



# National Council of Trade Unions

P.O. Box 10928, Johannesburg, South Africa 2000

72 Eloff Street, Eloff Street Galleries, 3<sup>rd</sup> Floor

Tel: (011) 333 1800/1801/1803

Fax: (011) 333 1706

E-mail: [info@nactu.org.za](mailto:info@nactu.org.za) E-mail: [gs@nactu.org.za](mailto:gs@nactu.org.za)

Website: [www.nactu.org.za](http://www.nactu.org.za)

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18 June 2021

Justice Dikgang Moseneke  
Electoral Commission of South Africa  
Tugela House  
1303 Heuwel Avenue  
Centurion  
0157

Dear Justice Moseneke

## **NACTU SUBMISSIONS TO THE MOSENEKE COMMISSION ABOUT THE FREE AND FAIR CONDITIONS FOR THE COMING LOCAL GOVERNMENT ELECTIONS**

National Council of Trade Unions is a trade union federation in this country representing twelve registered trade unions in all the sectors of the economy.

We are part of NEDLAC structures and participate together with other trade unions, organized business and government.

We now focus on the issues central to the inquiry, namely whether elections will be free and fair.

The first question is what constitute free and fair elections

Second question is the environment created by Covid 19 and the infection threat to the millions of voters. The NACTU understanding is that free and fair elections is defined in our Constitution. Mainly it relates to the political participants in whatever form being individuals or parties being able to register and contest.

Secondly it entails that both the individuals and parties contesting in the local government elections shall have unrestricted access to the voters so that they can sell their promises to them. That the contesting parties shall be treated the same by the IEC and other stakeholders in the media sectors

The common features of all elections are meeting of parties with voters ranging from door to door, meeting communities in halls and stadiums.

Other parties will use new technologies to reach the voters and buy spaces in both private and public media.

In as far as the traditional approach of campaign, given the level 3 restrictions and the level of infections raising all times are not possible. We cannot have free and fair elections with the current restriction measures. Some parties particularly the richer parties will have high advantages over those who don't have resources. That to NACTU do constitute unfair or not fair to the stakeholders.

But it will also not be fair to the voters because they will not be able to interact with the candidates in a meaningful manner.

It is NACTU view and position that under the circumstances the elections will not be fair and free. In the South African context, we are currently going through pain and suffering caused by failures at many levels of government it will be extremely unfair for the voters not to have fair opportunity to confront the candidates. It would stifle rather than promote democracy.

Greater part of our population doesn't have access to the new technology, the only way to reach them is to go to them.

IEC administering elections and the Covid 19 conditions. The IEC specialises in running the elections is all what they know. The current IEC budget is to manage elections and not administer health and safety including compliance with Covid 19 environment where millions are involved. The nation will need to be assured of safety measures around all the polls including the ques. The specialised body other than IEC must demonstrate a clear safety plan for the local government elections. NACTU believe that no such plan currently exists.

**In conclusion NACTU proposes the following:**

- ❖ Mindful of the importance of regular elections under the democratic rule
- ❖ Mindful of the legal framework in our constitution
- ❖ That elections scheduled for 27th October be postponed to March/April 2022
- ❖ That Covid 19 conditions for campaigns be clearly outlined for the stakeholders. That parties are given opportunity to campaign under Covid 19 conditions something that so far is not done
- ❖ That Covid 19 and safety measures are put in place and communicated for the remaining period leading to the elections next year

Regards



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**Narius Moloto**  
**General Secretary**

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**All correspondence should be addressed to the General Secretary**