



EISA International Election Observer Mission to the 2024 National and Provincial Elections in the Republic of South Africa

Preliminary Statement

1. Introduction

The Electoral Institute for Sustainable Democracy in Africa (EISA) deployed an International Election Observer Mission (IEOM) comprising Short-Term Observer (STOs) to the 29 May 2024 General elections in the Republic of South Africa. The Mission comprised of 34 observers representing 17 African countries.

The EISA IEOM is led by His Excellency Goodluck Jonathan, former President of the Federal Republic of Nigeria, and deputised by EISA Executive Director, Mr. Baidessou Soukolgue, and supported by a technical team.

The IEOM engaged with a range of key stakeholders, including the Independent Electoral Commission (IEC), Chief Justice of the Republic of South Africa, Independent Communications Authority of South Africa (ICASA), other International Election Observer Missions, Media Monitoring Africa, the media, political parties, and Civil Society Organisations (CSOs). This collaborative approach ensured a comprehensive and informed assessment of the electoral process in the Republic of South Africa.

The observers were deployed to all nine (9) provinces across the country where they observed the final stages of the campaigns, Special Voting



and Election Day procedures, including the opening of polls, voting, closing and the counting processes at polling stations.

EISA Mission's assessment of the electoral process is based on the principles and obligations for democratic elections stipulated in the OAU/AU Declaration on the Principles Governing Democratic Elections and the legal framework for elections in the Republic of South Africa. EISA's observation methodology is guided by the Declaration of Principles for International Observation (DoP) and its attendant code of conduct for observers.

This statement presents a summary of its key findings and recommendations on the electoral process up to the closing and counting of the polls. The statement is issued while the transmission and tallying of results is on-going. A final report will be issued at a later stage.

2. Good practises

The Mission noted substantial good practices from this election that include:

1. The provisions for special voting which enfranchised many South Africans.
2. Regular information sharing by the IEC with stakeholders enhanced transparency of the process.
3. The capacity and function of the Political Liaison Committee as a dispute resolution mechanism for political disputes.
4. The signing of the Electoral Code of Conduct which was binding on all political parties and independent candidates.

5. The establishment of various Situation Rooms and Early Warning and Response mechanisms for election-related violence and human rights violations.
6. The availability and application of the Universal Ballot Template (UBT), which enabled voters with visual impairments to vote independently and in secret.
7. The cooperation and professionalism of electoral stakeholders such as the security cluster, citizen observers, organised labour, civil society and the media.

Some areas of improvement include:

1. Proclamations modifying electoral laws close to the election day that impact on the IEC's ability to implement the required amendments.
2. The low representation of women candidates across the political divide.
3. Harmonisation the training of polling officials.
4. Improvement of the polling procedures for home visits to ensure that the secrecy of the ballot is upheld.

Context of the elections

South Africa held its seventh consecutive democratic National and Provincial Elections on 29 May 2024, coinciding with the country's celebration of 30 years of democracy.

The electoral environment was generally peaceful and characterised by social and economic challenges, amplified by high rates of unemployment, crime, and inequality. Electricity load shedding remained a critical issue, influencing the focus of election debates, party manifestos and campaigns.

Thirty-one (31) new political parties emerged, including Umkhonto We Sizwe (MK Party), which participated in the elections for the first time. This increased electoral competitiveness, especially in KwaZulu-Natal, a key battleground province.

Legal framework

The Mission noted key reforms in the Electoral Act 73, 1998 which was triggered by numerous litigations and included the amendment that allows for the inclusion and nomination of independent candidates as contestants to elections in the National Assembly and provincial legislatures and stipulates the criteria for their nomination and seat allocation.

Litigations

The 2024 elections were characterised by an unprecedented level of litigation, with 17 cases being brought forth, heard, and decided.

Another landmark ruling required that the IEC establish additional voting stations abroad and include all Embassies, High Commissions and Honorary Consulates. The IEC however could not implement this requirement due to logistical challenges.



The requirement for independent candidates to appoint agents was introduced to ensure fairness. However, this stretched the resources and capacities of independent candidates, as their constituencies spanned entire provinces.

Following challenges experienced during the 2019 elections, an amendment was made to *Section 24(a)* of the electoral Act which stipulates that voters will only be allowed to cast ballots outside their registered voting district if they provide notice. The implementation of this amendment varied as some voters were turned away while at some stations, others were given the national ballot. This inconsistency in procedure application can be attributed to insufficient training of officials and inadequate voter education.

The interpretation of Section 47(e) of the Constitution, on the eligibility of candidates, which was ultimately resolved by the Constitutional Court was a significant issue. The Court's ruling upheld the earlier decision by the IEC, reinforcing the IEC's credibility and validating its adherence to constitutional provisions.

Preparedness of the Independent Electoral Commission (IEC)

In line with its mandate, the IEC developed and implemented the election timetable in consultation with the Political Liaison Committee.

The Mission was informed that the IEC entered this electoral phase with reduced financial resources despite an expanded mandate.



Voter registration

Physical voter registration for the 2024 elections was complemented by online registration, which was available until February 23, 2024, following the gazetting of the election date. The Mission noted that the online platform was made available to diaspora voters for the first time during the 2024 elections, thereby expanding voter participation.

The certified total number of voters for the 2024 elections was 27,782,477, marking a marginal increase of 3.9% compared to the 26,736,803 registered voters in 2019. However, the gap between the voting-age population and registered voters widened. In 2019, registered voters represented 74.6% of the voting-age population, compared to 69.9% in 2024. Most of the unregistered voters are youth, reflecting a concerning trend of electoral disengagement.

Diaspora voter registrations increased by 100% from 29,334 in 2019 to 58,802 in 2024. In accordance with amendments to section 24(2) of the electoral law, the IEC approved 171,510 voters. The Mission noted that this is indicative of the continued interest of South Africans both in country and in diaspora to participate in the electoral process.

To cater to the increasing number of registered voters, the IEC established a total of 23,292 voting stations, up from 22,924 in 2019, marking a marginal increase of 1.6%.

Political parties and nomination of candidates



The Mission noted that 70 political parties were registered to participate in the elections with 52 registered to contest the proportional representation ballot.

For the first time in the electoral history of South Africa, 11 independent candidates participated in the elections which increased the options available to voters.

Civic education

The IEC conducted tailored civic education for the various demographics. They utilised multiple platforms which included deployment of community educators, use of community radio stations with phone-in facilities, TV voter education programs and social media.

These efforts were complimented by political parties and civil society organisations. Additionally, collaborative initiatives involved partnering with Chapter 9 institutions to enhance inclusion and transparency in the electoral process.

Concerns were raised however regarding the limited information on introduction of the third ballot and amendmends to section 24(a) potentially disenfranchising some voters.

Campaigns

The EISA IEOM observed that the final days of the campaigns were conducted in a context that was largely free of fear and intimidation.

The campaigns were mainly issue based and messaging was focused on addressing key economic and social challenges, on issues such as job creation, access to basic needs, crime reduction, and resolving the energy crisis.



The Mission commends the political parties and independent candidates for upholding their commitment to the electoral code of conduct.

Media

The Mission commends the public broadcaster for adhering to the legal provisions by providing equitable coverage for political parties and candidates specifically during rallies and launching of manifestos.

It was observed that social media played a key role in voter education and campaigning. However, it remained largely unregulated and was utilised as a vehicle for misinformation and disinformation. Efforts were noted to mitigate this through media monitoring, which also included monitoring the conduct of journalists.

Gender, youth and persons with disabilities

While women constituted most registered voters at 55%, female candidates comprised only 41.86% of all candidates on party lists. Specifically, 15 political parties achieved female representation of 50% or higher, seven parties had 40% female representation, and an additional 14 parties had 30% female representation on their lists.¹

It is noteworthy that most of the polling staff and party agents on election day were women, reflecting the demographic reality of the majority of the population. Additionally, the Mission observed that a significant proportion of polling staff and party agents were youths.

¹ <https://www.gov.za/news/media-statements/electoral-commission-progress-made-preparation-2024-national-and-provincial>



The application of the Universal Ballot Template (UBT) enabled voters with visual impairments to vote independently and in secret is commendable.

Special voting

The EISA IEOM acknowledges that the provision for special voting for ensuring equal participation for all eligible voters regardless of their location or status.

There was a significant increase in the number of registered special voters by 105.8% from 774,094 in 2019 to 1,592,949 in 2024.

The Mission observed special voting in 176 instances of which 77% were in voting stations and 23% were home visits.

Special voting was peacefully and effectively administered.

However, the Mission reported that in some instances, registered voters were not at home at the time of the visits by polling officials. Further, some voters had provided wrong addresses for home visits which led to loss of productive man hours for the IEC staff.

Concerns were further raised about the secrecy of the ballot for the home visits due to proximity of the voter and staff, due to the layout of the homes.

Election Day Observation



The Mission observed opening procedures in 13 voting stations. It noted that 54% of these stations opened late. The delays were attributed to inadequate preparations by polling station officials and the late arrival of polling materials and staff.

Despite these initial issues, 92% of the polling stations had enough polling materials. However, the remaining 8% of the stations reported receiving an insufficient number of ballot boxes. The handling of these insufficient ballot boxes varied: some presiding officers chose to open only one polling station within the center and use the available ballot boxes, while others opted to use a single ballot box for three different ballots. The lack of uniformity in the implementation of the opening procedures increased the duration of sorting the ballot papers during closing and counting.

Voting Process

EISA observers visited 191 voting stations across the nine provinces, finding that Election Day proceeded largely peacefully nationwide. 66% of the polling stations were in urban areas while 34% were in rural areas. In 95% of polling units visited, the atmosphere was generally calm and peaceful.

Priority assistance was extended to elderly voters and expectant and nursing mothers.

While most voters were able to cast their ballot on Election Day, 18% of the voters at the polling stations that we observed were turned away. Most of these voters were not at the right polling district while others were not registered to vote.



The Mission welcomes the various progressive amendments to the electoral law. However, the amendments regarding Section 24(a) brought challenges and ambiguities on election day where voters had not provided notice and expected to receive ballot papers. Comprehensive and adequate civic education could have minimised this challenge.

The Mission noted an unbalanced allocation of voters per polling station where some stations had long queues while others were empty. Some of the queues were long and slow moving primarily caused by the VMD devices malfunctioning or running out of power thus making the polling staff resort to manual identification of voters.

Another cause of delay was the use of identical ballot boxes for the three ballots. Voters therefore spent more time trying to place their ballot papers in the correct ballot boxes.

Polling personnel

Polling stations were adequately staffed, with an average of 10 polling officials per station. The stations were laid out in a manner that allowed free flow of voters and ensured the vote's secrecy. The Mission commends the IEC for bringing in additional staff to complement the existing staff during vote counting.

Unfortunately, the election officials demonstrated a lack of understanding of the new procedures particularly regarding Section 24(a) where in some stations, the voters were allowed to vote and



provided a national ballot only. In other stations, those voters were turned away altogether.

Transparency of the Process

Voting and counting took place in an open and transparent atmosphere in the presence of observers, party agents and the media. Citizen observers made up 80% of observers encountered on election day.

The Mission commends the presence of party agents in all polling stations, majorly from ANC, DA, EFF and MK.

Closing and counting

The Mission noted that all closing and counting procedures were followed in all the voting stations visited.

All voters who were in the queue at the time of closing were allowed to vote, even though some polling stations closed late because of the long queues.

The results were announced publicly and posted outside the polling station and party/candidates agents given a copy of the results. These measures contributed to the transparency of the process.

Conclusion and preliminary recommendations



The Mission observed that the elections were conducted in a generally transparent and peaceful atmosphere and in compliance with the national laws of the country and in accordance with international standards.

The Mission commends the resilience and enthusiasm of the people of South Africa who in the face of some logistical challenges, braved the long queues to ensure they cast their vote.

The Mission also commends the IEC for maintaining an open channel of communication with all stakeholders during the electoral process and providing regular updates and engagements.

The Mission offers the following preliminary recommendations:

To the Government of South Africa

1. Consider having a time limit to the amendments to the electoral laws before an election to allow the IEC sufficient time to implement the electoral calendar.

To the IEC

1. Consider reviewing the colour coding of ballot boxes to ensure that they correspond with the colour of ballot papers to minimise confusion of ballot paper placement.
2. Continue collaborating with stakeholders including CSOs to improve the conduct of civic and voter education.
3. Embark on targeted efforts to promote voter registration, particularly among the youth.



4. Review electoral logistics and operations strategy to ensure timely deployment of and adequate training of staff, thus ensuring uniform implementation of procedures.
5. Review the use of surname-based polling station allocation to balance the voter load and reduce queue lengths, especially in stations where certain surnames are concentrated.

To political parties

1. Channel any arising electoral disputes through legally instituted mechanisms.
2. Refrain from violence, hate speech and any other acts that could undermine the stability of the country.