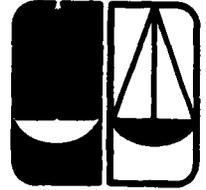


SOUTH AFRICA:

THE COUNTDOWN TO ELECTIONS

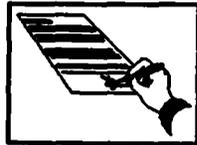


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PASSAGE OF INTERIM CONSTITUTION DELAYED UNTIL MID DECEMBER

On Thursday, December 2nd, the negotiation council reached final agreement on the overall content of an interim constitution for South Africa.



However, parliamentary debate on the legislation scheduled to begin on Tuesday, December 7th could take up to two weeks. A Special Session of Parliament which convened last month specifically to enact the interim constitution, the electoral law, and other transitional legislation, is now due to recess on December 15th.

The multiparty Transitional Executive Council (TEC), which is the primary institution charged with overseeing the transition to democracy, is expected to formally convene on the same day that Parliament begins its debate on the interim legislation.

NEGOTIATING COUNCIL REACHES AGREEMENT ON TVBC STATUS

The legislative package submitted on December 2nd by the Negotiating Council to Parliament includes a provision that restores South African citizenship to residents of the Transkei, Venda, Bophuthatswana and Ciskei to be effective January 1, 1994. However, formal reincorporation of these nominally independent homelands would not take effect until after the elections.

RIGHT WING CONTINUES TO POSE THREAT

Saber-rattling from the right continued this week when on Monday, November 29th, white right-wing leaders announced their intention to hold a whites-only election as a prelude to the establishment of an independent Afrikaner homeland. Leaders of the Afrikaner Volksfront (AV), Ferdi Hartzenberg and Constand Viljoen announced that their organization would "serve as the transitional authority to protect interests of Afrikaners." The government, which is currently engaged in negotiations with AV, and the ANC have both condemned this move as unrealistic.

Meanwhile, the Freedom Alliance which attempts to join both white and black right wing parties in a united campaign against current transitional arrangements, is showing signs of fragmentation.

The Inkatha Freedom Party which is likely to participate in the elections despite continuing protestations, is now being forced to distance itself from the white right in order to retain black support. Within Inkatha, moderates and hawks are reportedly at odds over the extent to which the party should go along with prevailing transitional agreements. However, it appears that both factions are being accommodated since there is evidence that Inkatha is simultaneously pursuing hawkish and moderate agendas. While moderates are reportedly busy preparing for the elections, Inkatha has admitted to having established at least one base near Ulundi at which so called "self defence units" are being trained.

ELECTORAL ACT SETS STAGE FOR ELECTIONS

Passage of the electoral law is expected during the Special Session of Parliament. Below are highlights of the Electoral Act. A separate analysis of the interim constitution has been prepared and is being mailed out separately.

Elections Administration Structure

•Independent Electoral Commission (IEC) - will oversee the administration of the elections, including making and enforcing regulations relating to the elections.

•Election Administration Directorate - will be headed by a Chief Director in charge of Administration who will be answerable to the Commission and who will have chief responsibility for administering the elections.

•Election Monitoring Directorate - will be headed by a Chief Director in charge of Monitoring who will be responsible for coordinating "monitors" appointed to work on behalf of the Directorate. It will also be responsible for registering "observers" (i.e. all other monitors, including international observers). This body has also been given the discretion to issue a code of conduct that would be binding on all monitors and observers. It will also be chiefly responsible for investigating all alleged infringements of the Electoral Code of Conduct.

•The Country has been broken down into nine provinces: *Eastern Cape; Eastern Transvaal; KwaZulu/Natal; Northern Cape; Northern Transvaal; Northwest; Orange Free State; Pretoria-Witwatersrand-Vereeniging and Western Cape.*

•Provincial Electoral Officers (PECs) - will be assigned to each province to supervise the electoral process in his or her province. Will be assisted by Deputy PECs. Within each province there will also be district electoral officers (DECs). DECs will supervise the electoral process in their districts.

•Presiding Officers (POs) - will run each voting station within each province. Will ensure that voting process at station is conducted in an orderly fashion with no irregularities.

•Voting and Counting Officers - will ensure that the voting and counting processes run smoothly.

Voter Eligibility

•Age Requirement is 18. Must be a citizen or permanent resident. Must have voter's eligibility card. Mentally ill persons, drug dependent detainees and prisoners "serving a sentence of imprisonment without option of a fine" will not be eligible to vote. Prison voting was a hotly contested issue at the negotiating table. (In the U.S., only 4 states allow convicted felons to vote).

In future issues we will go into greater detail on issues relating to who satisfies residency requirements, what qualifies as a voter eligibility document and how eligible voters who do not have such documents will be handled.

Voting Period

•The decision on the length of the voting period will be left to the State President to be made in conjunction with the Transitional Executive Council. The Electoral Act prescribes a maximum length for general voting of two days.

Voting Stations

•A list of voting stations will be posted at least 45 days prior to election day. The possibility of establishing mobile voting stations for residents who live in areas that are inaccessible to fixed sites, is under discussion.

•Arrangements will be made for voting to take place at diplomatic missions around the world.

Electoral Code of Conduct

•All registered parties, candidates, party leaders, party supporters/members, and any other political party or organization will be bound by an Electoral

Code of Conduct. Those organizations which are sending observer missions should obtain a copy of the code for members of their missions. To obtain a copy, contact Eve Thompson at the Lawyers' Committee.

NEGOTIATING COUNCIL AGREES TO REPEAL REPRESSIVE LEGISLATION

The Negotiating Council has agreed that legislation which is discriminatory or impedes free political activity must be repealed. The legislation is due to be repealed by Parliament during its Special Session within the next two weeks.

Most notable among the repressive legislation to be repealed is Section 28 of the Internal Security Act, which allows police to detain any person suspected of planning or committing terrorism for up to 10 days (renewable) without trial.-EM

ANC LAUNCHES "PEOPLE'S FORUMS"

The ANC has launched a series of People's Forums throughout South Africa where leading figures from the ANC will listen to the concerns of the electorate. The first People's forum held in the Volkswagen factory in Uitenhage, was attended by Nelson Mandela and Cosatu's Jay Naidoo. This was followed by a series of forums in Natal.-EM

VOTERS SHARE ATTITUDES



Recently a survey of South African voter attitudes was commissioned by the International Republican Institute as part of a joint project the Institute is administering in conjunction with the Joint Center for Political and Economic Studies and the National Democratic Institute for International Affairs.

The joint project which is called the South African Election Support Project focuses on providing comprehensive assistance to political organizations which have no prior experience in electioneering.

The purpose of the survey was to "establish a benchmark of attitudes" among potential South

African voters to give political parties some sense of the political environment. While the pollsters specifically chose not to gauge levels of party support, survey results were noteworthy nevertheless.

Survey Highlights

According to the survey:

- 80% of those surveyed said that they are likely to vote in next year's elections with the break down being 88% of blacks, 83% of whites, 69% of coloureds and 66% of Asians. 9% more males than females expressed an intention to vote.

- 32% of those surveyed felt that political violence in some situations is necessary. This statistic was fairly consistent across racial groupings.

- 60% of those surveyed felt that "things in South Africa are seriously on the wrong track." Blacks demonstrated the highest levels of frustration on this point at 66%.

- 52% of those surveyed felt that their "family's life will get better" after the elections. Blacks showed the most optimism at 73%.

- 19% of those surveyed said that they have not decided who they will vote for. 57% have already made up their minds.

- Most black South Africans (95% of those surveyed) are most concerned about unemployment followed by cost of living (87%) and political violence (86%). Most white South Africans (86%) are most concerned about political violence and are clearly not as affected economically as blacks.

- 75% of those surveyed believe that white right wing extremists will start a war after the elections.

- 51% of those surveyed believe that major decisions should be made at the national as opposed to local level.

85% of those surveyed believe that apartheid has not ended in South Africa (including 96% blacks, 60% whites, 74% coloureds, 81% Asians).

In future issues we will be reporting on the progress of voter education initiatives and efforts to ensure that potential voters are eligible to cast their votes on election day.

VIOLENCE MONITOR

According to the Johannesburg-based Human Rights Commission (HRC), the national death toll for deaths attributable to political violence rose sharply during the week of November 17th through November 23rd, i.e. by 43%. Violence increased in all regions of the country. The increased death toll coincided with the endorsement by the principal political parties of a new interim constitution for South Africa. 109 deaths were recorded in that week, marking the first time in 8 weeks that the death toll had exceeded the 100 mark.

Hot Spots

The East Rand accounts for 94% of all deaths in the PWV region. The highest death tolls during the week in which the interim constitution was signed were in Katlehong (30) and Thokoza (16).

In Natal, the North Coast and Northern Natal generally accounted for the most deaths in that province. 12 deaths were recorded in both those regions.

Specific incidents reported indicate a continuing trend of random violence. In Northern Natal, six commuters will be killed in a random attack on a taxi.

However, targeted attacks also appear in evidence. The chairperson of a Northern Natal branch of the African National Congress was killed along with 5 other residents of that region. During the week that followed, 9 ANC supporters were killed in squatter settlements outside of Durban.

In that same week, a rash of bombings prompted police officials to issue warnings to holiday travelers. In the most serious of 3 separate incidents, all occurring on Wednesday, December 1st, a mine exploded on a bus traveling from Durban to a nearby

white suburb, killing one passenger. In another incident, a hotel was hit just hours before it was scheduled to host a meeting of right wing, pro-apartheid activists. Five people were slightly injured.

Security Force Watch

Security forces are still reportedly contributing to the political violence. In a recent HRC report, security force members are reported as having been identified in half of all political violence incidents where the perpetrator was identifiable.

Nearly 40 South Africans have died in police custody so far this year.

In the Western Cape, eyewitnesses allege that 3 white men in camouflage uniforms were involved in an attack in late November, on Khayelitsha Township residents. Later, members of the SADF seemed to indicate that they were associated with the attack.

To highlight the problem of security force involvement in the violence, black church and political leaders meeting at a two-day summit this week, adopted a resolution in which they claimed that the current high levels of violence were a "deliberate strategy of destabilization whose aim is to undermine the democratization process." They formally called for the withdrawal of the Internal Stability Unit of the South African Police force which they claim has "actively carried out acts of aggression" against township residents. This claim is born out by the reports of various human rights monitoring organizations.

FRAUD AND INTIMIDATION MONITOR

Already there are reports of fraudulent activity in connection with the elections. It was recently reported that leaflets were distributed in affluent white sections of Pietermaritzburg which were passed off as ANC campaign material. According to a report in the Johannesburg-based Weekly Mail, among the claims made in the leaflet were that "all public service posts will be replaced by comrades", that no ammunition would be available to whites and health institutions would be "Africanized" and whites would be required to pay according to their income. The leaflet ended with the slogan "Viva! Kill a Boer,

kill a farmer!"

The ANC has called the leaflet a "desperate attempt by the enemy to discredit us."

UN MAKING PREPARATIONS FOR ELECTIONS

The Secretary-General of the United Nations, Dr. Boutros Boutros-Ghali recently reaffirmed his belief that "the United Nations should play an important role together with other observer missions in South Africa in the forthcoming elections and the UN is indeed making preparations to that end."

However, Dr. Boutros-Ghali noted that "until a formal request is received from the Transitional Executive Council/Government, we will not be in a position to make detailed plans for this role."

An increase in the number of present observers has already been approved by the Security Council and "it is intended that there should be individuals with competence in electoral issues."-EM

The U.N. Security Council reiterated these sentiments in a statement released on November 23rd. In that statement, the Security Council invited the Secretary General "to accelerate contingency planning for a possible United Nations role in the election process, including coordination with the observer missions of the Organization of African Unity (OAU), European Community (EC) and Commonwealth, to enable expeditious consideration of a request to the United Nations for such assistance." It is expected that once the Transitional Executive Council is fully operational, it will forward such a request to the U.N.

U.S. BASED GROUP ANNOUNCES VOLUNTEER SUPPORT INITIATIVE

The U.S.-based Sister Community Project which currently has an office in Johannesburg, recently announced its willingness to provide logistical assistance to U.S. anti-apartheid activists who wish to do volunteer work on behalf of South African NGOs involved in the election process.

For those who can provide their own funding, the Project is willing to provide placement services by

identifying South African NGOs that are in need of administrative and/or technical assistance. They will also facilitate housing and transportation once you reach South Africa as well as provide a brief orientation. For more information, contact Myesha Jenkins, P.O. Box 5328, Johannesburg 2000, SOUTH AFRICA, 27-11-834-1677 (phone); 27-11-834-8385 (fax).

UPDATE ON OBSERVER COORDINATION

The Lawyers' Committee has been asked to serve as the chief coordinator of U.S. NGO observer delegations. We will also represent U.S. NGOs on an international organizing committee which is still being formed. More information on these initiatives will follow in subsequent issues of *Countdown*.

"Monitor" vs. "Observer"

Many NGOs planning to send observer missions have expressed confusion over the nomenclature to be used for members of their missions. While the terms "monitor" and "observer" are often used interchangeably, for the purposes of the elections in South Africa, there will be a distinction.

The electoral law requires that the designation of "monitor" be restricted to those individuals that are actually employed by the Independent Electoral Commission. All persons who are not employed by the IEC, but who are also monitoring the elections, will be called "observers." In other words, all members of international monitoring delegations will be "observers."

This newsletter includes articles reprinted from the London-based Anti-Apartheid Movement's newsletter, *Election Monitor*. Articles that have been reprinted from *Election Monitor* are identified by the "-EM" symbol.

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