN TRANSITION

This former homeland had its statutory origins in the 1959 "Promotion of Black Self-Government Act". Along with Venda, Transkei and Ciskei, the estimated 2 million predominantly Tswana speaking residents of this area (although some population estimates go as high as 4 million) joined over 7 million more South Africans who were "denationalized." In 1977 the process went further in Bophuthatswana when then President Mangope, with the permission and encouragement of the South African government, declared the homeland's

operator typed in the name, age, and other data on the computer keyboard, that data appeared at the proper places in the facsimile card on the screen. At the end, one button was pushed and the card was printed on a laser printer. This was not what I expected to see on the Bophuthatswana border. Of course, we are aware of the charges and countercharges of fraud, particularly in Natal. But there was none in our area that we could discern."

independence from South Africa, thereby cementing the loss of South Africa citizenship by its people. Bophuthatswana is overwhelmingly rural, with almost 85% of its residents living in the most rural parts of its twelve districts. The land is not particularly fertile (though it is a center of platinum mining), and per capita income is low. "Independent" Bophuthatswana depended upon "commuters" or persons working in South Africa for 46% of its total income.⁷

Bophuthatswana had a "troubled" existence, with an authoritarian government that routinely violated human and civil rights. The Mangope regime was accused of summary dismissal of opponents or activists from the civil service; harassment, intimidation, banning and deportation of political opponents; intimidation of students and faculty at educational institutions⁸; repression of free political activity by law, suppression of meetings, including peaceful ones concerning voter education, by force,⁹ and state-sponsored torture, detention and killings of political prisoners.⁹

Problems intensified in March, 1994, just before the Lawyers' Committee pre-election mission because of an increasingly restive citizenry demanding its right to participate in the upcoming South Africa election--made possible by the "Restoration and Extension of Citizenship Act of January 1, 1994, that restored full South African citizenship to all "homeland" residents--

⁷ Excerpts from Lawyers' Committee briefing materials and "Conflicts at the Crossroads in Bophuthatswana," Anthea J. Jeffrey, (South Africa Institute of Race Relations, Johannesburg, 1993).

⁸ Letter of the Lawyers' for Human Rights National Directorate to the Transitional Executive Council and the Independent Electoral Commission, 18 January, 1994.

⁹ Amnesty International "South Africa: Hostages to a Rightwing Agenda-Human Rights violations against Bophuthatswana residents on the eve of the south African elections." 11 March, 1994. London, England

⁹ Africa Watch "South Africa: Out of Sight. The Misery in Bophuthatswana." 16 September, 1991. Washington, D.C., USA.

despite Mangope's announced intention to boycott it. This "stand-off" was one reason why the Lawyers' Committee decided to concentrate its attention on Bop, anticipating a "difficult and violent political climate--one that would hinder independent political activity. . ."

Events that brought about the collapse of the Mangope government --utilization of the security forces to repress demonstrators, the right-wing vigilantes who rushed to Mangope's defense, killing at least 20 persons and the killing of three right-wingers by the Bop security forces; and the dramatic change of side by the Bop police and security forces--reinforced the view that the upcoming election would be contentious. There was also concern that disorganized local civil authorities, trying to recover from the unrest, would not be able to cope with the complex logistical and other demands of conducting free and fair elections.

¹¹ Dr. Makau Mutua, Projects Director, Human Rights Program, Harvard Law School, "South Africa Prepares for the Democratic Challenge: The Report of the Pre-Election Mission." Lawyers' Committee for Civil Rights Under Law [Undated] Dr. Mutua goes on to state: "But as it turned out, a popular uprising, spurred initially by an insecure civil service, exploded into an open revolt, causing the implosion of the repressive authority on March 11. The following day, the South Africa government and the Transitional Executive Council (TEC) sent in the South Africa Defense Force (SADF) to restore public order and curtail widespread looting.

On March 14, the South African government and the TEC appointed Messrs. van der Walt and Mokgoro joint administrators of ex-Bop, effectively bringing Boputhatswana under South Africa control. On March 16, the joint administrators, acting under powers conferred on them by the government of South Africa, issued a decree suspending the Republic of Bophuthatswana Constitution Act, 1977.

As it turned out, one of the unpublicized "success stories" of the South African election was how the IEC and Bophuthatswana residents responded to the challenges of conducting and participating in the election. Contrary to earlier fears, there was no evidence of violence, inter-factional fighting, or intimidation by public or private parties.¹² The IEC, using local resources, was able to identify areas where polling stations should be placed within a very short time. Clearly, there were substantial problems in accurately estimating the number of potential voters and in developing an efficient and reliable election materials supply and distribution system. The IEC on the whole did its job and it was helped immeasurably by the overwhelming positive local sentiment in favor of voting.

IV. OBSERVER ACTIVITIES

A. INTERNATIONAL OBSERVERS

The final number of international and local observers probably cannot be completely verified. It was reported, however, that: a) at least 88 countries were represented by almost 1,500 observers; b) the United Nations sent over 2,000 observers; c) there were at least 5,000 other NGO observers (International and South African); and d) at least 15,000 "Peace Monitors" were trained and deployed to the more than 9,000 polling places.¹³

As far as the Lawyers' Committee delegation could determine, there were at least five

¹² The Yakpo/Farmer/Sebego team, reported that a Chief in Supingstad was said to be in hiding and that another former leader near Braklaagte (a site where there were forced removals, subsequent resistance to Mangope government authority and the homelands policy, and initial skepticism about whether participating in the election would be possible--the areas not surprisingly became an ANC stronghold) was allegedly burned out and killed.

¹³ The Star. "Observers Call for Restraint." April 26, 1994 at page 7 and The Citizen. "20,000 Pairs of Eyes Watch for the World". [quoting Gay McDougall] April 27, 1994 at page 11.

other international observer groups in its primary area of deployment (Molopo, Ditsobotia, and Lehurutshe districts of the former Bophuthatswana); this did not include other parts of the new Northwest Province such as Klerksdorp and Rustenberg. These groups represented the following organizations:

- United Nations
- International Association of democratic Lawyers
- European Union
- African American Institute
- Organization of African Unity

The observers from the Lawyers' Committee and these groups were deployed in an area served by over over 150 separate polling stations. During visits to polling stations, whenever Lawyers' Committee teams encountered other observers, information was exchanged about routes and issues so that duplication could be avoided and allowable assistance provided. In some instances (such as with the AAI observers), information was shared more formally by inviting them to Lawyers' Committee briefings and meetings.

B. ON-SITE ACTIVITIES

On April 21, after traveling over four hours by road from Johannesburg to it Mmabatho headquarters, the Lawyers' Committee delegation immediately made contact with the local IEC and NEON offices. Security contacts also were established and a subcommittee composed of Judge Nathaniel Jones, Ms. Margaret Burnham, and Mr. Haywood Burns, was established to

serve as liaison between the delegation and local security forces. Liaison with the IEC was provided primarily by Mr. John Payton, Mr. Henry Richardson, Mr. Peter Connell and Mr. Robert Kapp. The delegation agreed to the following on-site operations:

- Pre-election review of sites and routes.
- Daily updates from the IEC and security forces (although security proved to be less of a problem than originally anticipated, it remained a continuing concern).
- Daily team meetings (including NEON observers and drivers whenever possible or necessary) to share experiences and facilitate coordination.
- Follow-up meetings by some team members with contact groups identified during the pre-election mission. Jayne Michuki, served as liaison with the local Women's Forum, an activist group that provided some key personnel and support for election activities and Emil Yakpo served as liaison with local lawyers and the academic community.
- Establishment of a "contact center" at the hotel monitored by Ibrahim Gassama and Eve Thompson.

The operational plan generally worked as expected, and observer team members were able to get new information at the earliest possible time and to communicate problem areas or issues needing resolution to appropriate bodies with dispatch. It also facilitated coordination, reduced duplication in sites selected and sharing of strategies and techniques. At the same time, teams had a high degree of autonomy when in the field and basically set their own schedules and agendas once polling stations to be observed were identified.

1. NEON and its Volunteers

NEON, a non-partisan volunteer network, was created by South Africans civic organizations to recruit, train and deploy "responsible citizens as election observers in South Africa."¹⁴ The network used principles of recruitment and deployment modeled on those used by the IEC. Many of the thousands of NEON volunteers were deployed alongside IEC monitors and international observers throughout the country. While it is unclear how many NEON monitors were finally recruited, trained and deployed, it is clear that NEON achieved its fundamental purpose of helping to ensure a free and fair election. The NEON observers assigned to the Lawyers' Committee delegation were impressively familiar with the area of deployment. Many of them were born, or worked, in the places to which they were assigned. Their knowledge, sensitivity, patience, and energy enhanced the contribution of the Lawyers' Committee delegation. Indeed, they and the drivers were indispensable to the success of the mission.

2. Sites Selected

The local IEC provided the delegation with provisional lists of polling stations which, after consultation with NEON, were divided among the teams. After the first day of site visits and based largely upon advice from NEON team members, sites were added and dropped as appropriate. The following is a chart showing 66 sites selected for coverage by our teams; during the three days of the election, other sites were added on an ad hoc basis if developments indicated it was important to do so. Factors influencing this decision included time, proximity,

¹⁴ NEON "Statement of Intent and Roles and Objectives." Johannesburg, S.A. [Undated]

identified problems, and lack of coverage by other groups.

Some of the sites were remote. The distance covered ranged from a radius of approximately 30-45 kilometers from Mmabatho to over 200 kilometers away. Most areas except those in the immediate Makefing/Mmabatho vicinity were extremely rural, with small towns or villages surrounded by sparsely populated locations in which farms and ranches were found.

TEAMS (INCL. NEON)	SELECTED ROUTES
Douglas/Kwakwa/Ikgopoleng	Ramosadi; Makgobistad; Disaneng; French Dale; Masutlhe; Totonyane; Lokaleng; Montishiwa; Boratshidi Tribal; Lekoko; Bophelong Hospital; Mmabatho Civic Centre; Moletsamongwe; Molema; Molopo Administrative Office.
Burnham/Jones/Jabanyane	Lekoko; Modibe (Primary and Middle Schools); Modimola; Bathobatho; Mareestsane Clinic (E.E. Centre); Mosekare (Middle School), Village of Munshowng).
Lindsay/Michuki/Kukama	Victoria Hosp; Rotarus Old Age Home; Mareetsane; Rooigrond prison; Tsetse Tribal Ofc; Ikopeleng; Miga-Prim. Sch; Makgokgwane; Botshabelo; Poosedumane; Borakalalo; Ottoshoop.

TEAMS (INCL. NEON)	SELECTED ROUTES
Richardson/Burns/Mosiane	Lehurutshe Comm. Hosp. & Civic Centre; Rooigrond prison; Dinokana Science High School & Tribal Office; Khunotswana; Gopane Primary Sch. & Tribal Auth; Amitsiri; Phakedi; Police station, Lehurutse; Puana, Barnabakae, Alebele, and Phukudu Primary Schools.
Yakpo/Farmer/Segego	Braklaagte (2 Schools); Mmassebudule (Primary School); Supinstad (Tribal Authority Office); Lakogphung (Primary School); Moshana (Tribal Authority Office); Reltpan (Primary School); Leeufontein (Phakedi High School); Swartkopfontein (Primary School).
Payton/Kapp/Malekae-George	Zeerust City Hall; Hemmyirilli Community Hall; Sefatlhane (Primary School); Lehurutshe Civic Centre; Gopane (Tribal Authority Office); Nteeletsdoku (Primary School); Lehurutshe Hospital; Ramotsheke (High School); Kadikhulu (Primary School); Motswili Community Hall; Mmasebudule.
Connell/Mutua/Mogale	Itoseng Magistrate Court; Sathang Primary School; Duplesis Farm; Motlake; Mossiane; Blightville; Boikaano; Lichtenburg Civic Centre; Molopo Adminsitrative Office.

TEAMS (INCL. NEON)	SELECTED ROUTES
Thompson/Gassama/Direko	Logagane; Makgobistad; Boratshidi (Tribal Office); Thutong (Primary School); Signal Hill (Primary School); Lamanyane (Primary School); Ramosadi (Primary School); Koi koi (Primary School); Bophelong Hospital; Mmabatho Civic Center; Sheila; Magistrate Court, Itsoseng; Molopo Administrative Office.

At these sites, lines often were extremely long, particularly on the first two days of voting. Several polling stations opened late because they did not have the requisite materials to begin voting (the case in Braklaagte, Koi Koi, Masuthle, Disaneng, and other sites). In a few cases, some stations did not open at all on April 26 (Gopane Tribal Authority, and Koi Koi, for e.g.). Many Presiding Officers often lacked confidence in their knowledge of electoral procedures, but improved as voting continued. Crowding could have served as a disincentive to voting, but most delegation members noted how calmly and patiently voters waited. Furthermore, the availability of voting on the second general voting day--which was also a national holiday--gave added opportunity to citizens who might have been discouraged on the first two days.

In some places, it appeared that the IEC had grossly underestimated the numbers of persons in a village or township and so did not create enough polling stations or distribute enough election materials. Good examples are Leeufontein and Moshana, where lines of

thousands of voters formed almost at dawn and lasted the entire first day. (It should be noted that neither place was close to a special voting day (April 26) station, so there were many elderly and disabled people seeking to vote on April 27, the first day of general voting.)¹⁵ By the second day, however, local citizens improvised, volunteering in many cases to use private vehicles to take voters to less crowded sites, and assisting the IEC in finding and distributing needed election supplies.¹⁶

At the request of local electoral officials, Lawyers' Committee teams also regularly reported shortages or crowding to local IEC staff encountered on the roads; or to Joint Operations Centers (JOC) staffed by IEC, so that appropriate corrective action could be taken. (During the daily de-briefing, it was clear that on several occasions, teams deviated from planned itineraries by traveling to central IEC offices (such as the headquarters in Mafeking, the JOC, or larger polling stations (such as Lehurutshe Civic Centre) to bring urgent needs to the attention of IEC officials).

3. Security Issues

Security arrangements had been a major preoccupation of IEC and delegation members given the recent volatility in Bophuthatswana. During an early briefing,¹⁷ it was reported that the 7,000 person-strong BOP Police Force was in constant contact with the IEC and was to take

¹⁵ A last minute attempt to open more stations in Lehurutshe was only partially successful.

¹⁶ Reports of John Douglas (May 9, 1994) and Yapko-Farmer [Undated].

¹⁷ Reported to the group by Margaret Burnham, Nathaniel Jones and Haywood Burns who were the Delegation's liaison to local security forces.

the lead in local security operations. It was to deploy 4,000 officers at the 415 polling stations (4 per station during the day and 2 per station during the night). The Bop Defense Force was to serve as back-up at the outer perimeters of polling stations, along with 100 South African Police and 130 South African Defense Force members. Ballots were to be secured each day by IEC officials and the Bop Police.

Citing a lack of trust in the BOP Police and Defense Forces among the people, the heads of local security operations (Brigadier Sakame and Colonel Shore) expected that they might have to rely extensively on the South African forces to deal with major problems. Several potential problems were cited: security in the areas around the AWB strongholds of Rustenberg, Koster, Vendersdorp and Klerksdorp (areas just outside the delegation primary area of coverage); clashes between Mangope loyalists and opponents; clashes among the political parties; and roadblocks by right-wing or other extremists groups.

Fortunately for voters and observers alike, security proved to be largely a "non-issue." In fact, the security forces were ultimately mobilized to augment the IEC's logistical resources, and they deployed helicopters and land vehicles to expedite delivery of ballots, ballot boxes, IFP stamps and other vital election materials. We observed no intramural fighting among political parties and--contrary to expectations--the security forces guarding polling places generally were ignored by voters and officials. We saw no evidence of interference by security forces, nor were they required to eject or interdict anyone in our presence.¹⁸

¹⁸ Richardson, Burns and Mosiane report that they received information of an attempted interference at Puana primary school. Reportedly, the attempt had no effect on voters.

4. Counting Stations

Nine counting stations were located in the delegation's general area of coverage [City Hall, Lichtenburg; Civic Centre, Lehurutshe; Ramotschere High School, Dinokana; Civic Centre, Mmabatho; Embassy Hall, Mafikeng; Blue Circle Centre, and Atamalang Magistrate's Office, Ditsobotla; Administrative Court, and Resource Centre, Madikwe; and Magistrate's Office, Marico. Unfortunately, due to the extra day of voting that was added, most of the members of the delegation could not stay to observe the counting process. Several members of the delegation went to counting stations at Ramotschere, Mmabatho Civic Centre, and Embassy Hall, Mafeking on April 29 but witnessed no counting. Gassama, Thompson and Direko visited the Mmabatho Civic Centre and Embassy Hall counting stations on April 30th and May 1st and observed the beginning of the counting process.¹⁹ However, because of considerable delays--due apparently to inadequate training of officials and communication problems among election staff--even they had to depart before counting was substantially underway.

¹⁹ ". . .the early morning was taken up by the officials checking credentials of prospective counters and party agents and by . . . some preliminary steps at reconciliation of voting station records. We witnessed no actual counting." Report of John Douglas, May 9, 1994.

APPENDIX A:
LISTS OF LAWYERS' COMMITTEE
AND NEON OBSERVERS

**LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW
OBSERVER DELEGATION
SOUTH AFRICAN ELECTION**

Washington office: 202/662-8342 Fax: 202/783-0857
Johannesburg office: (011-27-11) 221-5521 Fax: (011-27-11) 331-5070

John Douglas

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Covington & Burling
1201 Pennsylvania Avenue, N.W.
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Telephone No.: 662-5622
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The Honorable Nathaniel Jones

Co-Chair
Judge, United States Court of Appeals, Sixth
Circuit, former General Counsel of the NAACP
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Fax No.: 513/684-3427

The Honorable Margaret Burnham

Burnham & Hines
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Fax No.: 617/451-2998

Haywood Burns

Dean, City University of New York Law School
at Queens
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Flushing, New York 11367
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Fax No.: 718/575-4482

Jayne Michuki

Kimani & Michuki Advocates
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Harambee Avenue
Nairobi, Kenya
Telephone No.: 227739
Fax No.: 219066

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International Consultant, former director of the
Congressional Black Caucus
c/o Pathfinder International
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Fax No.: 617/924-3833

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Wilmer, Cutler & Pickering
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Eve Thompson

Staff Attorney - Southern Africa Project
Lawyers' Committee for Civil Rights Under Law

Ibrahim Gassama

Assistant Professor of Law, University
of Oregon, School of Law
Elections Monitoring Project Coordinator
Lawyers' Committee for Civil Rights
Under Law

NEON OBSERVERS

1. Louise Kukama
2. Michael G. Sebego
3. Beryl Direko
4. Yvonne Malekee George
5. Stephen Cagang Mosiane
6. Moses Jabanyane
7. Godfrey M. Mogale
8. Jacob Machabe Ikgopoleng

APPENDIX B:
SUMMARY OF PRE-ELECTION
MISSION FINDINGS



Lawyers' Committee for
Civil Rights Under Law

1450 K Street, NW Tel. 202/662-8600
Suite 700 Fax: 202/783-0857
Washington, DC 20005 Bulletin Board: 202/783-0854

Direct Dial:

SUMMARY OF FINDINGS
OF THE LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW
PRE-ELECTION MISSION TO SOUTH AFRICA

March 31, 1994

As part of its South Africa election observing project, the Lawyers' Committee for Civil Rights Under Law ("Lawyers' Committee"), sponsored a pre-election mission to South Africa from the March 20-27, 1994. The mission was undertaken by a delegation of distinguished American and African lawyers (see Appendix A), who met with a broad spectrum of persons and organizations in Johannesburg and in various parts of the new Northwest province, including the former homeland of Bophuthatswana. The main purposes of the visit were to assess the political and security situation and the state of readiness of that part of South Africa for the upcoming election. The decision to focus on Bophuthatswana and surrounding areas was made prior to the fall of the Mangope regime.

This summary of findings will be made available to the Independent Electoral Commission ("IEC") and accredited organizations sponsoring election observers. A more comprehensive report on the pre-election mission will be completed before the election.

The findings of the Lawyers' Committee delegation fall into three general categories: political situation in Bophuthatswana and surrounding areas, security issues relating to the elections, and the electoral preparations of the IEC, government agencies and civic organizations.

Political Situation

The Lawyers' Committee delegation was greatly impressed with the degree of support for the electoral process and the level of anticipation and hope expressed by the people with whom it met. In general, people were optimistic about the future of the country and saw opponents of elections as representing only a tiny portion of the citizenry.

Despite the long history of repression in Bophuthatswana and the deprivations suffered by most of the people of the region, the individuals and groups with whom the delegation consulted demonstrated remarkable faith in the democratic process and abundant energy that could help ease the transition to democracy. There was widespread eagerness to participate in the electoral process and a growing determination to proceed with the election on the stated dates. There was also a concomitant fear that any postponement would be dangerous.

There were significant problems, however. Several of the groups--such as a newly-created Womens Forum in Mmabatho and the Lions Club of Thlabane--lacked necessary experience, basic resources, and access to vital information with respect to the election process in general, and voter education in particular. Others, such as a group of employees of Bop Broadcasting and members of the Crisis Committee in Mmabatho, were still pre-occupied with matters of more immediate concern to their membership--the security of their pensions and pay increases, for example.

In Mmabatho, the delegation met with the new co-administrators of Bophuthatswana separately and was impressed with the positive attitudes with which they were approaching their tremendous task. The delegation was concerned that the heightened grievances of public employees and students might provide fertile opportunities for those unwilling to accept change.

However, the delegation--noting in particular the timely appointment of a new acting police chief for Bophuthatswana and the regular meetings between the administrators and aggrieved citizens--was pleased at the efforts being made to resolve these grievances through mediation and negotiations.

Security Issues

Few of those who met with the delegation seemed to think there was a serious threat of violence that could significantly undermine the election. However, there were many expressions of concern. The posture and activities of the notorious Internal Stability Unit were often criticized. The delegation raised this concern with the new administrators and one of them expressed the belief and hope that the unit would be removed.

The possibilities of violence coming from elements of the Bophuthatswana police and white right wing groups were widely acknowledged but uniformly minimized. Of considerable interest to the delegation was the almost uniform expression of greater trust or confidence in the SADF compared to the other security forces operating in the area.

Electoral Preparations

The electoral challenges facing the IEC, governmental agencies, political parties and civic organizations can be separated into three parts: availability and access to political and voting information, voter identification issues, and election day logistics.

Many barriers to the free flow of political and voting information still exist. While the delegation was impressed with the extraordinary efforts of the IEC to establish itself in the

region, the delegation found abundant evidence of lack of access to essential information about the function of the IEC, and indeed, the general political process. Most of the people the delegation talked to had heard of the IEC--Operation Access vans were quite visible in the main towns--but many were unaware or uncertain of the IEC's considerable resources or its powers to regulate the political playing field. We heard many complaints about violations of the electoral law from people who simply did not know how or where to report such violations.

A common set of complaints concerned the treatment of farm workers in private farms. The delegation heard very disturbing recounting of the various abuses suffered by these people, who generally live in isolated, self-contained communities. There were, for example, stories of farmworkers whose identification documents had been confiscated by their employers, farmworkers who had been provided with "ballots" and told fraudulently that they could vote early, and farmworkers who were given clearly erroneous ballot-marking instructions. In short, these reports indicated that most of these farmworkers have been largely shut out of the political process.

Undoubtedly, the IEC faces a major challenge to try and get campaign and voting information to these people. The delegation recognizes the priority that the IEC already has given to this very difficult matter and simply adds its voice to all those urging the IEC to persist in seeking fair and practical solutions. Several people suggested to the delegation that the best strategy for the IEC would involve enlisting the aid of farmers' cooperatives and greater efforts to verify and publicize the abuses.

The delegation also encountered significant confusion about the proper identification documents required for voting. The delegation was convinced of the need for additional efforts

to both publicize the identification requirements and to ensure that all those in need of appropriate documents get them. Longer hours for home affairs offices and additional mobile vans to process identification requests in rural communities are clearly needed immediately.

Finally, the delegation received expressions of concern about various logistical issues: the location of polling stations, access to polling stations that may be located on private property, and transportation to polling sites on election days. The delegation is convinced from its interactions with IEC officials that they will continue to give proper attention to these issues. The delegation was also convinced that there were many individuals and organizations who could provide invaluable assistance to the IEC once relationships are established.

In conclusion, the delegation came away from its week-long visit grateful for the opportunity to observe the birth and nurturing of a new democratic spirit in a key region of South Africa. The determination of the people to proceed with the upcoming election and the confidence and competence with which the IEC was leading the effort were obvious and laudable. While recognizing the tremendous amount of work confronting the IEC and the people of South Africa, the delegation concluded its pre-election mission hopeful and optimistic about the chances for a free and fair election taking place in South Africa.

Respectfully submitted by,

John W. Douglas
Co-Chair Observer Mission

Ibrahim J. Gassama
Coordinator, Observer Mission

APPENDIX A

LAWYERS' COMMITTEE ADVANCE TRIP TO SOUTH AFRICA

March 19, 1994

John Douglas	Covington & Burling Co-Chair, Lawyers' Committee Observer Team Board of Directors, Lawyers' Committee
Barbara Arnwine	Executive Director Lawyers' Committee for Civil Rights Under Law
The Honorable Margaret Burnham	Burnham & Hines Member, Motsuenyane Commission former Judge Boston Municipal Court
Ibrahim Gassama	Elections Monitoring Project Coordinator Assistant Professor of Law, Univ. of Oregon Law School
Makau Mutua	Director of Programs, Harvard Law School Human Rights Program
Jayne Michuki	Kimani & Michuki Advocates Nairobi, Kenya
John Payton	Corporation Counsel District of Columbia
Henry Richardson	Professor of Law Temple University School of Law
Emile Yakpo	General Secretary, The African Society of International and Comparative Law

APPENDIX C:
ORIENTATION MATERIALS AND
REPORTING FORMS

FOREIGN OBSERVER BRIEFING/TRAINING

**THE GREAT HALL, CENTRAL BLOCK
UNIVERSITY OF WITWATERSRAND**

AGENDA

April 19

09H00	Welcome and Overview of Briefing and training	Gay McDougall Commissioner, IEC
09H15-09H30	Opening Remarks	Justice Johan Kriegler Chair, IEC
09H45-10H30	Legal Framework for Elections Electoral Act Independent Electoral Commission Act Interim Constitution	Adv. Dikgang Moseneke Vice Chairman, IEC
	Discussion	
10H30-11H00	Tea	
11H00-11H15	The Role of Observers	Mr. Peter Harris Chief Director Monitoring
11H15-11H45	The Deployment Plan	Piroshaw Camay Director: Operations & Information
11H45-12H15	Security Briefing	Mr. Charles Nupen Commissioner, IEC
	Discussion	

12H15-12H45	Briefing on Emergency Procedures Discussion	Dr. Ellen Kornegay Director: Intl. Liaison Office
13H00-14H30	Lunch	
14H30-17H00	Meeting with Political Party Leaders Pan Africanist Congress	Ghora Ebrahim Secretary Foreign Affairs
	Keep it Straight and Simple	Claire Emary Party Leader
	African National Congress	Cyril Ramaphosa Secretary General
	National Party	Roelf Meyer Minister, Constitutional Development & Communications
	Democratic Party	Peter Saol Member of Parliament
	Dikwankwetla Party of South Africa	Dr. TK Molepi Party Leader
April 20	Breakaway Groups	
5H30-10H00	The Roles of Observers and the Code of Conduct Voting Procedures Scenarios	
10H00-10H30	Tea	
10H30-11H30	The Reporting Processes Discussion	
11H30-12H30	Distribution of Credentials	
12H30-14H00	Lunch and Regional Caucuses	

4. CAMPAIGN ACTIVITIES FORM

Instructions for completing this form:

- Please be sure to fill in your ID# or name, the region and city, and date
- Indicate your route: all the places you actually stopped to observe
- Complete one form for each campaign day
- For additional forms get the original from your Group Leader and make photocopies at the hotel

ID#/Name _____ Region/City _____ Date _____
Route: _____

A. POLITICAL CAMPAIGN ACTIVITIES:

1. Which event did you attend: rallies or political gatherings?
2. Who was the sponsor/organizer?
3. How many attended the event?
4. Were any women present?
5. General atmosphere?
6. Comment on the presence or absence of campaign literature. Have you seen people actively distributing election information? Which parties were represented?
7. Can you assess how people generally feel about the election to date?

B. INTIMIDATION, HARASSMENT

1. Have you been informed of or witnessed any intimidation related to any of the above campaign activities? If so, provide details and complete Complaint Form.
2. Was there any intimidation or harassment during political events by advocates of any party?

- 3 How were any such incidents resolved? Were such incidents dealt with fairly?
- 4 If permits for public meetings were denied or cancelled, what were the reasons given?
- 5 Which security forces were present (SADF, NPKF, SAP, KZP, etc.) and what did they do?

C. VOTER EDUCATION:

- 1 What evidence do you see of voter education? Is there publicly accessible information about where, when and how to vote?
- 2 Who is the target audience and where are they located?
- 3 Who is conducting the voter education program?
- 4 Was information accurate?
- 5 If advertised as non-partisan, was program non-partisan?

D. MEDIA:

- 1 How do South Africans receive information on the election? Who seems to be best informed?
- 2 To what extent is equal access given to all the political parties, in the press and radio?
- 3 Which newspapers cover election issues on a regular basis, and who are they published by?
- 4 Please monitor South African Broadcasting Corporation (SABC) and Bophuthatswana Broadcasting Corporation coverage of the elections. Does the media appear to unfairly

promote or diminish any political parties?

5. Was the media intimidated or prohibited from reporting freely? If so, how?

6. Did the media influence voters in a positive or negative way?

7. General comments:

5. VOTING STATION OBSERVATION FORM

Instructions for completing this form

- Please be sure to fill in your ID# or name, the region and city, and date
- Complete one form for each voting station you observe
- For additional forms get the original from your Group Leader and make photocopies at the hotel

ID#/Name _____ Region/City _____ Date _____

Province:						
District:						
Voting Station Number:						
Names of IEC Officials						
	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			

(Answer yes or no)
1. Within the vicinity of the voting station did you see:
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. How many voters cast ballots during a 15 minute period?
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

-42

b. breach of secret:
c. insufficient election equipment
d. obstruction of monitors/observers/ party agents
e. other

8. Circle parties which were represented by a voting agent:

PAC	SOCCER	KISS	VF-FF	WRPP	WLP	XPP
AMP	ACDP	ADM	AMCP	ANC	DP	DPSA
FP	LUSAP	MF	NP	MP	IP	WI
NMCDP	GPR	WKF	SAWP	UPF	RP	others

9. Were monitors/observers present from:

IEC
NGOs
Other

10. Which credentials were accepted in order to allow someone to vote?

11. What was the process for ensuring there was no duplication of votes. e.g. spraying and checking of hands and/or ID documents

12. How did Mobile Voting Stations work? Did they keep to the announced schedule? Who traveled with the Stations?

13. Voting Station Number	
---------------------------	--

14. Please comment briefly on any negative replies to questions 1-7:

6. COUNTING STATION OBSERVATION FORM

Instructions for completing this form:

- Please be sure to fill in your ID# or name, the region and city, and date
- Complete one form for each counting station you observe
- For additional forms get the original from your Group Leader and make photocopies at the hotel

ID#/Name _____ Region/City _____

Province			
District			
Counting Station Number			
Names of IEC Counting Officials			
	ID:	ID	ID
Date and duration of visit	Time in (24 hour clock)		Time out (24 hour clock)

(Answer Yes or 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 the staff and facilities adequate to ensure uninterrupted counting?
4. Were the ballot boxes accompanied by a Peace Officer, IEC officials and Party Agents and observers 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?

Did you observe.

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. other:

9. Circle parties which were represented by a voting agent at each stage of vote counting.

PAC	SOCCER	KISS	VF-FF	WRPP	WLP	XPP
AMP	ACDP	ADM	AMCP	ANC	DP	DPSA
FP	LUSAP	MF	NP	MP	IP	WI
NMCDP	GPR	WKF	SAWP	UPF	RP	others

10. Were monitors/observers present from:

IEC

NGOs

other

11. Was the security of the of the Ballot boxes compromised in any way?

12. What was process for sealing and unsealing boxes?

13. Which seals did you observe IEC and/or Political Party(s)

14. Was the security of the counting station compromised in any way?

15. Please comment briefly on any negative replies to the above questions.

7. COMPLAINT FORM

- Please be sure to fill in your ID# or name, the region, city, street location and date
- Each team must complete at least one complaint form daily indicating whether and to what extent violence, intimidation or harrassment was observed
- Please use a separate form for each incident observed
- You may select more than one choice for questions 10-16

ID#/Name: _____ Region/City: _____
Site: _____ Date: _____

1. Did you witness the incident first hand, if not list name and address of witness?
2. Did the incident involve violence (physical attack or destruction of property)?
3. If yes, was it:
a. Severe b. Limited c. Minor
4. Did the incident involve intimidation (threat of violence or other kinds of pressure)
a. Yes b. No
5. If yes, was it:
a. Severe b. Limited c. Minor
6. Did the incident involve harrassment (e.g. chanting speakers down)
a. Yes b. No
7. If yes, was it:
a. Severe b. Limited c. Minor
8. Was it at a:
a. Rally b. March c. Voting/Counting Station d. Other
9. Who perpetrated the incident: Members of a
a. Political Party (specify) _____
b. Security Force (specify) _____
c. Unaffiliated Individual _____
d. Other _____
10. Who was/were the victim(s)
a. Political Party (specify) _____
b. Security Force (specify) _____
c. Observer _____

- d. Media _____
- e. IEC Official _____
- f. Local residents/refugees _____

11. Were security forces

- a. Maintaining Order
- b. Contributing to instability
- c. Absent

12. If present, specify

- a. SAP
- b. NPKF
- c. SADF
- d. KZP
- e. APLA
- f. MK
- g. Other

13. Describe the actual incident/event

14. Was an IEC official informed or aware of the incident? Who? How long did it take to notify her/him?

15. If applicable, to which Act/ Code and section does the above complaint relate:

APPENDIX D:
SAMPLES OF EMERGENCY DIRECTIVES
AND OTHER MATERIALS



INDEPENDENT ELECTORAL COMMISSION

A FREE AND FAIR ELECTION FOR ALL

41 Groote Street, Johannesburg, South Africa • P.O. Box 1061, Isando, 600
Tel: (011) 353-1002 • 926-1000 • Fax: (011) 926-1058

REGISTRATION NUMBER

I 0 0 2 4

**ACCREDITATION FOR INTERNATIONAL
OBSERVER ORGANISATIONS**

Whereas I am satisfied that the LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW (name of organisation)

can assure its observers will abide by the Code of Conduct for Observers, the Electoral Act, the Independent Electoral Commission Act and Regulations promulgated thereunder;

and that the LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW (name of organisation)

has undertaken that its observers receive training approved by the Commission and submit a signed indemnity document;

now therefore declares the LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW (name of organisation)

to be an accredited International Observer Organisation.

.....
PETER HARRIS
CHIEF DIRECTOR: MONITORING

16/3/94
DATE

49

INDEPENDENT ELECTORAL COMMISSION ELECTRONIC COMMUNICATIONS DIVISION

Copy

TEL: 011-353 1000

FAX: 011-353 1280

MEMORANDUM

TO: ALL POC'S Pass to all Regional Directors & all DCA's	DATE: 22/04/94
FROM: P HARRIS	DOC REF: MEM56
SUBJECT: BRIEFING OF MONITORS	

Please include in the briefing of all :

1. Voter Education Posters

Voter Education have requested that posters be taken by monitors and be displayed outside the voting station by each monitor on their arrival at their station. Please ensure that this occurs on all three voting days.

2. IFP Stickers

A request has also been made that all monitors assist with sticking on the IFP sticker at each voting station. Wherever possible can monitors assist with this task without detracting from their own tasks.

Manning

PETER HARRIS

MY



INDEPENDENT ELECTORAL COMMISSION

A FREE AND FAIR ELECTION FOR ALL

41 Kuils Street, Johannesburg, South Africa • P.O. Box 1001, Sandton, 2000
Tel: (011) 353-1000 • Fax: (011) 353-1058

URGENT MEMORANDUM

TO: All IEC Officials and Monitors in Voting Stations
FROM: Peter Harris and Piet Coleyn
DATE: 27 April 1994

Emergency Voting Procedures

Please note that because a number of items that are required for voting are no longer available, the following flexibility can be exercised by the Presiding Officer:

1. If there are no stamps available, Voting Officials are to sign the ballot forms.
2. If there is no ink, they are to sign the voter's identity document as thoroughly as possible so as to clearly indicate that that person has voted. In addition, some form of indelible ink is to be applied to nail cuticles.
3. If there are no more ballot boxes, post office bags may be used in which to empty the boxes. These are then to be sealed with an appropriate mechanism and in addition are to be appropriately tagged.

Yours faithfully


Peter Harris
 Chief Director
 Monitoring Directorate


Piet Coleyn
 Chief Director
 Election Administration Directorate

BEST AVAILABLE COPY

Commissioners: Judge J.C. Krieger (Chairperson), Adv. S.D. Masenka (Vice Chairperson), Rev. F. Chibane, Dr. O.D. Dhlomo, Mr. J.M. Heyne, Ms. R. Jager, Ms. G.N.M. Mkhabe, Mr. G.D. Ntsheni, Mrs. H. Suman, Mr. B. van der Riet, Adv. Z.M. Yacoob
 Members: Mr. J. Duit (Denmark), Mr. R. Boud (Canada), Professor W.J. Kambo (Zimbabwe), Ms. G. McDougall (USA), Dr. A. Tshete (Lesotho)

INDEPENDENT ELECTORAL COMMISSION

URGENT MEMORANDUM

FROM: PIET COLYN, CHIEF DIRECTOR Ref No: DIE71400
 TO: ALL PEO'S, DPEO'S
 DISTRIBUTION: DPEO'S MUST DISTRIBUTE TO DEO'S
 DEO'S MUST DISTRIBUTE TO PO'S
 DATE: 27 April 1994

RE : VOTING WITHOUT I.F.P. STICKERS AVAILABLE

1. Until the I.F.P. Stickers arrive, you are authorised to use the ballot papers as they are.
2. Any person wishing to vote for the I.F.P. can write the name at the bottom of the ballot paper. If he/she is unable to write, he/she should be assisted by the Presiding Officer. If he/she wishes to vote for any other party, he/she must place his cross in the appropriate square.
3. The endorsed ballot papers will be deposited in the normal ballot box. These endorsed ballot papers will be separated at the counting station.
4. The above procedure ceases immediately the I.F.P. stickers are received.

MR PIET COLYN
CHIEF DIRECTOR

1402 1187 7714 1510



MAFIKENG SUB-REGIONAL OFFICE - IMPORTANT TELEPHONE NUMBERS

THIS LIST WAS COMPILED BY CLIFF SMITH - IF YOU DETECT ANY ERRORS OR HAVE ADDITIONAL NUMBERS TO ADD PLEASE GIVE THEM TO KITTY OR CLIFF.

POLITICAL PARTIES

*** A.C.**
Mafikeng (0140) 81 2000

Freedom Party (M.A.P.F.)
Mafikeng (0140) 81 2000
Local Office (0140) 81 2000

A.P.C.
Regional Mafikeng (0140) 81 2000
Mafikeng (0140) 81 2000
Lichtenburg (01428) 21111

B.P.
Mafikeng (0140) 81 2000
Mafikeng (0140) 81 2000

N.P.
Mafikeng (0140) 81 2000
Mafikeng (0140) 81 2000

SECURITY FORCES

J.O.C.
Joint Operations Centre (0140) 81 2000
Mafikeng Air Force Base (0140) 81 2000
Coordinating SACF (0140) 81 2000
SACF elements
Brigadier General SACF (0140) 81 2000
Intelligence # 40000 (0140) 81 2000

BOP. POLICE

Col. Steve George P.R.
Rudd Central (0140) 10111
Mafikeng (0140) 81 06203814
Sgt. Gabebe (0140) 813 113(H)
Col. Short Mafikeng (0140) 81 2945

Letlamo (0140) 633634 305 475
Lichtenburg (0140) 2105 2105 3312 3538 2105
Lichtenburg (0140) 34 2021
Mafikeng (0140) 65 1733
Lichtenburg (0140) 83 2000 1
Mafikeng (0140) 86 3103
Mafikeng (0140) 31802 853 750
Lichtenburg (0140) 82 2000 10
Mafikeng (0140) 82 2000 2
Mafikeng (0140) 32255 32214 32160
Lichtenburg (0140) 64700 63740 41 44
Lichtenburg (0140) 32214 32160
Mafikeng (0140) 65 771 5573 55765
Lichtenburg (0140) 41314 5 51380 4
Lichtenburg (0140) 81 8967
Lichtenburg (0140) 2222 2732 2729
Lichtenburg (0140) 61305
Lichtenburg (0140) 2711 2719 3980 3981
Lichtenburg (0140) 32 005 216 745
Lichtenburg (0140) 2711 21501 21509
Lichtenburg (0140) 82 2000 2
Lichtenburg (0140) 34 475 67 32 556
Lichtenburg 25 200 812

S.A.P.

Zeerust (01428) 21111 Fax 22 617
Lichtenburg (01441) 4 8161.2 Fax 48022
Swartruggens (014262) ask for 2. 437 and 484 for Fax.

PRISONS

Mafikeng (0140) ?
Rooigrond (01440) 84 3000

CIVIL AUTHORITIES

Joint Administrators
Dr. T Van Der Walt (0140) 899 336
(P.A. is Marius Lund)

Mr. T. "Job" Mokgoro (0140) 899 3389
(P.A. is Tom) Fax (0140) 899 335

MAYOR'S OFFICES

MMABATHO (0140) 84 3150
Mmabatho Town Clerk (0140) 81 3636.813710.81 5641.2814

LICHTENBURG

Lichtenburg Town Clerk (01441) 25051

ZEERUST

Zeerust Town Clerk ?



MAFIKENG SUB-REGIONAL OFFICE - IMPORTANT TELEPHONE NUMBERS

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CIVIL AUTHORITIES cont.

MAYOR'S OFFICES

LEHURUTSHE
Lehurutshe Town Clerk

SWARTRUGGENS (014262) ask for ?
Swartruggens Town Clerk (014262) ask for 172

EMERGENCY SERVICES

MMABATHO
Ambulance & Fire (0140) 2 3333
Police (0140) 10 111
Electricity & Water (0140) 2 3333
(0140) 81 114

LICHTENBURG
Ambulance & Fire (01441) 2 5052
Police (01441) 4 8161

ZEERUST
Ambulance & Fire (01428) ?
Police (01428) 21 111

SWARTRUGGENS
Ambulance & Fire (014262) ask for 444,3211
Police (014262) ask for 2 or 437

AFTER HOUR STAFF Only in emergencies!

Chief of Operations
Joe Allers (0140) 81 2696
Joe Nader (0140) 86 3758

Liaison
Cliff Smith (0140) 81 3375

Director Felicia Roberts (0140) 81 2249
*ONLY IN EMERGENCY!!!

P.A. to Director
Kitty Smith (0140) 81 3375

Logistics and Accreditation
Dudu Letlhaku (0140) 81 6521

Investigations and Prosecutions
Mogeng Mogogeng (0140) 26 083

Mediation
Jacob Ketse (0140) 23 907

Transport
Redowan Patel (05398) 616

Voter Education
Thandi Maclean (0140) 86 3106

Lawyers For Human Rights (0140) 81 0702

I.E.C. NUMBERS
Head Office Jhb. 0800 101000

Klerksdorp Provincial Office (081) 207 5111

Rustenberg SPOC (0142) 22958,973013, 973015

Vryburg SPOC (05391) 78 511,71 592

U.N. Observer Team (0140) 86 3514

BOP BROADCASTING (0140) 89 7111/*100

MAFIKENG MAIL (0140) 81 1330, 81 2884

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