

**2024 NATIONAL AND PROVINCIAL ELECTION REPORT
DOMESTIC ELECTION OBSERVATION MISSION**30th May 2024

Introductory background - The KZNCC, SADRA, and SA-DEN constitute an independent voluntary association of faith and civil society organisations in South Africa. These organisations commit to strengthening electoral systems and processes and contributing to higher levels of electoral integrity through their Domestic Election Observer Mission. These civil society organisations are characterised by a joint mission of strategic coordination, facilitation, and networking that encourages provincial and national collaboration on issues of rights, justice, reconciliation, moral reconstruction, and peace in the context of the national and provincial elections. **Our mission is advised by four experts drawn from different provinces. These are Electoral Advisory experts in gender, media, leadership, politics and elections.** We have networked with our international civil society networks, such as ZESN, AU, and the Secretariat for the Electoral Support Network (ESN-SA), and have brought valuable experience and technical expertise to this project.

This mission consisted of 400 mobile domestic accredited election observers. These observers were deployed to the Republic of South Africa's nine provinces: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North-West, and Western Cape.

The mission observed the National and Provincial Elections per the Revised SADC Principles and Guidelines Governing Democratic Elections (2021) and the Laws of the Republic of South Africa. As part of its mandate, the mission engaged key stakeholders in the Republic of South Africa, including the Independent Electoral Commission (IEC), Political Parties, Civil Society Organisations, Academia, the South African Police Service and the Media.

Since February 2024, we initiated weekly workshops and dialogues to mobilise various constituencies such as (i) churches, (ii) farms, (iii) traditional leaders, (iv) tertiary institutions, (v) rural areas and (vi) townships. The mobilisation was to roll out educational sessions on the following areas: (i) Voter and balloting education, (ii) civic and democracy education, (iii) mediation and conflict resolution, and (iv) lobbying and advocacy. Massive preparatory work has been rolled out in all nine provinces and 52 Districts across the country involving nine provincial non-governmental organisations.

This extensive engagement with various sectors of people was through multiple modes of outreach such as (i) workshops, (ii) drama, (iii) music, (iv) poetry, (v) facilitated dialogues, (vi) all media platforms such as radio, newspapers and social media platforms, resulting in massive mobilisation of at least 5 million people for voter registration, greater understanding of importance of voting, increased awareness of rights and responsibilities

of citizens, and the need to elect good political leaders. This contributed to reduced violence as well as deepened understanding of the rule of law, promoting and upholding the independence of the judiciary and promoting the protection of fundamental liberties. In that regard, this election observation project is part of our strategy to contribute towards the deepening of a just and democratic South Africa and the promotion of free, fair, and credible elections as conditions for durable peace and sustainable development.

The objectives of this domestic election observation mission were to:

1. Observe the general elections in the nine provinces and within the framework of the national and regional (SADC) standards governing democratic elections.
2. Promote understanding and awareness of the state of democracy, electoral laws, processes, and human rights in South Africa.
3. Promote principles of democratic governance, including free, fair and credible elections to build sustainable peace in the country.
4. Produce a report which will inform future democratic processes and contribute to strengthening peace-building processes in the country.
5. Deploy 100 trained mediators (10 per province plus a national standby team of 10) to proactively prevent conflicts and violence and manage electoral conflicts where they emerge in the nine provinces.

The mission was led by Bishop Siwali, Executive Director of SADRA, leading a panel of experts drawn from faith leaders, traditional leaders, and academia, all of whom bring a wealth of expertise and experience from various election observation missions in other parts of the African continent.

Methodological approaches - The Domestic Observation Mission employed a multi-pronged information-gathering strategy, which included the following:

- (i) Review of the constitutional and legal framework governing elections in South Africa.
- (ii) Consultative discussions with key stakeholders such as the IEC, political parties, Chapter 9 institutions, particularly the South African Human Rights Commission (SAHRC), Defend Our Democracy, South African Council of Churches (SACC) and other Election Observation Missions such as ZESNE, AU.
- (iii) Networking with civil society organisations with the same vision, these include Kagiso Trust and the University of KwaZulu-Natal.
- (iii) Attending campaigns and perusal of the national and local mass media. In addition, prior to deployment, Observers participated in a mandatory briefing session and workshop co-hosted by the KZNCC and international observer missions.

These various methods enabled the Domestic Observation Mission to gather comprehensive information and critically assess how the 2024 national and provincial elections were managed and conducted.

Observation Findings

Pre-Election Period

i. **Registration** - Following the three voter registration drives by the IEC, voter registration campaigns have been undertaken since February 2024. We note with satisfaction reports that the number of registered voters, especially among youth, increased in this election, even though it is yet to be determined how many of those turned up at the polls. We also note with satisfaction how the IEC managed the voter registration process in the country. Political parties we consulted also expressed satisfaction with IEC preparation and regular consultations. We are concerned that over 10 million potential voters remain unregistered as voters, and we recommend a rigorous and intensified voter registration campaign in preparation for the 2026 local elections.

ii. **Civic and Voter Education** - We noted with satisfaction the various Kagiso Trust-supported voter education and civic information programmes undertaken throughout the nine provinces to enhance citizen

participation and encourage voters to make informed choices. We commend the local Civil Society Organisations for the extensive coverage of voter education activities and wish to encourage continued creative means of disseminating information, especially in remote rural and farm areas targeting traditional, faith and business leaders.

iii. Campaigning and signing the code of conduct – We applaud the political parties for compliance with the code of conduct and encouraging their members to be peaceful. The prevalence of peace and stability during these elections is unprecedented!

We, however, note with concern the apparent intra-party-political intolerance among some political parties and pray that this does not degenerate into violence.

iv. Media fair coverage and fake news– We note with satisfaction the South African Broadcasting Corporation (SABC) for fulfilling the mandate as a public broadcaster that all political parties enjoyed coverage, and commend Newsroom Afrika, eNCA and others for the outstanding coverage relating to elections. The various election-related media programmes and political party debates provided political parties and the public with opportunities to discuss matters of concern to the voters. Comparatively, we noted a few objections. We were concerned about the proliferation of fake news circulated to the unsuspecting ordinary public; for example, the news of stolen ballot boxes in Limpopo or the Hammersdale IEC voting material stories are a dangerous and mischievous circulation of inaccurate information. We recommend support for civil society across the country to activate trackers of fake and deep-fake news so that this is discounted timely and accurate news is circulated.

v. Observation on Amendments of laws - the legal framework and the electoral system were characterised by amendments, for example, to accommodate the introduction of independent candidates at the national elections level. Other rules were set to enhance and adjust the policies governing the funding of political parties and independent candidates. In addition to the Electoral Amendment Act, 2023, which was gazetted on 17th April 2023, as part of the observation, we noted that several legal changes were made late into the electoral cycle. The latest of these changes is the Electoral Matters Amendment Act (Act 14), 2024, which was gazetted on 7th May 2024, just three weeks before election day. The legal changes took effect immediately on the next day, 8th May 2024. Following these late amendments, the stakeholders needed more clarity regarding the determination of the upper limit and the disclosure threshold for donations to political parties and independent candidates. Given the potential of those affected to breach the law and, therefore, attract criminal sanctions, this lack of clarity may have been addressed had the relevant amendments been made within a reasonable time before the elections.

vi. Observation regarding resorting to courts - In these elections, we observed a relatively high level of electoral litigation compared with previous elections. While some saw this as a concern, many stakeholders received "the spirit of going to courts" with relief as this is an indication of stakeholders' trust in the judiciary and the rule of law as well as a belief in resorting to peaceful means to solve disagreements.

vii. Observation regarding electoral court rulings on MK Political Party and Former President Zuma - We noted that taking issues to courts rather than resorting to violence is a new trend. This is encouraged because it is a course that entrenches democracy! The Electoral Court rulings on the ANC-MK case and on political parties' court bid of exclusion from contesting elections attest to the spirit of deepening democracy, accountability, and the rule of law.

viii. Observation regarding significant interest in interpreting section 47(1)(e) of the country's Constitution - This part of the Constitution directly impacted the 2024 elections and was linked to certain high-profile politicians. This part of the Constitution addresses the eligibility or disqualification of a candidate

to the National Assembly where that politician has a criminal record and was sentenced to more than 12 months' imprisonment. We observed that the Constitutional Court provided clarity on the appropriate interpretation of section 47(1) of the Constitution, which assisted voters, candidates, and all stakeholders in appreciating aspects of the requirements for eligibility to stand for election to the country's highest office. The description and explanations provided clarity to stakeholders, and this helped to reduce tensions and violence possibilities.

ix. Security concerns and the stability and peace we witnessed - About 650 areas across the country were identified as hot-spot areas needing close monitoring. Our observers were in most of these areas, and tensions did not escalate to violence and killings. Our observers also witnessed campaigning near polling stations. They observed that the South African Police Service (SAPS) was highly visible, maintaining peace and ensuring safety and security for a conducive electoral environment. The mission observed that the SAPS deployed more resources to high-risk areas such as hostels and other areas identified as hot-spot areas.

Election Day

i. International Vote - We were encouraged by the turnout of the international vote and the impact we think it had on inspiring other citizens inside South Africa to go out and vote.

ii. Special Vote - Out of the total number of registered voters, 1,682,316 were special voters who registered to cast their votes on the special vote day of the 27th and 28th May 2024. According to reports, there were glitches in some parts of the provinces, with special voters not turning up to vote and IEC officials delaying visiting the special voters. In the Eastern Cape, in Umtata, the taxi operators strike blocked roads and blocked voting on the special voting days, thereby robbing voters of their right to vote. We are concerned that only 48% of registered special voters voted on the special vote days in KZN. However, we noted the IEC's commitment to ensuring that all those requiring assistance to vote in their homes were visited.

iii. Main voting day - The online registration of voters was noted as having assisted in increasing the number of young and first-time voters and those in the diaspora. Out of a total population of approximately 62 million, 27,782,477 people registered to cast their votes on 29th May 2024, with 55.23% representing females and 44.77% representing males. Of the 27,782,477, only 16,2 million people voted, and about 11 million could not vote. This implies that more work is needed by IEC and civil society to ensure that all the people who register to vote will, in future, indeed vote.

iv. Calm and peaceful elections - The 400 domestic mobile observers covering 30 polling stations by each team witnessed the country's calm and peaceful pre-election, election day, and the immediate post-election period.

We observed that the polling day was generally calm and peaceful, with no major incidences of violence and intimidation. Typically, it appeared that the electoral machinery operated efficiently and smoothly. Many domestic observer teams reported that voting in their respective provinces and districts progressed well, although some concerns and inconsistencies were noted, especially in some provinces.

v. Problems with machinery and voting materials - Some polling stations opened late. All the provinces reported delayed openings and slow voting due to incompetent electoral equipment and dependency on connectivity. The electricity load shedding and shortage of voters' finger ink were other issues that delayed voting.

vi. Confusion around Section 24A of the Electoral Act - There seemed to be different interpretations of Section 24A, which requires voters to complete a Section 24A form when voting in a different Polling Station

from where they are registered. In some Polling Stations, voters were allowed to vote, while others were sent to the stations where they were registered. On another note, election observers were confused with political-party agents and requested by IEC officials to produce Annexure 4. In this regard, therefore, voter education should be improved. This confusion was observed in various provinces.

vii. Late turnout to vote - The IEC must be commended for its flexibility in insisting that everyone in the queue could vote beyond the voting hours. This implied that many voting stations remained open right into the night.

viii. Gender and elections - Women's representation in political leadership has been declining gradually. This implies that issues challenging women are not likely to be addressed comprehensively and competently. Recognising that the urgency of women is not realised, women withdraw from political leadership spaces. It is recommended that intentional measures be implemented to ensure equitable representation in elections and leadership.

ix. Mediation and conflict management - We celebrate civil society's contribution towards equipping community and faith leaders as mediators of conflicts. This has contributed to peace and stability during the elections.

Our observation conclusions are as follows:

(a) Generally, stakeholders have confidence and trust in how elections are organised and conducted. Most stakeholders believe in the integrity and independence of the Independent Electoral Commission based on their regular interactions with the Commission, expeditious resolution of issues raised, responsiveness and openness to the public.

(b) Despite the late opening of polling stations in many areas and the shortage of voting materials in some polling stations, as soon as the queries were lodged, our observers attest that the IEC responded urgently. Stakeholders were generally satisfied with the preparations made by the Independent Electoral Commission and the security agencies.

(c) Many voters and other stakeholders expressed that not enough civic and voter education was provided by the Independent Electoral Commission (IEC) to alert the voters on the new law reforms relating to the introduction of Independent Candidates (*the third ballot paper*), and the implication of section 24 (A). This was problematic because it contributed to the extremely long voting queues as voters had to travel to other polling stations. This also is said to have contributed to a significant number of voters giving up voting altogether because of frustration.

(e) Media houses were observed to be objective and fair in covering the election activities.

Good Practises To Maintain

We noted substantial good practices from this election that include:

(a) The special voting day provisions enabled many South Africans to vote despite their circumstances.

(b) Transparency of the IEC through its availability to address stakeholders, regular sessions updating communities about elections and answering stakeholder questions.

(c) The signing of the Electoral Code of Conduct, which faith leaders witnessed, was binding on all political parties and independent candidates and a sign of commitment to peace and stability.

(d) The establishment of joint operation centres (JOCs) functioned as early warning systems to inform proactive action for preventing political violence and political killings.

(e) The speedy accreditation process and issuance of accreditation certificates to observers.

Areas for advocacy and improvement:

(1) The government is urged to ensure that substantive electoral law reforms are debated and adopted early in the next electoral cycle to avoid introducing electoral reforms close to voting time.

(2) The IEC is encouraged to facilitate post-election review processes soon after the elections to obtain stakeholder consensus on issues that presented challenges in this current electoral cycle.

(3) The Voter Management Devices presented challenges in many polling stations on election day. The IEC could consider a hybrid of digital voting and a manual voter's roll to be displayed at polling stations so that voters can verify where they are registered.

(4) The issuance of IEC-branded observer bibs/armbands by the IEC needs engagement as it raises questions about the IEC's conflict of interest as well as causes confusion among voters.

We conclude that the elections were professionally organised and held in an orderly, peaceful and free atmosphere. The electorate expressed its democratic choice. Those who sought political office campaigned freely. No substantive political intimidation, harassment or killings were reported. We commend South Africans for the political maturity, tolerance, and calm spirit that prevailed during the 2024 electoral period.

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Coordinator: Dr Themba Khanyile

ltkhanyile@gmail.com

KZNCC Chief Executive Officer: Dr Douglas Dziva

ddziva@kzncc.org.za

SADRA Conflict Transformation Director: Bishop Oscar Siwali

siwali@sadra.co.za

KZNCC Executive Committee Secretary: Bishop Nathi Zondi

Ps.nzondi@gmail.com

KZN Church Leaders; Group Chairperson: + Cardinal Wilfrid Napier

Wnapier01@icloud.com