

SWAZILAND NATIONAL ELECTIONS

20 September 2013

Report of the Commonwealth Observer Mission



The Commonwealth

Swaziland National Elections

20 September 2013

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COMMONWEALTH OBSERVER MISSION

Swaziland National Elections
20 September 2013

25 September 2013

Dear Secretary-General,

We have been privileged to be accorded the opportunity to observe the 2013 National Elections in the Kingdom of Swaziland. We have completed our report and are pleased to submit it to you.

We were conscious that our observation exercise was the third such mission the Commonwealth has constituted, following the presence of observer teams in both 2003 and 2008. We were therefore aware that our observations would necessitate a thorough assessment of whether any recommendations which had been made in past elections, had indeed been adopted. In doing so, we were also keenly aware of the ongoing Commonwealth engagement in Swaziland, and the technical assistance that has been in place to support the Government and people of Swaziland to further entrench democratic values.

The consolidation of democracy is an evolutionary process and consequently, we acknowledge the positive, yet incremental, steps that have been taken in this regard. We laud the Elections and Boundaries Commission, in particular, for having conducted a peaceful, well-managed and transparent process on Election Day. Some of the benchmarks for democratic elections were met, including the right of the people to exercise their franchise. Any shortcomings that we have highlighted can be addressed with appropriate support and the accompanying political will.

We would be remiss, however, if we did not consider the broader impact of the prevailing constitutional and legal frameworks on the electoral system. Parliamentarians continue to have severely limited powers, and political parties continue to remain proscribed. Overall, the elections were well conducted but we strongly believe that there is considerable room for improving the democratic system, in light of Swaziland's international obligations. We therefore cannot conclude that the entire process was credible.

It is our fervent hope that the people of Swaziland could be encouraged to consolidate the democratic gains made with the adoption of the 2005 Constitution, through inclusive, national consultation and dialogue processes, while remaining sensitive to Swazi cultural norms and traditions.

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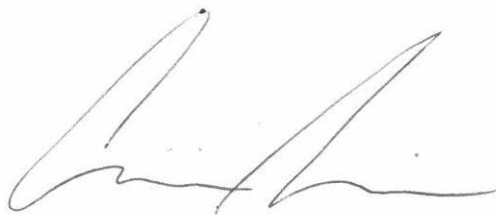
It is hoped that, with your continued engagement and broader pan-Commonwealth support, Swaziland's adherence to regional and international democratic norms on human rights and democratic governance could be strengthened.

We wish to express our gratitude to the people of Swaziland, who have treated us with warmth, kindness and generosity of spirit throughout our stay here. We also express our deepest gratitude to the Commonwealth Secretariat Staff Team for its unflinching support and assistance throughout our mission.

Yours sincerely,



Dr Bakili Muluzi
Chairperson



Ms Alicia Swinamer



Mrs Sa-Adatu Maida



Dr Curtis Michael Jacobs

CHAPTER ONE

INTRODUCTION

INVITATION AND COMPOSITION OF THE OBSERVER MISSION

The Commonwealth Secretary-General's decision to deploy a Commonwealth Observer Mission (COM) to the 2013 National Elections in the Kingdom of Swaziland was based on invitations by the Government and the Elections and Boundaries Commission (EBC) of the Kingdom of Swaziland (see exchange of correspondence at **Annex I**). The Mission consisted of¹:

H.E. Dr Bakili Muluzi (Chairperson)

Former President
Republic of Malawi

Ms Alicia Swinamer

National Director
MYCommonwealth
Canada

Mrs Sa-adatu Maida

Election Commissioner
Ghana

Dr. Curtis Michael Jacobs

Head, University of the West Indies Open Campus Grenada
Trinidad and Tobago

The Observer Mission was assisted by a Support Team of three staff members from the Commonwealth Secretariat:

Mr Linford Andrews	Political Affairs Adviser (Team Leader)
Mr Koffi Sawyer	Political Affairs Officer
Mrs Zippy Ojago	Executive and Financial Officer

Terms of Reference

The terms of reference of the Observer Mission were as follows:

The Observer Mission is established by the Commonwealth Secretary-General at the invitation of the Elections and Boundaries Commission (EBC) of Swaziland and the

¹ See Biographies at **Annex 2**

Ministry of Foreign Affairs and International Cooperation. The COM is to observe relevant aspects of the organisation and conduct of the National Elections which are scheduled to take place on 20 September 2013, in accordance with the laws of Swaziland.

The Observer Mission is to consider the various factors impinging on the credibility of the electoral process as a whole. It will determine in its own judgment whether the elections have been conducted according to the standards for democratic elections to which Swaziland has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.

The Observer Mission is to act impartially and independently and shall conduct itself according to the standards expressed in the International Declaration of Principles to which the Commonwealth is a signatory. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgment accordingly. In its Final Report, the Observation Mission is also free to propose to the authorities concerned recommendations for change on institutional, procedural and other matters as would assist the holding of future elections.

The Observer Mission is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Swaziland, the Chairperson of the Elections and Boundaries Commission of Swaziland, political and civil society organisations and thereafter to all Commonwealth Governments.

Activities of the Observer Mission

The Commonwealth Observer Mission arrived in Swaziland on 15 September 2013 and held a series of briefing meetings with key stakeholders at the Royal Swazi Spa Hotel, Ezulwini (where the COM was based) and at the EBC and police Headquarters. (A list of all meetings is listed at **Annex 3**). The EBC briefed the Observer Mission on overall preparations for the elections. The Mission also held a series of meetings with political and civil society organisations to obtain an overall picture of the pre-election environment. In addition, the Mission also held meetings with the Royal Swaziland Police, other international observers and members of the diplomatic community in Swaziland.

On 18 September, teams of observers were deployed to three locations in the country. One team, consisting of Dr Bakili Muluzi, Mr Linford Andrews and Ms Zippy Ojago covered the administrative capital, Mbabane, the Ezulwini Valley, and parts of the Manzini Region. Another, consisting of Mrs Sa-Adatu Maida and Dr Curtis Jacobs, was deployed to Nhlangano to cover the Shiselweni Region. The third team, consisting of Ms Alicia Swinamer and Mr Koffi Sawyer was deployed to Pigg's Peak and from there covered the Hhohho Region.

During their deployment, the teams held meetings with regional administrators, election officials, the police, candidates and community leaders. They also visited several polling stations to assess the preparedness for the elections and the pre-election environment.

On Election Day, 20 September 2013, the teams were present at different polling stations to observe the opening of the polls. They proceeded to observe the process in as many stations as possible and ended by observing closing procedures and counting.

After Election Day, the Mission held a series of follow-on meetings with some key stakeholders and prepared its report, which was subsequently submitted to the Commonwealth Secretary-General.

CHAPTER TWO

THE CONSTITUTIONAL AND LEGAL FRAMEWORK

The constitutional and legal framework within which the 2013 National Elections were held in the Kingdom of Swaziland has remained largely unchanged since the promulgation of the 2005 Constitution and the Elections of 2008.

The Constitution sought to incorporate into Swaziland's political system the continued adherence to the nation's traditional culture as it applies to politics and Swaziland's ratification of regional and international norms of democratic governance.

The basis of the country's political system is the *tinkhundla*², the traditional geographical and administrative unit. At the apex of this political order is the Monarchy, an institution which has deep roots in the history, culture and traditions of the Swazi people. The King is vested with the roles of ceremonial and executive head of state.

A nation's constitution is the expression of the distilled rights, freedoms, privileges and aspirations of its people. The nation's political system is enshrined in it, which determines much of the nation's social life. In Swaziland, however, the social order is complex. Whereas the Constitution declares that people are endowed with individual and collective rights and freedoms that are enjoyed by most of the people of Southern Africa and much of the rest of the world, two of its most important sections (Ch. III, s.25 and Ch. VII, s.79) seem to contradict each other.

On one hand, section 25 provides for freedom of assembly and association, while on the other, section 79 requires that individual merit shall be the basis of election and elevation to public office. This effectively prohibits the registration and operation of political parties as the basis for election and access to public office.

The Constitution provides for a bi-cameral legislature, with the majority of its lower chamber directly elected by the people. However, the King is vested with the authority to appoint a significant number of members to this body. The King also appoints the Prime Minister, who may not necessarily be an elected Member of Parliament. The King also appoints the Chief Justice, on the advice of the Judicial Services Commission³. In the upper house, the Senate, the Constitution provides the King with the authority to appoint two-thirds of this chamber.

The 2005 Constitution is an attempt to accommodate the contradictory elements in Swaziland's body politic. The need to preserve the traditional structures under the monarchy rests somewhat uneasily with the process to devolve executive authority from this monarchy into the hands of elected officials. The office of the Monarch

²Section 79, Constitution of the Kingdom of Swaziland

³*Ibid.*, Section 153(1)

possesses extensive discretionary powers to call and dissolve the Parliament. The Monarch also has the authority to hire and dismiss ministers of government, assent to and veto legislation. The respect for the principle of the separation of powers is observably a great challenge in the country's governance framework.

We recommend that measures be adopted to ensure that the principle of the separation of powers is upheld, to assure Swaziland's international commitments in this regard, including adherence to the Commonwealth (Latimer House) Principles on the Three Branches of Government.

While cognisant of the respect due to the institution of the monarchy, which in itself should be safeguarded and accommodated, we recommend that the Constitution be revisited. This should ideally be carried out through a fully inclusive, consultative process with all Swazi political organisations and civil society (if needed, with the help of constitutional experts), to harmonise conflicting provisions. It is vital, and in Swaziland's long-term national interest, that these contradictions are resolved and that enabling legislation be put in place to allow for political parties. This would give full effect to the letter and spirit of Section 25 of the Constitution, and in accordance with Swaziland's commitment to its regional and international commitments. The aim is to ensure that Swaziland's commitment to political pluralism is unequivocal.

The presence of the monarch in the structure of everyday political life inevitably associates the institution of the monarchy with politics, a situation that runs counter to the development that the re-establishment of the Parliament and the devolution of executive authority into the hands of elected officials.

The continued agitation by certain groups for the free establishment of political parties, as provided under section 25, is in fact a campaign for the return of these rights which were enjoyed up to 1973, when the previous monarch dissolved the Parliament, banned political parties and declared a state of emergency. Many of the measures of this period are still present in 2013, despite the fact that it was largely due to the continuous agitation for reform that led to the initiation of the process that led to the promulgation of the 2006 Constitution.

This has not occurred for the 2013 National Elections. In April 2013, the Government tabled six bills, the Elections Bill, the Elections Expenses Bill, the Voters Registration Bill, the Elections and Boundaries Commission Bill, the Parliament Petitions Bill and the Senate (Elections) Bill. Parliament passed all six bills, though initially some were rejected on grounds that they had certain provisions which were considered to be restrictive and/or politically motivated.

The passage of these important pieces of legislation particularly that which formally established the EBC, had been long advocated by groups both local and external. It represents an important development. It was widely believed that these laws had a limited impact on these elections, since they were passed and enacted after the electoral process had begun.

The Constitution also provides for a review of the nation's electoral boundaries every five years. This had not been done since 1993, with the official reason being the

lack of financial and human resources on the part of the EBC. The elections of 2013 were conducted on the basis of the boundaries of 1993. (This aspect is covered in **Chapter Four**).

It was under this general framework that Swaziland held the 2013 National Elections.

Assessment

The Kingdom of Swaziland is a polity that is in a state of evolution. At the same time, the traditional social structures remain strong. As the people move towards a political system that more satisfactorily accommodates these often contradictory trends, the continuous engagement between Swaziland and the international community will remain crucial to this process.

CHAPTER THREE

THE POLITICAL ENVIRONMENT

Overview

The immediate pre-election political environment in Swaziland was devoid of the high-pitch “electoral fever” that is observed in multiparty dispensations. Understandably, this is because of Swaziland’s unique political system, the *tinkhundla*-based system, in which political representation is on the basis of individual merit rather than through political parties⁴.

The Observer Mission held meetings with a wide range of stakeholders who expressed frustrations over the lack of formal recognition for political parties in the country. While expressing respect for the Monarchy and the need to preserve Swazi culture and traditions, interlocutors spoke to the need to open political space in order for Swaziland to align itself with international norms and principles governing democratic elections. There was a widely held view, among political stakeholders, that the current political system in Swaziland was unsustainable and that it was wise to open up political space and allow the formation of political parties to ensure respect for the right to free association and effective democratic governance.

Political Groups

It is widely accepted internationally, that democracy includes the right of individuals to associate with, and support, the political party of their choice. Yet, in practice, this right does not exist.

The proscription of political parties prevented existing political entities from formally participating in the electoral process. However, some well-known political groups and pro-multiparty democracy leaders openly announced their intention to participate in the elections, though on an individual rather than party platform. The leadership of the *Swaziland People’s Democratic Alliance* (SWADEPA) and *Sive Siyinqaba*, for instance, announced their intention to take part in the process, believing that continued engagement is better than a boycott. On the other hand, the *People’s United Democratic Movement* (PUDEMO) and some civil society organisations opted for a boycott, on the basis that it is useless to participate in an already flawed process that falls short of the minimum internationally-recognised standards.

⁴ All political parties in Swaziland have – hitherto – had a *de facto* rather than a *de jure* existence. Article 25 (1) of the Constitution stipulates that every person has the right to freedom of association and assembly but Article 79 iterates that political representation is on an individual basis.

Civil Society Organisations

Civil society organisations in Swaziland are very active in political matters. These organisations were also divided over participation/boycott of the elections. Participation of civil society, women's and youth groups in the civic education and overall preparations for the elections was, at best, minimal. Some civil society organisations (CSOs) complained that the EBC failed to provide them with the necessary accreditation to assist with civic education, while the EBC blamed the CSOs of lacking proactivity. The burden of civic education and electoral preparations therefore rested almost exclusively on the EBC. NGOs also complained about the lack of funding and donor apathy to support election-related programmes.

Trade Unions

Trade Unions in Swaziland are very active politically and are generally aligned with groups advocating for multiparty democracy in the country. Unions such as the Swaziland National Association of Teachers (SNAT) and an unauthorized union, the Trade Union Congress of Swaziland (TUCOSWA), were strongly in favour of a boycott of the elections. In the first week of September 2013, trade unions in Swaziland-backed by their counterparts in South Africa - organized the Global Week of Action for Swaziland, to demand greater democratic and workers' rights. Planned demonstrations were disrupted by the police, who, in some cases, reportedly placed union leaders under house arrest.

Tensions between Cabinet and the House of Assembly

In October 2012, tensions between the Cabinet and the National Assembly were heightened when the latter passed a motion of no confidence in the former. This decision was subsequently reversed but tensions between these two institutions continued. This tension was also observed in June 2013 when Police conducted a search in Parliament offices, reportedly to gather information on alleged embezzlement charges against certain MPs. These MPs were reportedly victimized for leading the motion of no confidence against the Government.

Women and youth

We observed a high turnout of women on Election Day and noted that the majority of polling staff were female. We were pleased to observe that women occupied senior roles such as presiding officer and that some candidates employed women as agents.

We were informed that fewer women were nominated than in 2008 and noted with disappointment that very few made it to the secondary election. In fact, only one woman was elected to parliament in these elections. While there have been attempts in the past by civil society groups to encourage women and youth to seek election, these have not been successful largely due to cultural factors and lack of sufficient funding. We note that the King had also appointed a number of women to the lower House in 2008.

It was communicated to us that in at least two cases, people were told by traditional authorities not to vote for a particular female candidate because of her attire and in the other case because she was a widow. While the woman wearing trousers took her case to court and won, it was suggested that this damaged her campaign and reputation. Such incidents were cross referenced with other organisations we met, who noted that this type of discrimination is not uncommon, particularly in rural areas.

In Swaziland, inequalities between men and women exist in culture, society and law. It is felt that some cultural practices are prohibitive and subordinate women; for example, women must wear certain attire in official buildings. While women tend to occupy traditional roles, we were pleased to see some exceptions to this trend, for example, we observed a number of women in the judicial system, in leadership roles in civil society and in the police service.

Reform is required at all levels to ensure Swaziland's compliance with its own Constitution with respect to gender, the Commonwealth Charter, the SADC Protocol on Gender and Development, the African Charter on Human and People's Rights and international norms and standards on gender and human rights. We strongly encourage Swaziland to comply with these standards.

The team observed a good turnout of young people on Election Day and noted that the majority of polling staff were young people. We observed young people as candidates' agents and note the number of youth engaged in victory celebrations. However, we observed that, even though Swaziland is experiencing a youth bulge, very few young people ran in the elections.

We understand that youth face challenges which may hinder their full engagement given the campaigning context. (see **The Campaign** in Chapter Four).

The team recommends that initiatives be developed in an effort to level the playing field for women and youth participation for the next elections. This should ideally constitute robust programs to be introduced and implemented by chiefs, the government and EBC, alongside civil society, to sensitise citizens on the need for equity and encourage women and youth to participate fully in the democratic process. Civil society plays an important role in civic education and should be empowered to deliver extensive programming well in advance of the elections.

Media

The context for media freedom is the same as was observed in 2008. TV and radio are largely government controlled. TV was largely not used as a medium for campaigning. The EBC tried to regularise the use of the radio as a medium, but very few candidates used it.

The two leading newspapers in the print media are the *Swazi Observer* and the *Times of Swaziland*, the first of which is owned by the government. Print media were more open than TV and radio, allowing interviews with candidates and provided elections

coverage. However, we were informed of a number of cases where journalists critical of the government were fired, sued or incarcerated. We heard testimony that such cases have led journalists to self-censor. We also were told that civil society groups had difficulty getting materials printed in the print media.

Media in Swaziland have also been subjected to various restrictive laws, including the Suppression of Terrorism Act and harsh defamation laws.

We observed that, in some cases, the coverage and tone in the print media was lacking impartiality and quality. We urge Swaziland media to uphold the Swaziland journalists Code of Ethics and recommend that capacity building programmes be put in place to cultivate professionalism and adherence to this code in the media.

We heard testimony that the process for private media companies to register was arduous and prohibitive. For example, we were informed of a campaign to register a community based radio station but after a number of years a decision is still pending.

We strongly urge and recommend that the Government of Swaziland encourage and facilitate the development of private media, with particular emphasis on the radio, due to its broad reach.

CHAPTER FOUR

PREPARATIONS FOR THE ELECTIONS

Adequate preparations for National Elections are fundamental at both administrative and technical levels to enhance the credibility of the process and to meet the standards for democracy to which Swaziland has committed itself. This was the second election held under the 2005 Constitution, hence the need to continue to consolidate best practices on relevant electoral procedures and processes.

Administration of the Elections

An administrative framework was instituted to promote the independence of the EBC and its transparency. This included accounting, procurement, human resource management and auditing best practice procedures. They were critical to building confidence in the EBC and an essential ingredient in their efforts to continually attract multiple funding.

Structure of the Election Administration

The EBC, as provided in the Constitution, was established in March 2008. It consists of a Chairperson, Deputy Chairperson and three other members, appointed by the King on the advice of the Judicial Services Commission (JSC).

The requirements are that members of the EBC shall possess the qualification of a judge of the superior courts or be persons of high and moral character, proven integrity, relevant experience and demonstrable competence in the conduct of public affairs. Although election management is not a specialized field, it is important that those appointed should have a broader knowledge of technical aspects of electoral processes.

Functions of the Elections and Boundaries Commission

The EBC, which was established in March 2008, has the following functions as enshrined in Section 90(7) of the Constitution:

- Oversee and supervise the registration of voters and ensure free and fair elections at the primary, secondary or other levels;
- Facilitate civic or voter education as may be necessary in between elections.
- Review and determine the boundaries of *tinkhundla* areas for the purpose of elections;
- Perform such other functions in connection with elections or boundaries as may be prescribed;
- Produce periodic reports in respect of work done.

The EBC is gradually conforming to the technical and procedural aspects of its mandate which generally was evident to some extent in the elections. Nevertheless, it still needs to work hard to enact the guidelines and regulations to strengthen the entire electoral process to meet acceptable standards.

Boundary Delimitation

The 2005 Constitution, Section 91(1) allows the EBC to review the number and boundaries of *tinkhundla* (constituencies) during the fourth year of Parliament and submit to the King a report with recommendations to retain or change the existing position. The report shall be made at least nine months before the dissolution of parliament in terms of Section 134(2).

The boundaries of each *inkhundla* shall be such that the number of inhabitants of an *inkhundla* is as nearly to the population quota as is reasonably practicable having regard to the terrain, the means of communication (transport) within that *inkhundla* and shall not extend over more than one region.

The Commonwealth Expert Team in 2008 reported that the EBC was yet to review constituency boundaries. The boundaries used for the elections were demarcated in 1993, which is contrary to the existing law enshrined in the Constitution of 2005⁵. Swaziland still has 55 constituencies, distributed across the four regions of the country, namely, Hhohho, Lubombo, Manzini, and Shiselweni.

Demarcation of constituencies ought to be technically done after a National Population Census is conducted in most countries to meet technical and administrative demands of good governance. To this end, the election management body will be technically equipped and well informed on how to properly demarcate the boundaries which will focus on proximity.

We were informed that the last census was conducted in 2007. We recommend that the government work towards conducting a demarcation of boundaries at the earliest convenient opportunity.

Election Timetable

Election timelines are very important in ensuring timeliness and strict adherence to dates and activities. The timetable for the elections was as follows:

Voter Registration:	13 May – 30 June 2013
Nominations:	3-4 August 2013
Primary Elections:	24 August 2013
Secondary Elections:	20 September 2013
Counting of ballots and Announcement of Results:	20 September 2013

⁵⁵ Section 91(1 - 5), *op. cit.*

The table above clearly showed EBC was faced with time constraints. This challenge is not very different from the previous election. These concerns were raised in the Observer mission report which should be addressed accordingly.

We also recommend that the drafting and approval of the election timeline for the EBC should occur well long ahead of time, to enhance adequate planning and implementation.

We also recommend that an activity timeline be incorporated into the EBC budget to minimize financial constraints that may affect proper implementation of its activities.

Voter Registration

The Right to Vote

Article 85(1) provides every Swazi citizen the right to vote at the age of 18 or more and be of sound mind. The person must be a registered voter and the name must be included on the voter's register with a photo and registration ID number. The law is still not clear on this provision and there is no regulation in the Election Act No 13 of 2013 that defines what time/date one would have attained the age of 18 to qualify. Hence, the 2008 Commonwealth Expert Team had recommended that the EBC enacts regulations to clarify the provision on voting age.

We encourage the EBC to act on this provision to enable all eligible voters to register. There must be dates set aside every year to allow those who attain the age of 18 to register in consonance with a continuous registration act that can be passed by parliament.

Voter Registration Procedures

Functions of the EBC include to oversee and supervise registration of voters. Upon past recommendations by Commonwealth Expert Teams in both 2003 and 2008, the EBC registered voters using the computerized system for the elections, which is commendable.

The Voter Registration Order 1992 provides, inter alia, for the display of voters' registers at regional and sub-regional offices.

An exhibition and inquiry of the voter register was conducted, to allow for appropriate corrections to be made on the register, in order for it to be finalized. Cleaning the voter register is very relevant to ensure its accuracy even with the computerized system.

The team recommends a clear timetable for the exhibition and inquiry of the voter register be drawn up, in line with the Elections Act (2013), as a major activity of the EBC.

This should be done in conjunction with intense voter education.

The Nomination Process

Section 87 of the Constitution states that all nominations for *Bucopho* or Members of Parliament shall be open and supported by a maximum of ten nominees and a minimum of five, qualified to vote in that *inkhundla*. This was done by raising of hands in support of the individual candidates.

Nominations for both primary and secondary elections were held on the 3rd and 4th August 2013.

Generally, the process was considered to have been conducted satisfactorily.

Civic and Voter Education

The EBC has the mandate to facilitate civic and voter education. Several reports indicate that very little was done to create people's awareness on the election process.

We recommend that a National Commission on Civic Education be constituted as a requirement for every democratic country to educate citizens on national programmes and as well complement the work of the EBC in that regard.

Training and Capacity Building

In this election, it was evident that election officials and security personnel were well-trained and up to the task. Procedures were followed in most polling stations and during counting, although counting was not done at the polling stations. Election officials' conduct of duty exhibited good professionalism and EBC has to be commended for that. (**Chapter Five** of this report has details on that.)

We recommend training packages for election officials and security personnel should be catered for by EBC that will allow adequate training to be conducted in every election year.

Lost Voter ID Cards

The law is not explicit on what should be done to replace lost voter ID cards. This is very crucial and needs to be addressed in order not to disenfranchise eligible voters. The current regulation on issuance of lost ID cards is not the best, as it has both negative and positive tendencies of abuse since the mandate resides with the Returning or Presiding Officer who are both temporal staff of the EBC.

We recommend that the EBC takes full responsibility of voter ID card replacement in accordance with the best practices in other countries.

Transparency and Accountability

The Observer Mission commends the EBC for improving upon its drive to make elections in Swaziland transparent and acceptable at both national and international levels. This was as well attested by other international observers who were invited to observe the elections. The invitation of numerous observers particularly from the southern region is a clear indication of the EBC's commitment to credible elections, irrespective of its tight timelines.

Some issues of accountability have been highlighted in **Chapter Five** of this report.

Domestic and International Observers

International observers were seen in good numbers. They included the African Union Observer Mission, Southern African Development Community (SADC), Electoral Observer Mission, SADC Parliamentary Forum, SADC Lawyers Association, US Embassy, Common Market for Eastern and Southern Africa (COMESA), and the European Union. Domestic Observer groups included CANGO, and media representatives.

The Campaign

Campaigning is prohibited until after the primary elections and must cease 24 hours before Election Day. The campaign is comprised of two elements conducted simultaneously. Firstly, the EBC facilitates campaigning whereby each candidate is able to address a meeting in each Chiefdom in the *Indvuna* to discuss matters of national interest and socio-economic development, followed by questions from the audience. Secondly, during the prescribed time, candidates are allowed to campaign freely; however, printed campaign material must be approved by the EBC⁶.

It was generally observed that the campaigns focused on one-on-one interaction as opposed to printed advertisements. Very few campaign posters were visible during the campaign. We heard from civil society, candidates and locals that campaigning usually involved the giving of gifts such as food, a practiced popularly termed 'buying votes'. We note that such campaigning practices create an uneven playing field for candidates, made worse by the absence of political parties which can be a powerful fundraising tool. This was evidenced by a report that a significant percentage of elected MPs were businesspersons.

While we congratulate the EBC on producing a set of guidelines for campaigning, we recommend that the guidelines be revisited in consultation with the EBC, political organisations, candidates and civil society to further identify campaign conduct and ethics with a view to level the playing field.

Further, we note that conducting the count in a central location prevents incumbents and candidates from gathering important statistics of where they won and lost the poll. Such data can provide valuable information for future campaigning

⁶Section 39(3), The Elections Act (2013) and Section A(3), Election Campaign Guidelines

and help ascertain the interests of the people in that poll by the way they cast their votes and the winning candidate's platform.

Recruitment of Polling Staff

Over 3000 election officials were recruited country-wide to administer the elections. Returning officers took oaths and signed contracts, legally binding them to their temporal assignment. We commend the EBC for providing additional staff for the secondary elections, following an evaluation of its operations during the primary elections.

EBC has no field offices in any of the four regions, which make it difficult to locate Returning and Presiding Officers recruited for the work. Practically they serve as liaison officers between EBC and other stakeholders.

It is recommended that the EBC should establish regional offices where all election activities can be coordinated.

Election Offences

There were no significant cases of election malpractices or irregularities that occurred during the entire voting and counting exercise. A few reports indicated minor incidents which took place in a few polling stations but did not mar the election process.

We recommend that review committees be set up, headed by a judge and including a regional election officer as the secretary and at least two representatives of key stakeholders to look into complaints and other matters of election.

A review of the election laws and regulations highlighted in this report will be of tremendous support to curtail possible violations, malpractices and irregularities of electoral procedures and processes.

CHAPTER FIVE

VOTING, COUNTING AND RESULTS PROCESS

Under the provisions of the Constitution, Election Day activities were well conducted and largely peaceful. No major incidence were reported anywhere in the country.

Pre - Polling Arrangements

Polling arrangements is a major activity that is conducted prior to Election Day. Well trained election officials and EBC staff distributed non sensitive materials to all polling stations except the voter registers and ballot papers. Most election officials ensured proper layout of all polling stations. Signs were not mounted early enough during the day to direct voters to their various polling stations. This did not, however, prohibit voters from locating their polling stations. Maximum security was provided to ensure safety of voting materials. Sensitive materials such as Voter Registers and Ballot Papers arrived during the early hours of the morning of voting day before the start of polls.

Arrangements for Polling Day

The EBC has the responsibility of appointing Returning and Presiding Officers who supervised and managed polling activities in each *inkhundla*. Polling centres were managed by well identified Presiding Officers and assisted by polling officers and security personnel. The prescribed polling procedure was as follows:

As per the EBC nomination and polling procedure guidelines, polls would open at 7:00am and close at 6:00pm. Before the commencement of the polls the ballot boxes would be shown to all present to prove they were empty. They would then be sealed in view of all present and candidates and agents invited to place their seals. On arrival at the polling centre the voter would present his/ her voter ID card to an election official. The Election Officer would then check for the voter's name in the voter register and mark a cross on his/ her photo when identified, to prove that he/she has voted. If the voter is registered but does not have a card, he/she must prove to the presiding officer that the person is the one whose name appears on the voters register.

Then the voter would be checked for ink, if not marked, would be marked with indelible ink on the index finger and given the ballot paper. The voter then moves to a screened compartment and marks an "X" on the picture of one candidate of his /her choice, the ballot is then folded and placed in the respective ballot box for the Indvuna ye Nkhundla and MP.

At the official closing time of 6:00pm, any voter still in the precincts of the polling station would be allowed to cast her/her vote. The presiding officer must close and

seal the ballot box and affix his/her seal immediately after the close. Candidates and agents also affix their seals.

According to the Elections Act, once all the paperwork had been properly completed the presiding officer shall personally deliver to the returning officer, at a venue notified by the returning officer, the elections materials including the ballot boxes.

After checking that the required material is present, the count may begin. The ballot papers are first unfolded face down to check for the official mark, then turned face upwards, sorted by candidate and counted

After the count, the returning officer shall declare the candidate who has received the most votes to be the winner. The EBC shall publish in the Gazette the results of the elections and the names of the winning candidates.

Evaluation of Polling Day

Opening and Closing of Polls

Generally, polling started in most parts of the country at 7:00 am and closed at 6:00 pm.

The close took place in the presence of candidates, agents, observers and election officials. Irrespective of the recommendation by the Commonwealth and other observers, in 2008 to count votes at the various polling stations after close of polls, which was adhered to during the primary elections, the EBC reverted to the old system in this election as counting took place at central locations in *tinkhundla*. As a result, the process was cumbersome, time consuming and concluded in most areas the following morning. The Commonwealth Team in 2008 had recommended that comprehensive written guidelines relating to procedures for the count be produced. However, gaps still remain in the current guidelines and not all of the procedures were followed. We therefore wish to reiterate the aforementioned recommendation and also highlight the earlier recommendation that counting should be done at the various polling stations to ensure its credibility.

Ballot boxes were locked and sealed in the presence of all present at the centre, with serial numbers of seals recorded. However, the opening on top of the ballot boxes, even when sealed, could still be tampered with. Therefore we recommend a more secure method of sealing the opening.

Voting

Voters queued at polling stations several hours before the opening of polling stations. Election officials followed most of the voting rules as stated above which fast tracked the entire process of voting. In largely populated areas, there were long queues and voters patiently waited to cast their votes. Management of queues was orderly conducted in most polling stations with the help of the police in accordance with the law. Senior citizens and persons with disability were conveyed to their various stations and assisted by election officials when the need arose.

We recommend that largely populated polling stations be split and moved to a nearby location to ease accessibility and create more space for effective operations. While the Polling Guidelines stipulated that mobile phones or other photo-capturing devices were not to be brought into polling stations, by and large, we did not witness this regulation being applied by polling officials.

Special Voting

No provisions governing the conduct of special voting currently exist. We were informed, however, that current arrangements for 'special voting' leave room for potential distrust on the part of some candidates and/or their agents. A 'special vote' is one where a voter is unable by circumstances to be present in the constituency where he or she is registered, and is allowed to cast a vote either on a day prior to the acting holding of the elections, or in the country's diplomatic missions. In one centralised counting area, the 'special votes' were brought in from the offices of the EBC, in large paper envelopes.

We recommend that provisions be adopted to clarify the arrangements and procedures for the conduct of special voting.

We observed that there was an inconsistency in the manner in which special votes were delivered to the counting centres. We could also not verify what security arrangements were put in place for the transportation of the special votes. The relatively large number of these votes (about 150-200) could potentially be decisive in an electoral contest.

The EBC should consider the following recommendations:

1. A special day be set aside for candidates in their respective constituencies to be present when the votes are being cast; a polling station may be created, or, re-created, in order for candidates and their agents to witness the casting of ballots, for example for those on essential duty on Election Day after which, they would be sealed and later taken to the counting locations.
2. The EBC should consider expanding the categories of citizens who are eligible to cast special votes and allow candidates and their agents to observe the process.
3. The current provisions for handling special votes abroad be revisited, to ensure that, as far as possible, Swazi citizens who are abroad are not disenfranchised. We are, however, conscious that there would be administrative and resource challenges.
4. That the EBC consider adopting proxy voting, for absentee voters who are unable to physically vote in person, e.g. voters in hospital and the infirm.

Security

Security personnel were visible in all polling stations visited and were very professional in the execution of their duties, which we wish to commend. Commonwealth observers in their 2008 election report recommended that the police be trained on electoral issues, which appeared to have been carried out. We recommend that training of the police on electoral issues in relation with their security role should continue to be an integral part of preparations for national elections.

Efficiency of Polling Officials

Polling officials were trained and they performed effectively and efficiently. We wish to commend the EBC for the training provided to their polling staff. Polling officials were assigned in all polling stations in good numbers, and we were informed that the EBC had taken a decision to increase the number of polling staff after evaluating their operational challenges encountered during the primary elections. They were very receptive and willingly assisted all voters who needed their help to ensure all eligible voters were able to cast their votes. The aged and persons with disability were allowed to cast their votes without joining the queue.

Domestic and International Observers

The deployment of international observers in all the four regions of the country provided an enabling environment to ascertain whether the election processes were free, fair and transparent. This conformed to the prescribed international procedures governing the conduct of elections. The team was deployed in three regions who observed elections in many polling stations. Domestic observers were not very visible in most of the polling stations, though we were informed by civil society organisations that some had planned to have observer teams deployed throughout the country. We therefore recommend that further training opportunities and adequately resourced domestic observers are trained and deployed to polling stations as prescribed by international standards.

Role of Candidates' Agents

Although candidates' agents were present in many polling stations, they were not always easily identifiable. In some cases, it appeared that agents were not familiar with polling procedures. The Commonwealth Expert Team present in 2008 had recommended that suitable training be provided to address this shortcoming, however this did not appear to have been addressed. Additionally, we recommend that candidates' agents be provided with a clearly identifiable photographic badge.

Secrecy of the Ballot

The design of the ballot papers were not changed as voter ID numbers were recorded on the counterfoils which is a potential threat to the secrecy of the ballots. This concern was raised by Commonwealth observers in 2008 and EBC promised to address it; however, it was not done.

We recommend this must be redressed in subsequent elections. We also observed that the layout of some polling stations was such that the secrecy of the ballot could have been compromised, with the open side of polling booths in close proximity to polling officials, agents and observers. We recommend that the EBC revisits current arrangements to remove any potential violation of the secrecy of the ballot in future elections.

Transportation of Ballots

The count was done in a central location in all *tinkhundla*. The EBC had stipulated in its guidelines for polling officials that, while counting should normally have taken place at respective polling stations, due to the fact that most candidates did not have any agents, a decision was taken to conduct the count at central locations only. In the interest of ensuring transparency and speeding up the count process, we recommend that the EBC conducts the count at each polling station and that votes be recorded on results sheets and declared, prior to onward submission for collation centrally at the constituency level. Cognisant of the fact that there may be an issue with the lack of agents in each polling station, the EBC may wish to adopt guidelines, in consultation with candidates, to enhance the recruitment and training of agents. Election officials, the police and some candidate agents accompanied the ballot boxes that were transported to the various centres. Some boxes arrived as late as 8:30pm which made it difficult for most observers to track the arrivals of these boxes and who actually accompanied them. Therefore, the security of most ballot boxes was not fully guaranteed. The recommendation made in the Commonwealth Expert Team's 2008 report to count votes at the various polling stations was not taken up by the EBC. We believe that this recommendation is relevant and must be enforced.

Other Recommendations

- The EBC should consider establishing regional offices where people can go for assistance and access electoral information.
- As outlined in the Elections Act (2013), the EBC should provide maps of *tinkhundla* to facilitate the locating of various polling locations⁷.

⁷Section 16(5), Elections Act No. 6 (2013)

CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

We were conscious that our observation exercise was the third such mission the Commonwealth has constituted, following the presence of observer teams in both 2003 and 2008. We were also cognisant that, in December 2012, Commonwealth governments reaffirmed and strengthened their commitment to democratic culture and governance through the adoption of the Commonwealth Charter. This was a significant step, as it signalled that the aspirations of good governance, the consolidation of democracy and adherence to the rule of law remain at the heart of Commonwealth values and principles.

We also recognise, however, that the consolidation of democracy is an evolutionary process. Consequently, we acknowledge the positive, yet incremental, steps that have been taken in the Kingdom of Swaziland. We laud the EBC, in particular, for having conducted a peaceful, well-managed and transparent process on Election Day. Some of the benchmarks for democratic elections were met, including the right of the people to exercise their franchise. We congratulate the people of Swaziland too, for turning out with enthusiasm to cast their votes. Though there were a number of technical shortcomings, we believe that with appropriate support, they could be overcome in future elections. Most notable among these were the inconsistencies in polling procedures and the decision by the EBC to centralize the count in one central location after the close of the polls, contrary to legal provisions and the EBC's own guidelines.

Our mandate, however, was not to simply observe the conduct of the polls on Election Day: as was the case for Commonwealth observer missions in 2003 and 2008, we took into account all aspects of the electoral process in our observations and assessed key developments that had taken place in Swaziland since the previous National Elections, held in 2008. In doing so, we considered that, in both 2003 and 2008, Commonwealth observers had concluded that the entire process could not be deemed credible, due to major democratic deficits. As one of 32 small states in the Commonwealth, with concomitant vulnerabilities, the achievement of Swaziland's national development objectives were being constrained by a system where, firstly, Parliament did not have power, due to prevailing inconsistencies and contradictions, in particular as they related to the separation of powers (or lack thereof) and the rule of law; and secondly, political parties were proscribed, due to contradictions as they related to the interpretation of the fundamental right of freedom of association and assembly.

We found that, on these aspects, the political environment remained mainly unchanged for the 2013 elections. The key difference in 2013 was that the election legislation had been enacted, including enabling legislation for the establishment of the EBC, though with considerably compressed timelines just prior to the elections. Overall, the elections were well conducted but we strongly believe that there is considerable room for improving the democratic system, in light of Swaziland's

international obligations. We, therefore, cannot conclude that the entire process was credible, if measured against those obligations.

It is our fervent hope that the people of Swaziland could be encouraged to consolidate the democratic gains made with the adoption of the 2005 Constitution, through inclusive, national consultation and dialogue processes, while remaining sensitive to Swazi cultural norms and traditions.

Recommendations

The Constitutional and Legal Framework

- that measures be adopted to ensure that the principle of the separation of powers is upheld, to assure Swaziland's international commitments in this regard, including adherence to the Commonwealth (Latimer House) Principles on Three Branches of Government.
- that, while cognisant of the respect due to the institution of Monarchy, which in itself should be safeguarded and accommodated, the constitution be revisited. This should ideally be carried out through a fully inclusive, consultative process with all Swazi political organisations and civil society (if needed, with the help of constitutional experts), to harmonise those provisions which are in conflict. The aim is to ensure that Swaziland's commitment to political pluralism is unequivocal.
- that enabling legislation be enacted to allow for political parties, so as to give full effect to the letter and spirit of Section 25 of the Constitution, and in accordance with Swaziland's commitment to its regional and international commitments.

The Political Environment

Women and youth:

- that initiatives be developed in an effort to level the playing field for women and youth participation for the next elections. This should ideally constitute robust programs to be introduced and implemented by chiefs, the government and EBC, alongside civil society, to educate Swazis on equality and encourage women and youth to participate fully in the democratic process.
- that civil society be empowered to deliver extensive civic education programming well in advance of the elections.

Media:

- that capacity building programmes be put in place to cultivate professionalism and adherence to the Swaziland journalists' Code of Ethics.

- that the government of Swaziland encourage and facilitate the development of private media, with particular emphasis on the radio, due to its broad reach.

Preparations for the Elections

Boundary delimitation:

- that the government should work towards conducting a demarcation of boundaries at the earliest convenient opportunity.

Election timetable:

- that the drafting and approval of the election timeline for the EBC should occur long ahead of time to enhance adequate planning and implementation.
- that an activity timeline be incorporated into the EBC budget to minimize financial constraints that may affect proper implementation of its activities.

Voter registration:

- that the EBC enacts regulations to clarify the provision on voting age.
- that a clear timetable for the exhibition and inquiry of the voter register be drawn up, in line with the Elections Act (2013), as a major activity of the EBC.

Civic and Voter Education:

- that a National Commission on Civic Education be constituted, to sensitise citizens on National programs and complement the work of the EBC in that regard.

Training and Capacity Building:

- that training packages for election officials and security personnel be catered for by the EBC, to allow adequate training to be conducted in every election year.

Lost Voter ID cards:

- that the EBC takes full responsibility for voter ID card replacement, in accordance with the best practices in other countries.

The Campaign:

- that the current guidelines for election campaigns be revisited in consultation with the EBC, political organisations, candidates and civil society to further identify campaign conduct and ethics with a view to level the playing field.

Recruitment of Polling Staff:

- that the EBC should establish regional offices where all election activities can be coordinated.

Election Offences:

- that review committees be set up and headed by a judge and a regional election officer as the secretary, and at least two representatives of key stakeholders, to look into complaints and other election-related matters.

Voting, Counting and Results Process

Arrangements for Polling Day:

- that the EBC should consider establishing regional offices where people can go for assistance and access electoral information.
- As outlined in the Elections Act, the EBC should provide maps of tinkhundla to facilitate locating polling stations⁸.

Opening and Closing of Polls:

- that the current written guidelines relating to procedures for the count be revised to ensure that they are more comprehensive.
- that the count should be done at polling stations to ensure its credibility.
- that, at the count, the votes should be recorded on results sheets and declared, prior to onward submission for collation centrally at the constituency level.
- that a more secure method of sealing the opening of ballot boxes be adopted.

Voting:

- that largely populated polling stations be split and moved to a nearby location to ease accessibility and create more space for effective operations.

Special Voting:

- that provisions be adopted to clarify the arrangements and procedures for the conduct of special voting.
- that a special day be set aside for candidates in their respective constituencies to be present when the votes are being cast.

⁸Section 16(5), Elections Act No. 6 (2013)

- that a polling station may be created, or, re-created, in order for candidates and their agents to witness the casting of ballots, for example for those on essential duty on Election Day after which, they should be sealed and taken to the counting locations.
- that the EBC consider expanding the categories of citizens who are eligible to cast special votes and allow candidates and their agents to observe the process.
- that the current provisions for handling special votes abroad be revisited, to ensure that, as far as possible, no Swazi citizens abroad are disenfranchised. (We are, however, conscious that there are significant administrative and resource challenges linked to this recommendation.)
- that the EBC consider adopting proxy voting, for absentee voters who are unable to physically vote in person e.g. voters in hospital and the infirm.

Security:

- that training of the police on electoral issues in relation with their security role should continue to be an integral part of preparations for national elections.

Domestic observers:

- that further training opportunities are provided for domestic observers.

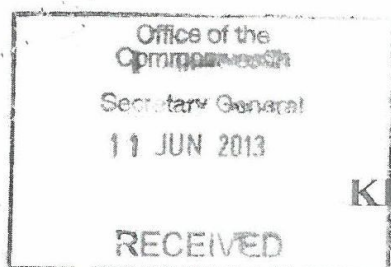
Candidates' Agents:

- that the EBC adopts guidelines, in consultation with candidates, to enhance the recruitment and the provision of training opportunities for agents.
- that candidates' agents be provided with a clearly identifiable photographic badge.

Secrecy of the ballot:

- that the EBC removes the procedure for recording voter ID numbers on the counterfoils, which is a potential threat to the secrecy of the ballots.
- that the EBC revisits current arrangements for the layout of polling stations, in particular the positioning of voting booths, to further eliminate potential threats to the secrecy of the ballot in future elections.

ANNEX I: Invitations by the Government and the Elections and Boundaries Commission (EBC)



KINGDOM OF SWAZILAND HIGH COMMISSION

Telephone: 020 7630 6611
Fax: 020 7630 6564
E-mail: enquiries@swaziland.org.uk

20 BUCKINGHAM GATE
LONDON
SW1E 6LB

11th June 2013

Mr Kamallesh Sharma
The Secretary General
Commonwealth Secretariat
Marlborough House
London SW1Y 5HX

The Secretary General,

INVITATION TO OBSERVE THE 2013 NATIONAL ELECTIONS OF THE KINGDOM OF SWAZILAND

On behalf of the Government of the Kingdom of Swaziland we wish to extend an official invitation to your esteemed Organization to come observe the entire electoral process of the 2013 National Election of the Kingdom of Swaziland; from the current voter registration process to the final secondary elections including the announcement of the results. The 2013 National Electoral Calendar is as follows;

- | | | |
|------------------------|---|--|
| • Registration | - | 13 th May to 23 rd June 2013 |
| • Nomination | - | 3 rd or 4 th August 2013 |
| • Primary Elections | - | 24 th August 2013 |
| • Campaigning | - | 25 th August to the 19 th September 2013 |
| • Secondary Elections | - | 20 th September 2013 |
| • Counting and Results | | |

A copy of the Memorandum from the Government of the Kingdom of Swaziland regarding the same is enclosed herein for ease of reference.

While thanking you for your prompt consideration and acceptance of this special request, please accept the assurance of our highest consideration.

Yours Sincerely


Dumsile T. Sukati
High Commissioner



**COMMONWEALTH
SECRETARIAT**

Dear High Commissioner,

1 July 2013

I acknowledge receipt of your letter to the Secretary-General dated 11 June 2013, and an earlier letter from the Elections and Boundaries Commission, extending a formal invitation to the Commonwealth to observe the 2013 National Elections of the Kingdom of Swaziland.

In line with usual practice, the Commonwealth Secretariat proposes to send an Assessment Mission to Swaziland. The terms of reference of this mission will be to:

- Assess the prevailing conditions and preparations for the forthcoming elections and the extent to which the minimum conditions for democratic elections are provided for;
- Meet national stakeholders and ascertain whether or not there exists broad support for the presence of Commonwealth observers;
- Ensure that any Commonwealth Observer Mission which the Secretary-General may decide to constitute for the forthcoming elections will be free to pursue its mandate;
- Explain the role and methodology of an observer mission to national and relevant international stakeholders;
- Make preliminary organisational plans for the potential later deployment of an observer mission for the September elections.

The Assessment Mission proposes to visit Swaziland from 8-12 July 2013. The delegation will comprise Mr Martin Kasirye, Head of the Democracy Section, Mr Koffi Sawyer, Political affairs Officer, Africa Section and Ms Zippy Ojago, Executive Officer, Democracy Section, all from the Political Affairs Division.

The Delegation intends to arrive in Swaziland at 10:50 hrs on Monday 8 July on South African Airways flight number SA8992 and depart on Friday 12 July at 13:50 on SA8999.

The Commonwealth Secretariat would be grateful for assistance during their visit to secure meetings *inter alia* with the Speaker of the National Assembly, the Minister of Justice, the Principal Secretary, Ministry of Foreign Affairs, the Elections and Boundaries Commission, and the Human Rights Commission.

H E Mrs Dumsile T Sukati

...2/

MARLBOROUGH HOUSE PALL MALL LONDON SW1Y 5HX

TEL: Switchboard +44 (0)20 7747 6500 FAX: +44 (0)20 7930 0827

www.thecommonwealth.org

As is customary, the delegation will also meet with civil society organisations and members of the Commonwealth diplomatic community in Mbabane. We shall be arranging the latter meetings directly.

The Commonwealth Secretariat would also be grateful for the usual courtesies to be extended on arrival and departure.

Mr Martin Kasirye can be contacted on m.kasirye@commonwealth.int / +44 (0) 20 7747 6129 / +44 (0) 785029 8928.

With many thanks in anticipation for your usual kind assistance.

Best regards,

Yours sincerely,
Amitav

Amitav Banerji
Director
Political Affairs Division

H E Mrs Dumsile T Sukati
High Commissioner
Kingdom of Swaziland High Commission
20 Buckingham Gate
London SW1E 6LB

ANNEX II: Biographies of the Team

HE Dr Bakili Muluzi (Malawi) - Chair

Dr Bakili Muluzi graduated from Thisted College of Technical Education, Denmark, and Huddersfield College of Education in the United Kingdom. He became Principal of Nasawa Technical Training College. He was elected to Parliament in 1973 and served in several Cabinet Ministerial Positions of Youth and Sports, Education, Transport and Communications, Minister in the President's Office and Secretary General of the Malawi Congress Party. Whilst serving as a Member of Parliament, he also served as Secretary of the Commonwealth Parliamentary Association (CPA) Malawi branch. Dr Muluzi was the first democratically elected President of the Republic of Malawi and served between 1994 and 2004. Dr Muluzi served as Chairperson of the Southern African Development Community (SADC). He also served as Chairperson of the Common Market for Eastern and Southern Africa. Whilst serving in these positions he got involved in peace-making processes in the Democratic Republic of Congo, Angola, Burundi, Zimbabwe, Sudan, and Uganda. Dr Muluzi chaired the Commonwealth Observer Group to the Lesotho Parliamentary Elections in 2012.

Ms. Alicia Swinamer (Canada)

Alicia is co-founder of MYCommonwealth and is currently Canada's youth representative to the Commonwealth. She has served three Federal Cabinet Ministers by providing political, policy and strategic advice, managing national and international issues, collaborating with stakeholders and producing communications material. Alicia has been involved in various Commonwealth associations for seven years. Her work has led to many collaborative projects and policies with not-for-profit organizations, academics, Governments and Commonwealth organizations. In her roles, Alicia has made representations to Her Majesty the Queen, the Senate of Canada, High Commissioners and at Commonwealth summits. In 2012, Alicia was awarded the Queen's Diamond Jubilee medal for her work to promote Commonwealth values and empower youth.

Madam Sa-adatu Maida (Ghana)

Sa-adatu Maida currently works for the Electoral Commission of Ghana as a Commissioner. She obtained her Masters degree in International Development at Brandeis University, Massachusetts, USA. She is a development practitioner who has worked for West Africa Network for Peace building (WANEP)-Ghana as a Project Consultant. She also worked for the United Nations Development Programme (UNDP) as a Project Manager under the Disaster Recovery Project in Ghana. She doubles as a trainer in capacity building and a Consultant for Skills Development Fund, a project under the Council of Technical and Vocational Education and Training in Ghana (COTVET). Mrs Maida observed both the 2011 Presidential Election and the 2012 Parliamentary Elections in The Gambia for the Commonwealth.

Dr Curtis Jacobs (Trinidad and Tobago)

Dr Jacobs is currently heading The University of the West Indies Open Campus Grenada, a position he has held since 2005. He holds a Bachelor's degree and a Doctorate in History and Political Science from The University of the West Indies. A historian by profession, he has been involved in the research and writing of the history of the Caribbean, from the eighteenth century to the contemporary period. He previously served as a member of the Organisation of American States Electoral Observer Mission to the 2011 general elections in Guyana.

Commonwealth Secretariat Staff Support Team

Mr Linford Andrews, Political Affairs Adviser, Democracy Section (Staff team leader)
Mr Koffi Sawyer, Political Affairs Officer, Africa Section
Ms Zippy Ojago, Executive Officer, Democracy Section

ANNEX III: Commonwealth News Release

Commonwealth to observe Swaziland national elections 13 September 2013

The Commonwealth is to send an observer mission to Swaziland for the country's national elections scheduled for 20 September, 2013. Dr Bakili Muluzi, former President of the Republic of Malawi, will lead the Commonwealth Observer Mission. Commonwealth Secretary-General Kamalesh Sharma constituted the observer mission at the invitation of Swaziland's Elections and Boundaries Commission.

Commenting on the importance of the polls, Mr Sharma said: "The upcoming elections are an important step in Swaziland's democratic evolution. We hope they will be peaceful, and as inclusive as possible."

The observer mission's mandate is to observe the preparations for the elections; the elections themselves, the counting of votes and the results process as a whole. Where appropriate, it will make recommendations for the future strengthening of the electoral framework in Swaziland.

As with all Commonwealth observer missions, the team will be tasked to act impartially and independently, and to conduct itself according to the standards expressed in the International Declaration of Principles for Elections Observation, to which the Commonwealth is a signatory.

The mission's will submit its report to the Commonwealth Secretary-General, who will in turn send it to the Government of Swaziland, the Elections and Boundaries Commission of Swaziland, political and civil society organisations, and eventually to all Commonwealth governments.

The Commonwealth Observer Mission will arrive in Swaziland on 15 September and stay until 25 September. A team from the Commonwealth Secretariat in London will support the mission. It will be led by Mr Linford Andrews, Interim Adviser, Commonwealth Electoral Network in the Secretariat's Political Affairs Division.

Composition of the Observer Mission

Chair: Dr Bakili Muluzi
Former President
Republic of Malawi

Ms Alicia Swinamer
National Director
MYCommonwealth
Canada

Mrs Sa-adatu Maida
Election Commissioner
Ghana

Dr Curtis Michael Jacobs
Head of Centre
The University of the West Indies Open Campus Grenada
Trinidad and Tobago

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Acting Communications Adviser
Communications & Public Affairs
Commonwealth Secretariat

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ANNEX IV: List of Meetings Held

List of Organisations

- African Union
- Common Market for Eastern and Southern Africa
- Constituent Assembly of Civil Society (CA)
- Coordinating Assembly of Non-Governmental Organisations
- Delegation of the European Union to the Kingdom of Swaziland
- Elections and Boundaries Commission
- Embassy of the United States
- Media Institute of Southern Africa (MISA) Swaziland
- Ministry of Foreign Affairs and International Cooperation
- People's United Democratic Movement (PUDEMO)
- Royal Swaziland Police
- SADC Lawyers' Association Observer Mission
- SADC Parliamentary Forum Observer Mission
- SADC Electoral Observer Mission
- *Sive Siyinqaba* National Movement
- Swaziland Democratic Party (SWADEPA)
- Swaziland Coalition of Concerned Civic Organisations (SCCCO)
- Swaziland National Association of Teachers (SNAT)
- South African High Commission
- United Nations Development Programme

ANNEX V: Deployment Plan

Team	Locations	Names
1	Mbabane Ezulwini Valley Manzini Region	Dr Bakili Muluzi Mr Linford Andrews Ms Zippy Ojago
2	Nhlangano Shiselweni Region	Mrs Sa-Adatu Maida Dr Curtis Jacobs
3	Pigg's Peak Hhohho Region	Ms Alicia Swinamer Mr Koffi Sawyer

Declaration of Principles for International Election Observation

The Commonwealth Secretariat is a signatory to both the Declaration of Principles for International Election Observation and the associated Code of Conduct for International Election Observation Missions, commemorated on 27 October 2005 at the United Nations in New York.

Commonwealth Observation missions are organised and conducted in accordance with the Declaration and Commonwealth Observers undertake their duties in accordance with the Code of Conduct.