



health

Department:  
Health  
REPUBLIC OF SOUTH AFRICA



Date:	17 September 2021		
To:	<b>Honourable Dr Joe Phaahla, Minister of Health</b>	From:	<b>Ministerial Advisory Committee (MAC) on COVID-19</b>

## MITIGATING THE IMPACT OF COVID-19 DURING THE MUNICIPAL ELECTIONS

### Problem Statement

The municipal elections have been scheduled for 1 November 2021. There are several health-related concerns regarding the activities related to the holding of elections which pose risks to the public of transmitting and contracting COVID-19. Election activities include: campaigning, rallies, voter registration, preparation for voting, voting on election day, counting of ballots, and post-election celebrations. Mass gatherings, whether planned or spontaneous, with respect to some of these election activities, have the potential to increase the risk of transmission. It is envisaged that for the scheduled election date the rollout of the vaccine programme will not have reached sufficient people to have achieved the targeted coverage, even in higher risk populations.

A number of interventions are needed to ensure safe municipal elections, respecting the public's right to engage in the democratic process as well as their right to be protected against preventable harm.

### Task to the MAC on COVID-19

The MAC on COVID-19 has been requested to make recommendations on interventions mitigating the impact of COVID-19 that can be implemented to ensure safe municipal elections.

### Background/Current Information

1. The recommendations provided in the MAC on COVID-19 Advisory on Scheduling of the Elections – input to the IEC, 17 May 2021, refer. In addition, the MAC on COVID-19 made representation to the Moseneke Inquiry on 2 July 2021.<sup>1</sup>
2. Current amended Level 2 restrictions state that the size of gatherings must be limited to 250 persons indoors and 500 persons outdoors, observing a distance of at least one and a half metres from each other, or if this indoor limit cannot be accommodated, then not more than 50% of the capacity of the venue may be used. In addition, a curfew has been

enforced from 23h00 until 04h00. Further relaxation of these restrictions may occur before 1 November 2021.<sup>2</sup>

3. As at 15 September 2021, a total of 15 447 304 vaccine doses have been administered in South Africa (including the 496 124 doses administered in the Sisonke trial). A total of 3 368 924 people has been fully vaccinated with the Janssen vaccine and 4 240 258 fully vaccinated with the Pfizer vaccine. The national estimate is that 19.1% of the population have been fully vaccinated.<sup>3</sup> Although the vaccine roll-out continues to deliver about 250 000 doses per weekday, the majority of adults will not have been fully vaccinated by 1<sup>st</sup> of November.
4. Current epidemic trends and expectations:
  - As at 16 September 2021, incidence of detected cases, proportion testing positive, and hospital admissions are declining in all provinces. Excess deaths are also declining in most provinces and appear stable in others.
  - Although only Gauteng and Limpopo have met the end-of-wave criterion for the end of their third waves, KwaZulu-Natal, Mpumalanga, North West, and Western Cape provinces are expected to meet the criterion by the end of September. As in previous waves, Free State and Northern Cape are likely to experience protracted incidence with slower declines.
  - The timing and magnitude of a new wave cannot be predicted at this time; however, in the absence of a new variant, the next wave of transmission is expected to be smaller than previous waves and for there to be a reduced correspondence between increases in case numbers and increases in hospitalizations and deaths. Furthermore, in the absence of a new variant, substantial increases in transmission between now and the scheduled elections are deemed unlikely, although incidence may rise slowly as restrictions are lifted.
  - The emergence of new variants is difficult to predict. The Delta variant likely remains dominant across the country, though the C.1.2 variant has now been detected in all provinces. This variant is being monitored closely; however, the characteristics and epidemiological implications of the C.1.2 variant have not yet been elucidated. It is currently not considered a Variant of Interest or Variant of Concern on the WHO classification.
5. Municipal Elections have been held in 2020 and 2021 where COVID-19 protocols were in place and implemented by the IEC. These were by-elections and involved limited numbers of venues and voters.
6. The elections scheduled for 1 November 2021 will be nation-wide and are anticipated to involve far greater numbers of voters with a greater number of election-related activities.
7. The Constitutional Court has ruled that the elections are required to take place between 27 October and 1 November 2021 and the Minister of Co-operative Governance and Traditional Affairs, Dr. Nkosazana Dlamini-Zuma, has declared that elections will take place on 1 November 2021. This is the last possible date, and voting may not be extended beyond that date.
8. According to the Local Government: Municipal Electoral Act (Act 27 of 2000), every voter is entitled to vote at their station as long as they reported for voting before the closing time, and voting must continue until every voter has voted. The Commission may extend voting hours at a voting station until as late as midnight on that day.<sup>4</sup>
9. The IEC has developed a document outlining measures to be implemented during the election process. This document has been reviewed by members of the National Parties Liaison Committee (NPLC).<sup>5</sup> The IEC document states that COVID-19 protocols and preventive measures should be in accordance with the law, and that “measures that are outside of the law are not considered or recommended”.

10. The WHO guidelines on *Public Health considerations for elections and related activities*, based on evidence from the literature and WHO publications, offer best practice guidelines for a number of health-related interventions and recommendations for mitigating the risk of COVID-19 transmission during election activities.<sup>6</sup>
11. The WHO Policy Brief on *Holding gatherings during the COVID-19 pandemic, 2 August 2021* gives guidance on holding different types of gatherings during the COVID-19 pandemic and a risk-based approach that can be followed.<sup>7</sup>
12. Where activities occur indoors, adequate ventilation is important in reducing COVID-19 transmission.<sup>7</sup> A regular cleaning and disinfecting schedule should be adhered to, particularly for high-touch areas. The use of cleaning measures such as spraying and fogging in community spaces are not recommended.<sup>8,9</sup>
13. Elections have continued to be held in other countries with lessons that can be learnt to ensure successful implementation of health-related COVID-19 protocols.<sup>10,11</sup>

#### **Further considerations:**

The MAC on COVID-19 highlights the following points of concern:

1. It may not always be possible to implement COVID-19 prevention measures for all election activities, particularly spontaneous or unplanned large gatherings during pre-election campaigning and post-election celebrations where crowd control is difficult to manage. These election activities are likely to pose a greater risk of COVID-19 transmission than the organised and strictly controlled conditions at the voting stations.
2. Although section 47(1) of the Local Government: Municipal Electoral Act states that “A voter may vote— (a) in an election only at the voting station in the voting district in which that voter is registered; and (b) only once in the election, but, when voting, may cast a vote in each ballot conducted at that voting station”, there is provision in the Regulations (GNR.848 of 2000) for special votes. Regulation 28B states that “A voter who cannot travel to the voting station due to physical infirmity or disability must apply to be afforded the opportunity to cast a special vote at the place where he or she resides.” Regulation 28C further provides that “On the day stated in the election timetable, at least two voting officers must visit voters who had successfully applied to cast their special votes at their places of residence, to afford them the opportunity to cast their votes there.” People who have tested positive for SARS-CoV-2 are required to remain in isolation for 10 days and those who have been in close contact with a positive person are required to quarantine for 14 days. As it will not be feasible to monitor whether voters who should be under isolation or quarantine present at voting stations, consideration will need to be given to allowing special votes in these circumstances.
3. Depending on the regulations issued in terms of the Disaster Management Act that are applicable on the election date, it may be challenging to impose limitations on the numbers present at voting stations. The rights of every eligible member of the public to vote are sacrosanct. Nonetheless, this should not prevent the implementation of appropriate public health and social measures (PHSM) at voting stations. All regulations, including limitations on numbers allowed at gatherings, should apply to campaign activities outside of the boundaries of the voting station.
4. Extended voting hours have been recommended to spread out the number of voters at any one time.<sup>6</sup> In the event that the regulations in force on the day of the election voting include a curfew period, consideration needs to be given to relaxing the curfew to allow all voters to complete their voting. In accordance with the Local Government: Municipal Electoral Act, voting may have to be extended to midnight to allow voters who presented

before the closing time (usually 21h00) to cast their ballots. IEC staff and volunteers will also need to complete their duties before leaving the polling station.

5. Robust and sound planning is key to running a successful and well-organised election and this also applies to health-related activities. This involves a thorough risk assessment and implementation of a full suite of precautionary measures (prevention and control), including:
  - Ensuring that sufficient personal protective equipment (PPE) has been procured and distributed in line with the requirements of the venue and staff, as per IEC protocols. Thermometers are not a requirement as temperature checks will not be conducted.<sup>5</sup>
  - Training IEC staff and volunteers on the COVID protocols.
  - Ensuring sufficient staff and resources are available at the venues to cope with additional COVID-related activities (e.g. queue management, sanitizing, cleaning).
  - Ensuring that protocols are available for handling persons who fall ill, display symptoms, or need to be isolated during these activities.
  - Co-ordinating with health authorities for the management of COVID-19 cases identified during or after the event.
  - Developing a communication strategy that is clear, consistent, culturally appropriate and in locally relevant languages.

## Recommendations

1. Consideration must be given to risk assessment and the implementation of appropriate risk mitigation for all activities relating to the elections, with particular focus on higher risk activities such as rallies, celebrations, and other spontaneous or poorly managed events.
2. Limitations on the numbers of people allowed at gatherings must be applied consistently to all pre-election activities, including rallies and campaign events. However, on the Election Day, such limits and curfews should be relaxed to allow all eligible voters to cast their ballots before midnight.
3. The COVID-19 protocols developed by the IEC should be adhered to and implemented throughout the election process.
4. The enforcement of all public health and social measures, including the wearing of masks, social distancing, sanitising of hands, and increased ventilation, in all indoor and outdoor settings. These must be emphasized, and clearly communicated to the public and all political parties. These public health and social measures will apply irrespective of whether a member of the public has been vaccinated or not.
5. Efforts to encourage vaccine uptake in the period leading to elections should also be increased.

1. Oral submissions on 2 July 2021 to the Justice Moseneke Inquiry on Free and Fair Local Government Elections during COVID ("the Inquiry") on behalf of the Ministerial Advisory Committee on Covid-19, together with a powerpoint presentation, as appears on the Inquiry's website (<https://www.elections.org.za/freeandfair/LGE2021/submissions>).
2. AMENDMENT OF DIRECTIONS ISSUED IN TERMS OF REGULATION 4(1)(a) OF THE REGULATIONS MADE UNDER SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT No. 57 OF 2002): MEASURES TO ADDRESS, PREVENT AND COMBAT THE SPREAD OF COVID -19. Alert Level 2 regulations (Gazette 45156 of 12 September 2021).
3. COVID-19 South African Online Portal. <https://sacoronavirus.co.za/latest-vaccine-statistics/>

4. Act No. 27, 2000 LOCAL GOVERNMENT MUNICIPAL ELECTORAL ACT, 2000. Government Gazette, No. 21367, 11 JULY 2000.
5. Voting in the time of COVID-19: Voting procedures to minimize contagion at voting stations. IEC "PSM19". <https://www.elections.org.za/freeandfair/IEC%20Submissions/PSM19.%20COVID19%20MEASURES%20AT%20VOTING%20STATIONS.pdf>
6. Public Health considerations for elections and related activities in the context of the COVID-19 pandemic. WHO Interim Guidance, 10 December 2020.
7. WHO Roadmap to improve and ensure good indoor ventilation in the context of COVID-19, 13 April 2021. <https://www.who.int/publications/i/item/9789240021280>.
8. MAC on COVID-19 Advisory on Environmental Cleaning and Disinfection, 20 July 2020.
9. Safety Precautions When Using Electrostatic Sprayers, Foggers, Misters, or Vaporizers for Surface Disinfection During the COVID-19 Pandemic. Centre for Disease Control and Prevention, Updated Apr. 14, 2021. <https://www.cdc.gov/coronavirus/2019-ncov/php/eh-practitioners/sprayers.html>.
10. Holding gatherings during the COVID-19 pandemic. WHO Policy Brief, 2 August 2021.
11. Managing elections in the context of COVID-19: Perspectives from the Commonwealth. Commonwealth Elections and COVID-19 Briefing Paper, Issue 1, 2021.
12. COVID-19 and election management in Africa: Challenges, innovations and opportunities. Commonwealth Elections and COVID-19 Briefing Paper, Issue 1, 2021.

Thank you for consideration of this advisory.

Kind regards,



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**CO-CHAIR CHAIRPERSONS: MINISTERIAL ADVISORY COMMITTEE ON COVID-19**

**DATE: 17 September 2021**

**CC:**

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- » **Incident Management Team**