



## Interim Statement

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Chairperson of the Commonwealth Observer Group  
2017 Lesotho National Assembly Elections

Maseru, 5 June 2017

*“The Commonwealth Observer Group commends the Basotho for the peaceful and orderly manner in which they voted on 3 June, and the professional manner in which the process was managed by the Independent Electoral Commission, within a compressed timeline. We urge all candidates and political parties to continue to uphold their pre-election commitments to peace.”*

Our Commonwealth Observer Group is composed of experts with a range of backgrounds, including governance, peace and security, electoral administration, human rights, gender and law. We have been present in the Kingdom since 27 May 2017 and have also observed the pre-election environment and advance voting. During our time here, we have met the IEC of Lesotho, representatives of political parties, civil society organisations, faith leaders, traditional leaders, media, the Lesotho Mounted Police Service, the Lesotho Defence Force, the diplomatic community as well as other international and citizen observers.

Over the election period, Commonwealth observers covered several districts, including Berea, Butha-Buthe, Leribe, Maseru, Mohale’s Hoek, Qacha’s Nek and Quthing. Our teams observed the pre-election preparations, voting, counting and results aggregation and also met with electoral officials, citizen and international observers and other stakeholders at the District level.

This is an interim statement and it is issued prior to the formal declaration of election results. We will issue a Final Report containing our conclusions on the entire process at a later stage.

### Key findings

#### The Election Environment:

- We conclude from our observations both prior to, and on, Voting Day that these elections were competitive, and basic freedoms of association, assembly and movement were not compromised.
- We welcome the measures taken to promote political tolerance and laud the public commitment of all stakeholders, especially political parties, to the implementation of reforms and peaceful, inclusive elections, through the signing of pre-election pledges. A pre-election peace pledge committed them to honour the Constitution and laws of Lesotho; to observe the Electoral Code of Conduct; and to accept the outcome of the 2017 Elections. These were welcome developments and contributed

to an environment conducive to the conduct of these elections. We urge that these commitments continue to be upheld.

#### The Campaign:

- Aspects of the election campaign that we were able to observe were generally peaceful, and characterised by active participation of large numbers of women and youth. The final political party rallies we attended were conducted in a festive atmosphere with political party members clad in their different political party colours and different kinds of attire with campaign messages freely demonstrating support for their parties and candidates. A number of vehicles were decorated with party colours, flags and messages, and were moving around the city freely. No incidents of violence or disruption of these campaigns were observed.

#### Media:

- We heard that during the pre-election period, access to state-run broadcasters, was limited to the “election hour” provided by the IEC, which acquired airtime for all political parties to disseminate information about themselves, their manifestos and campaigns. To give effect to the provisions of the National Assembly Electoral Act of 2011, we recommend that greater access and balanced reporting is provided throughout the election period.
- Private media, although in some instances identified with particular political parties, in general provided broader coverage and access.
- On Voting Day, we commend the state broadcasters for focussing attention on the elections and providing extensive, informative coverage. Live TV and radio programmes featured most political parties as well as commentary throughout the day. A broad spectrum of political party leaders, observers, political analysts and civil society were interviewed. Additional coverage was provided by 40 journalists on 12 private and community radio stations deployed by Media Institute of Southern Africa (MISA) to 10 electoral districts. Here too, the journalists were able to engage with a broad section of political party leaders and electors.

#### Advance voting:

- Our Group observed advance voting on 27 May at the Sefika voting station in the Stadium Area constituency. Voting was conducted in a peaceful and orderly manner. IEC officials were professional, explaining each stage of the process clearly and addressing any issues that arose in a consensual manner with party agents present. Checking the number of ballots cast and reconciliations was done transparently in full view of party agents and observers.

#### Management of the Electoral Process:

- The 3 June National Assembly Elections in Lesotho were the third elections conducted within a period of five years; we commend the IEC and its staff for having

successfully managed the conduct of these elections within a substantially compressed timeline, which imposed a number of cost and administrative burdens on them.

- The decision by the IEC to establish various consultative committees was a positive step. This contributed to a high level of openness, which was apparent at all levels, from regular communication between the senior structure of the IEC and all stakeholders, to the professional manner in which voting station staff ensured that procedures were fully transparent on Voting Day.
- The IEC successfully accommodated large numbers of party agents throughout preparations, voting and counting, allowing for a high degree of transparency in the process. Likewise, the presence of local chiefs in voting stations enabled Voting Station Managers to seek assistance in identifying voters if they had no identification documents on them. Their presence throughout the day as witnesses also contributed to greater transparency in the process.

#### Conduct of Voting Day:

- The voting process and prescribed procedures were adhered to throughout the day. Voting station staff were highly professional, methodical and meticulous in the application of procedures at all times, which ensured a high degree of transparency in the presence of the large numbers of party agents that were in voting stations. We note and praise the diligence of voting station staff.
- Prior to the opening of polls, all prescribed procedures were followed. Queues were orderly, and the processing of voting was steady, though quite slow at times due to the meticulous application of procedures by voting station staff.
- Two of our teams, in Maseru and Qacha's Nek, reported that they observed voting in prisons.
- Our team in Maseru visited voting stations in Thupa-kubu, one of the constituencies where the IEC had declared a failed constituency election due to the death of one of the candidates, and noted that party list elections went ahead there, using a special ballot paper.
- After the close of polls, all prescribed procedures were followed in a fully inclusive, although painstaking manner. The shorter winter day also posed another challenge in that voting station staff had very limited daylight after the close of polls in which to conduct the reconciliation and count processes. Poor lighting provisions, however, impeded the speed with which these meticulous processes could be conducted. We urge the IEC to provide improved lighting for future elections.

#### Voter Turnout:

- We commend the IEC for its attempts at encouraging a high voter turnout, including among the youth, through a voter education campaign which promoted the aspirational target of 85 percent. We note, however, that despite these efforts, there were reports of a lower-than-expected voter turnout on Voting Day in many voting locations, including among the youth. We encourage the IEC to conduct analysis and research on the turnout.

#### Participation by women and youth:

- We note, however, and commend the active participation of large numbers of women in the electoral process, making up a significant proportion of voting station staff, party agents and voters. In addition, many police assistants were young women, who supported the management of queues, and assisted elderly or disabled voters.

#### Persons with disabilities:

- We noted that many voting stations were not easily accessible to persons with disabilities.
- We also noted and commend the availability of tactile voting devices for visually impaired voters in all the voting stations visited.

#### Security arrangements for Voting Day:

- We note that, as in past elections, the Lesotho Defence Force (LDF) successfully provided logistical support to the IEC by transporting ballot materials to inaccessible locations. Lesotho law provides that the LDF may play a role in maintaining law and order and assist the police in the discharge of their responsibilities. However, these are discretionary powers. In the context of an election it is especially important that the military is deployed after careful consideration and consultation.

#### Conclusion

- We wish to congratulate the people of Lesotho for yet again demonstrating their commitment to peaceful, inclusive elections. A snap election can present significant logistical and administrative challenges for any Election Management Body and the IEC has yet again successfully overcome these. The IEC has delivered a successful, transparent and peaceful process. We commend its professionalism, its inclusive and consensus-based approach to addressing challenges, as well as its proactive communication to the public and with key stakeholders.
- Though we have highlighted some shortcomings, which will be reflected in more detail in our report, we do not believe that these had any substantial effect on the overall conduct of the elections.

- As the results process continues to unfold, we hope that the peaceful tenor of the electoral process thus far will continue to prevail and urge all political parties, their supporters and other stakeholders in the Lesotho electoral process to continue to show restraint and magnanimity, and to uphold their pre-election commitments to peace and reform with the same spirit of national unity, peace and solidarity.
- We also hope that the recommendations we have made are received in the constructive spirit in which they are intended and that those which impact on improving the conduct of future elections in Lesotho will also be implemented without delay.
- The Commonwealth will continue to remain engaged with the people of Lesotho, as we support the journey to consolidate their democracy, in close partnership with both local and international agencies.
- In our Final Report we will reflect on possible areas for strengthening and improvement. This report will be submitted in due course to the Secretary-General of the Commonwealth, the Rt Hon Patricia Scotland QC, who will subsequently share it with relevant stakeholders before it is made public.
- It has been a special honour for me and my team to be in Lesotho at this important time and we wish to extend our sincere appreciation to the people of Lesotho and all stakeholders for the warm welcome and the hospitality shown to us. We trust that our work will contribute to the continuance of democracy and good governance in the future.

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**Note to Editors:**

*The Commonwealth Observer Group members are:*

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