

## **DRAFT ANC SUBMISSION - THEME COMMITTEE 6.1**

### **ELECTORAL COMMISSION**

#### **1. Guiding Principles**

The ANC considers the following guiding principles to be relevant to the debate concerning the establishment of the South African Electoral Commission:

1. A multi-party state shall exist in South Africa based on the principle of democratic majority rule.
2. Regular elections shall be held, at no longer than five year intervals, with the creation of a common voters roll based on adult universal suffrage at all levels of government.
3. Parliament is to be the expression of the will of the people.
4. There shall be democratically elected government at national, provincial and local levels.

#### **2. The Democratic Constitutional State**

The need for a South African Electoral Commission emanates from the values and principles underpinning democratic constitutionalism, including the following:

1. The South African state should have the character of a democratic constitutional state, expressing a balance between democracy and constitutionalism.
2. The principle of democracy, including the fundamental right to vote.
3. The administration and supervision of elections by an independent body, to be called the South African Electoral Commission. It is proposed that the Electoral Commission consist of 6 persons of integrity elected by a 75% majority of all members of the National Assembly. Such Electoral Commission shall be granted the necessary authority to administer and direct the conduct of the elections in South Africa.
  - 3.1 The powers and functions of the Electoral Commission should be prescribed by a national law, subject to the democratic values enshrined in the constitution.
  - 3.2 The Electoral Commission should be governed by the following values and principles:

- \* independence;
- \* impartiality;
- \* efficiency and effectiveness;
- \* professionalism; and
- \* transparency.