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***AFRICAN UNION ELECTION OBSERVATION MISSION (AUEOM) TO  
THE REPUBLIC OF SOUTH AFRICA***

***8 MAY 2019 NATIONAL AND PROVINCIAL LEGISLATIVE ELECTIONS***

***PRELIMINARY STATEMENT***

**10 May, 2019  
Johannesburg- South Africa**

## **INTRODUCTION**

1. South Africans went to the polls on 8 May 2019 to elect their representatives for the National and Provincial Legislative Assemblies. These were the sixth consecutive elections held since the introduction of multiparty democracy in 1994 and, therefore, represent a conscious effort towards the consolidation of democracy in the country.
2. The African Union (AU) deployed a short-term election observation mission from 29 April 2019 to 14 May 2019 following an invitation from the Government and the Independent Electoral Commission (IEC) of the Republic of South Africa and as part of its mandate to deepen democratic governance on the continent. The Mission is led by His Excellency Mr. Jakaya Mrisho Kikwete, former President of the United Republic of Tanzania.
3. The goal of the African Union Election Observation Mission (AUEOM) is to make an independent, objective and impartial assessment of the electoral process and, where necessary, make recommendations for improved management of elections in member states, in accordance with key international normative frameworks and national laws.
4. To achieve its goal, the AUEOM undertook consultations with relevant stakeholders such as the IEC, political parties, civil society representatives, security agencies, the media, academics, and international observer groups, to deepen understanding of the state of preparedness and the political context of the elections. It also conducted analysis of the legal framework and political context of the elections, as well as a three-day orientation session for its Observers. On Election Day, the Mission observed 140 voting stations in seven (7) provinces<sup>1</sup>.
5. The AUEOM issues this statement to present its preliminary findings and observations on the management and conduct of the 8 May 2019 National and Provincial Elections in South Africa. As the AUEOM makes this statement, it should be noted that the electoral process is ongoing and there are still important stages to be concluded before the Mission can provide an overall and conclusive assessment.

## **KEY FINDINGS**

### **Political Context**

6. South Africa's constitution provides for the holding of National and Provincial elections every five years. Forty-eight political parties contested the 2019 elections, a significant increase from the 25 that contested in 2014. The elections witnessed a significant broadening of electoral participation as evidenced by the high number of registered voters (26.7 million). The elections were conducted within the context of grievances over land redistribution, allegations of state corruption, protests related to social service delivery and voter apathy among the youth.

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<sup>1</sup> Mpumalanga, Gauteng, Kwazulu-Natal, Free State, North West, Western Cape, and Limpopo.

## **Electoral System and Legal Framework**

7. South Africa has adopted a system of proportional representation where voters only vote for political parties with seats in parliament being apportioned based on the percentage of votes each party obtains at the polls. The Mission noted that the electoral system ensures inclusivity and guarantees that every vote counts.
8. The Mission also noted that the legal framework provides for participation of all South Africans, including the diaspora, homebound voters and prisoners, and is conducive to the conduct of democratic elections.
9. The AUEOM further noted, with appreciation, the passing of the Political Party Funding Act 2018, although it is not yet in force. The Act provides for disclosure of private donations to political parties and places caps on the amount of private funding that a party can receive. When implemented, the law will advance integrity and equity in the electoral process.

## **Election Administration**

10. The IEC prepared and conducted the elections in a professional and transparent manner and in accordance with the relevant laws governing elections in South Africa. Despite concerns from some stakeholders about the competence of the IEC's ad hoc staff at the local level, the AUEOM observed that the elections proceeded generally well and within a conducive environment that ensured citizens exercised their right to vote.

## **Participation of Women, Youth and Persons with Disabilities**

11. The Mission observed progressive efforts to ensure that the rights of participation of women, youth and persons with disabilities in the political processes are guaranteed. In this regard, the AUEOM commends the high participation of women who constituted 55% of the registered voters, 43.7% of candidates and 73% of polling officials. However, only 18.5% of youth in the 18-19 age bracket registered to vote. This calls for serious attention as a significant proportion of first-time voters were apathetic.
12. Equally significant is the improvement made in the infrastructure that enabled persons living with disabilities to participate effectively in the electoral process. These included provision of voting aids such as the Universal Ballot Template for visually impaired voters. Furthermore, the persons with physical disabilities also benefitted from the special voting arrangements.

## **Campaign**

13. The AUEOM took note that the political campaign activities were generally peaceful and that political parties were able to campaign freely and had the opportunity to transmit their messages.

## **Security**

14. With regards to security, the AUEOM observed that arrangements put in place to ensure adequate security for the elections worked well. Security personnel were reported to be visible in 97% of the voting stations observed. The collaboration between the IEC, the security agencies and the participating political parties, through the Political Party Liaison Committees, created a conducive environment for the conduct of the Elections.

## **Media Environment**

15. The Mission commends the media for the important role they played in informing the general public, educating the electorate and communicating the messages of political parties. The AUEOM lauds the prevailing press freedom in South Africa and noted with appreciation the way the state broadcaster accorded equitable coverage provided to the political parties. The Mission welcomed the efforts made by the IEC to combat disinformation on digital platforms.

## **Special Voting**

16. The AUEOM observed the Special Voting that was conducted on 6 and 7 May 2019. Overall, the process proceeded well. The Mission commends South Africa for creating this mechanism which provides opportunity for voters who cannot travel to their voting stations due to physical infirmity, disability or pregnancy and those on official duty on election day. The Mission urges AU member states to emulate this laudable practice.

## **ELECTION DAY**

17. On Election Day, the AUEOM deployed 11 teams which observed the opening, voting, closing and counting process in 7 provinces, namely, Mpumalanga, Gauteng, Kwazulu-Natal, Free State, North West, Western Cape, and Limpopo. Generally, the voting was conducted in a calm, peaceful and orderly manner, which afforded the people of South Africa the opportunity to exercise their democratic rights of choosing their leaders. However, the Mission noted the existence of a few isolated incidents where voting was disrupted.
18. Most voting stations opened on time, except for a few, which did not for reasons related to late arrival of polling materials. Opening procedures were observed and ballot boxes were correctly sealed and placed in clear view of all voters. Voting stations were laid out in a manner that allowed for easy flow of voters. Difficulties were observed in voting stations where the rooms were small. Procedures for identification of voters were followed and those who did not meet the qualification were not allowed to vote. The set procedures for closing of the polls and counting of the votes were also followed. Polling officials demonstrated a high level of professionalism and competence in discharging their duties.
19. Persons with disabilities, the elderly, and expectant and nursing mothers were given the consideration they deserve. As high as 93% of the voting stations visited were accessible to persons with disabilities. Voters requiring assistance

were assisted by persons of their choice or by the presiding officers in the presence of party agents.

20. There was conspicuous presence of party agents from different political parties at the voting stations. Observers reported that party agents seemed conversant with their role and were unimpeded while discharging their duties. International and domestic observers were also present at voting stations visited.

## **RECOMMENDATIONS**

21. Based on the findings, the African Union Electoral Observation Mission offers the following recommendations for consideration:
  - I. The Government and the broader South African society should find ways to address the problem of low youth participation in the political process. This matter requires urgent attention.
  - II. The Government should expedite the implementation of the Political Party Funding Act, 2018, to increase electoral integrity and transparency.
  - III. The IEC should continue with the Special Voting initiative. The Mission encourages other African countries to emulate this laudable practice in order to ensure inclusivity in the electoral process.
  - IV. The state media should continue the practice of providing equitable coverage to political parties. The Mission also encourages the private media to do the same.
  - V. Whereas the Mission commends the IEC for the successful conduct of the elections, we implore the Commission to continue to aspire for higher levels of excellence.
  - VI. We appeal to the political stakeholders and all the people of South Africa to ensure that peace, harmony and stability prevail in their great nation.

## **CONCLUSION**

22. In view of our findings, the initial conclusions of the AUEOM are the following:
  - I. The 8 May 2019 South Africa National and Provincial elections were peaceful, transparent, inclusive and credible. The people of South Africa were given the opportunity to elect leaders of their choice.
  - II. The 2019 elections satisfied the African Union and international standards for democratic elections.
  - III. The AUEOM highly commends the various stakeholders for their invaluable contribution to achieving this outcome. In this regard, it would like to recognise specifically the Government and people of South Africa, the Independent Electoral Commission, political parties, security agencies, civil society, the media and others.

- IV. The Final Report of the AUEOM will be released approximately two months after the elections. It will contain a detailed assessment of the electoral process and recommendations.

The Mission notes that South African democracy is young compared to other countries in Africa. However, it is among the advanced democracies on the continent.