

LOCAL GOVERNMENT ELECTION 2021

30-31 October & 1 November 2021



#Vouta_Mgani



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ACRONYMS AND ABBREVIATIONS

ANC	African National Congress
CSO	Civil Society Organisation
EFF	Economic Freedom Fighter
FoAA	Freedom of Association and Assembly
HURISA	Human Rights Institute of South Africa
IECSA	Independent Electoral Commission of South Africa
LGE21	Local Government Elections
PO	Presiding Officer
SV	Special Votes
VMD	Voting Management Device
VRS	Voting Registration System
VR	Voter's Roll
VS	Voting Station
VVS	Voting Verification System

ACKNOWLEDGMENT

The deployment of observers to the 2021 Local Government Elections would not have materialised without the support of a number of people and institutions.

HURISA is thankful to the IEC of South Africa for the invitation extended to observe these elections. We are grateful to the IEC for its readiness to accredit HURISA's observers and brief them. Additionally, we extend our appreciation to our provincial focal points from Albertina Sisulu Advice Centre in Mpumalanga, Omang-Where-are-You-Youth Development Initiative in Northern Cape and Kero Development Agency in the Northwest Province with whom we interacted, shared information and learnt from.

HURISA is grateful to CIVICUS for speedily making these funds available to us and without whose generous financial support the observer's mission would not have been possible.

BACKGROUND INFORMATION

The announcement of date of Local Government Election 2021 was followed by the high levels of violence undermining the democratic principles enshrined in the Constitution of the Republic of South Africa, which marked 25th Anniversary. The Constitution guarantee citizens the right to freely participate in political party activities as well as the right to life. However political intolerance increased unabatedly similarly to the 2016 Local Government Election. The launch of political party's manifestos were criticised for abuse of freedom of expression, particularly in instrumentalisation of migrants and sowing divisions and animosity among migrants and citizens.

Freedom of association and assembly were also undermined by intimidation, harassment, and extra judicial killings, particularly of women attending activities of political parties. This left party candidates, electorates subjected to extra judicial murders for exercising their right to participate in election.

In Durban, KZN three women were murdered, and four were injured, including a man. Reports of intimidation and murder increased across the country demonstrating the safety and security challenges facing citizens, particularly the vulnerable in the society, including women and migrants.

In Khayelitsha, Western Cape province three young women were reported murdered. While in in Pretoria Gauteng province a Councillor was murdered, and a couple was also reported murdered during this period in Soweto.

All these atrocities happened in conflict with South Africa obligations under the African Charter on Democracy Elections and Governance to ensure and maintain political and social dialogue, as well as public trust and transparency between political leaders and the people, in order to consolidate democracy and peace.

Human Rights Institute of South Africa and provincial partners issued media statements reminding the government to ensure the prevalence of a culture of political tolerance, in consolidation of democracy and peaceful societies. All political parties have a duty to uphold this right including ensuring conducive and safe political environment exist in South and not fuel conflict and xenophobia. HURISA recommended South Africa domesticate regional human rights mechanisms bidding the country including implementation of ACDEG, African Charter on Human and People's Rights, Protocol on the Rights of Women in Africa, for protection of women, youth and migrants. HURISA and partners also called for support of all the women candidates contesting in this local government elections and wished them a successful outcome.

INTRODUCTION

The 2021 South African Election was held on 1 November 2021. These are South Africa's sixth municipal elections, which take place every five years since the end of apartheid in 1994. These LG2021 were highly contested due to the political change needed in the country after decades of flagrant human rights violations. These include intimidation, harassment, extra judicial killings of citizens, activists, human rights defenders, and journalists exposing financial mismanagement, including corruption, divisions, factions in the leading political party. This appalling situation has resulted in disproportionate unemployment level, poor social service delivery, poverty, gender-based violence among others.

Due to the COVID-19 pandemic, a shortened time frame, terrible weather, power outages the 2021 LGE have put us to the test in many ways. Despite these obstacles, the VMD was introduced, effectively eliminating the potential of double voting claims. Electoral observers helped to build public confidence in electoral processes, promote and protect the civil and political rights of election participants, ensure a transparent, free, and fair election during the voting process at voting stations and monitor the counting and determination of the results for any irregularities or abuse during this unrepresented time.

1. METHODOLOGY

Human Rights institute of South Africa (HURISA) as accredited observers during the local government elections registered 7 observers' representatives from Civil Society Organisations drawn from Mpumalanga, Northwest, Northern Cape, and Gauteng Province with a view of campaigning for enabling and safe environment for public participation in elections, founded in equality, freedom of expression, association, and assembly.

1.1 Provincial Focal Points

These were established and HURISA was responsible for the Gauteng Province Thomas Marishane, Cathy Kodiemoka, Tshepo Legodi. Cynthia Chishimba was responsible for the Northwest Province. While Sonto Mabanga was responsible for Mpumalanga Province and Pastor Lebo Nkadimeng for the Northern Cape Province



1.2. Project Overseer

Corlett Letlojane from HURISA provided strategic direction of the project implementation, including, programme designing, methodological structures, supervision and interaction with IEC Presiding Officers, Conflict Panel, Police and the media houses

1.3 Media platforms

HURISA created the Vouta Magani Hastag “#Kunjanii Mgani Lapho Ku Election”. The #Tag VoutaMgani was designed to identify our observers and campaign for free and enabling environment for voting.

In addition, HURISA created a campaign slogan translated in local languages targeting the Zulu speaking communities “#Kunjanii Mgani Lapho Ku Election” #Tell me How Election is Going, #Goyang ko Electioneng” to facilitate communication across provinces on our social media platforms using #Hashtag, Facebook, Twitter and WhatsApp to reach as many followers as possible at the grassroots level.



HURISA also created a WhatsApp group #Vouta Mgani to enable speedy communications as our Provincial Focal Points and Gauteng Observers monitored election at district level at most disadvantaged rural areas, informal settlements, and townships in Soweto, Lenasia, and the east of Johannesburg including Malvern.

Power FM, Ekurhuleni and TV Channel 405 invited HURISA and Mgani Partners for updates and review of local government elections

1.4 Local Districts

The districts included Bojanala, Taung, Mafikeng in Northwest province and John Taolo Gaetsewe, Gasegonyana, Gamagara, Morolong local municipalities, Joe municipality in Northern Cape Province and Elukoatini, Albertina Sisulu municipality in Mpumalanga Province.



1.5. Consultations

As part of the observation methodology, the observers met with key electoral stakeholders including the IEC at Sunnyside Park Hotel for orientation on election observation. Furthermore, HURISA interacted with Provincial Focal Points virtually and through webinar in conducting briefing sessions in preparing them how to conduct their task at local level.

HURISA equipped the observers with a monitoring template created by HURISA as a reporting template which they used to record the number of voting stations observed and any instances of non-compliance with the election procedure.

The observers monitored the special election conducted on 30-31 October 2021 for electorates that received special exemption from voting on Election Day. Observers also monitored election conducted on Election Day, on 1 November 2021 as well as the counting of ballot papers.

Total number of VS observed in related provinces on 30-31 October 2021. These were 20 in total.

Province	District	VS Observed	SV	Challenges
Gauteng Province	Soweto	- Leitukile Primary School	- 1	No recorded challenges from observers.
		- Merafe Hostel	- 1	
	Malvern	- Malvern Primary School - Tent Malvern Pandora Street	- 1 - 1	No recorded challenges from observers on both VS.
	Olenasia South	- Kiasha Park	- 3)	The observer noted that the voting station opened late.
		- Sierra Nirvana	- N/A	The observer at this VS noted that the home visit list arrived late, and this is why no home visits were conducted.
	Randburg	- Blairgowrie Primary School - Panorama Sports Club	- 2	Training of election officers was conducted on 31 October Presiding Officer was not aware that CSOs observers were also required to register station was complaints with required protocols including punctuality

Northwest Province	Ngaka Modiri	Rotary-Lonely Park	- 1	It was noted that at Rotary- Lonely there was one voter who was partially blind, and the presiding officer called all the party agents to come and witness while they assisted the voter
		Signal Hill Primary School	- 1	No recorded challenges at this voting station.
Mpumalanga	Gert Sibande	Elukwatini Primary School	- 9 home visits.	The election was very peaceful, no recorded challenges from observer at this VS.

We had the total of 7 Observers. 4 observers in Gauteng, one in Northwest, one in Northern cape and one in Mpumalanga. Over 30 voting stations were observed on Election Day

Provinces	#	Voting Stations Observed
Gauteng Province	1	Soweto: <ul style="list-style-type: none"> - Mochochono - Reutlwile Junior Secondary School - Senamane Secondary School - Leitukile Primary School - Merafe Hostel
	1.1	Malven: <ul style="list-style-type: none"> - Malvern Primary School - Eastgate Primary School - Primrose Hill Primary school - Tent Malven Pandora Street

	1.2	Lenasia South: <ul style="list-style-type: none"> - Kiasha Park Primary School - Sierra Nevada Primary School - Lancaster Primary School - Southview High School
		-
Northwest Province	2	Mafikeng: <ul style="list-style-type: none"> - Wouter De Vos Rugby Stadium - Methodist church Lonely Village - Rotry Club Lonely Village - Signal Hill
Mpumalanga Province	3	Elukwatini: <ul style="list-style-type: none"> - Mbhondlo Primary School - Elukwatini Primary School - Hlabanyamehlo - Siyeta Primary School - Dlomodlomo High School - Bantwanabethu Primary School
Northern Cape	4	Ga- Segonyana: <ul style="list-style-type: none"> - KP Toto High School - Makgolokwe Middle School - Moraladi Primary School - Rearata Primary School - Robangane Middle School - Gamohana Middle School - Reitumetse Primary School - Seupe Primary School - St Clair Roman Catholic Church - Rekakgona Primary School

1.6. Monitoring Framework designed monitoring and observing elections from 30 October - 1 November 2021.

The monitoring template was used to consolidate the findings and recommendations from each focal points in order to prepare the report. The provincial focal points provided issues on the following topics, which are noted below, among the questions that were to be addressed on the template.



a) Opening at voting stations

It was noted that all voting stations opened and closed on time per the legal requirement. At most stations, the voting process proceeded well with enough voting materials. However, problems were experienced in Gauteng, Kiasha Park Primary school in Lenasia South due to poor preparation by polling staff they opened the voting station at 09:00 on 1 November 2021. Electorates started queuing at 07:00 and waited 2hrs before casting their vote. Some electorates left without casting their votes. The electorates reported this matter to the IEC offices.

b) COVID-19 protocols

COVID-19 protocols were observed in all voting stations. As part of the lockdown requirements wearing face masks was enforced to all persons during home visits and at voting stations.

On 1 November 2021, voters were observed from queues to ensure social distancing and maintenance of 1.5-meter distance from fellow voters. This also included the election officials, party agents and observers at all times while at their voting stations. Election Officers practiced health protocols by administering sanitizers at entrance and exit of voting stations. They also ensured all pens are sanitized after use. The sizes of voting stations were big enough to accommodate voters without compromising the COVID-19 protocols.

c) Campaigning at voting stations

There was an unruly EFF member under the influence of alcohol intimidating the Presiding Officer at Dlomdlomo High School in Mpumalanga. However, the observers reported that the campaign process was largely peaceful, albeit vibrant. In addition, observers were also pleased to note that the majority of voting stations were accessible to all categories of voters.

d) Polling staff, party agents, observers and security forces

The IEC had deployed sufficient IEC staff to manage the voting stations and they all understood their roles and responsibilities. They also conducted themselves politely and in a helpful manner to the electorates. There was a visible presence of party agents in most voting stations. The only problem experienced at Malvern Primary School was that party agents arrived late, and this caused a delay in ballot boxes being sealed as party agents' presence was required to witness the sealing of the ballot boxes.

As per the observer's requirement, the boxes were sealed even though voters had already started casting their votes. It was also noted that there were no international observers in all voting stations. In addition, security forces were present at all voting stations until the official close of the local government election and they were visible when it was necessary to intervene in the interest of promoting credible elections.

e) Election materials including ballot boxes, ballot papers and Voting Management Devices.

The observers noted that the voting stations visited were correctly laid out in accordance with the electoral law. Most ballot boxes were available, empty and properly sealed before being used for the special votes and local government elections.

It was noted that in Gauteng Province, Lenasia South at Southview High School on 1 November 2021, the ballot boxes were not sealed due to negligence from the IEC staff but they were subsequently sealed after the observer obliged the IEF staff to seal the ballot boxes.

The ballot materials were clear and available in sufficient quantities throughout special votes and local government elections. Voters received two ballot papers, which were designated for a councillor and a political party. The Voting Officer stamped the ballot papers and explained to the electorate how to cast their votes and fold the ballot papers in secret before placing in the ballot box.

It was noted that in Gauteng Province, at Southview High School in Lenasia South a voter took a picture of herself while casting the vote. She deleted the picture after noticing the IEC staff member saw her. The Presiding Officer called the police officer and she denied taking the picture, but she was reprimanded. Observers can confirm that the secrecy of the ballot was preserved in all voting stations.

The observers indicated that the Voter Management Devices caused delay and some voters being turned back at voting stations due to the VMD faults. Few incidences observed at voting stations during special votes were that voters who did appear on the voter's roll of a ward were redirected to other wards. Unfortunately, voters were not happy because of the distance between voting stations.

Furthermore, these are few incidences recorded at voting stations while casting votes on 1 November 2021:

- Three (3) Electorates at the Methodist Church in Northwest Province experienced challenges regarding their registration. One had not updated her marital status during election registration period. The Presiding Officer informed her to consult Home Affairs to fix the problem and come back to the voting station. Regarding the second one, the Voter Verification system rejected her after being accepted by the Voter Registration System. She was redirected to another District called Ditsobotla which was 60km from Mafikeng Local Municipality. A party agent from the EFF intervened and the Presiding Officer involved the Area Manager who undertook to solve the problem. The third one her name did not appear on the voting management device because she was registered at another ward in Danville which is 10 km from Mafikeng Local Municipality.
- An observer at Wouter Devos-Rugby Stadium in Northwest province could not vote just before the closing of voting at 8:55 pm. This was due to being rejected by the voter's verification device. She was amazed by the allocated voting station which she never registered or used as a voting station, since she had not changed her residential address. The voting station was officially closed, and she had to prepare for the vote counting.

f) Closing of voting stations

Most voting stations visited by observers closed at 7 pm during special votes and 9 pm during local municipal election as per the procedures. In cases where there were voters in the queue at the time of closing, they were allowed to cast their vote.

g) Vote counting at voting stations

On 1 November 2021, the counting started 30 min after voting and continued until the early hours of 2 November 2021. Observers noted that counting was generally conducted in line with the vote counting procedures. However, at Wouter Devos-Rugby Stadium in Northwest Province an extra 1 ballot paper was noted during counting which could not be accounted for. Political parties resolved the problem by signing a resolution form, granting the unaccounted ballot paper to a party with the least votes.

2) Recommendations

In order to improve future electoral processes in South Africa, the observers issued the following recommendations to stakeholders in the electoral process.

To the Independent Electoral Commission.

- The voting systems must accommodate all electorates, particularly persons with disabilities, including access for those with vision impairment
- Take steps to improve the application process for special voting in order to prevent voters walking from one voting station to another.

- Consider reviewing the Voter Management Devices in order to prevent the disenfranchisement of voters.
- Conduct training of electoral officers, particularly volunteers in advance and not on day of election

To the political parties

- Undertake measures to enhance the training of party agents to avoid late coming as ballot boxes need to be sealed in their presence.

3). [Conclusions](#)

All observers reported that the conditions for the 2021 local government elections for free and fair elections were met. The elections were conducted in a transparent, fair and credible manner in line with the South African Constitution, legal framework of elections as well as regional and international standards.