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# UNITED DEMOCRATIC MOVEMENT NATIONAL OFFICE

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30 May 2011

The Independent Electoral Commission  
Private Bag X112  
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Dear Commissioners

## **OBJECTION IN TERMS OF SECTION 65 OF THE MUNICIPAL ELECTORAL ACT – MBHASHE AND KING SABATA DALINDYEBO (KSD) MUNICIPALITIES**

I refer to your correspondence dated 27 May 2011, in which we were informed of the Independent Electoral Commission's (IEC) rejection of our objection "*due to non-compliance with Section 65 of the Municipal Electoral Act 27 of 2000*". Your rejection was based on Subsection (2), which stipulates that an objection must be lodged by no later than 17h00 on the second day after voting day. However, in our original correspondence, we specifically referred to Subsection (3), which makes it possible for the Commission to condone a late objection.

Also, we did report in the original objection that the IEC's counting officers refused to entertain the objections of our party agents on the ground at the time of counting. This appeared to be a trend in the KSD and Mbashe Municipalities and raised a flag - circumstances dictated that we write to you at that time.

Merely including our concerns and objections, which are very serious, as part of a postelection debriefing exercise does not give the matter the attention it requires, nor does it solve the problem.

Firstly, there is still a question regarding the legitimacy of the 2011 Election in KSD and Mbashe, and secondly, the matter of our recurring concern over the role of party agents. Other political parties will attest to the fact that the role and function of party agents have

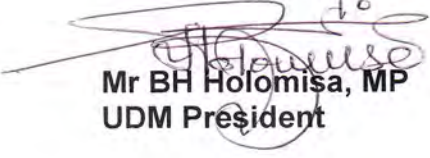
been raised with the IEC numerous times over the years and yet we find ourselves beating the same bush.

We refuse to accept the Commission's choice to reject the United Democratic Movement's objection. Your response gives the impression that the IEC is hiding behind the law in an effort to avoid attending to the allegations made regarding the conduct of IEC officials in the Mphashe and KSD Municipalities. It appears as if the IEC has already chosen the side that favours our paymasters.

The IEC surely understands that it has an interest in addressing the UDM's objection and that it is irresponsible to just brush political parties' concerns aside. Should the Commission choose to ignore our remonstrations, it would appear that it does not take its work and its reputation seriously.

We appeal to the Commission to consider our objection, in terms of Subsection (3), and once having done so, the appropriate course of action would be that a neutral person, or body, should investigate the election processes and election results in the KSD and Mphashe Municipalities. This should happen as soon as possible to minimise the opportunity for possible tampering with election material, ballot boxes and ballot papers.

*Kindly advise.*

  
**Mr BH Holomisa, MP**  
**UDM President**