

Interim Statement by
His Excellency Danny Faure
Former President of Seychelles
Chairperson of the Commonwealth Observer Group
Kingdom of Lesotho's General Election
9 October 2022

Dumela and Good morning ladies and gentlemen.

I am honoured and privileged to present the interim statement of the Commonwealth Observer Group for the 2022 Lesotho General Elections. This is just based on our initial findings and does not constitute the final report, which we will make publicly available, at a later date when the electoral process has also formally been completed.

Our group came at the invitation of the Independent Electoral Commission. The group was then constituted by the Commonwealth Secretary-General, the Rt. Hon. Patricia Scotland KC.

The Commonwealth and Lesotho have enjoyed a very good relationship over the years and the Commonwealth

has taken part in elections observations in Lesotho since 2002. This year, in fact, marks the 20th anniversary of the Commonwealth's election observation mission in Lesotho. It is a milestone that demonstrates the long-standing relationship between the kingdom and the Commonwealth and the commitment of both to democratic principles.

We are pleased by the calm and peaceful atmosphere in which the elections took place. The Basotho people exercised their electoral choices in a peaceful manner, taking their time to queue and follow due process and procedure in electing their next National Assembly representatives.

I would like to seize this opportunity to commend and recognize the work of the IEC, the Security forces, Civil Society organisations, and Faith-based groups in working together to prepare electorates for this election, in light of budgetary constraints, time, and capacity limitations.

I also want to acknowledge the hospitality of the Basotho people and the warm welcome my team has received from Maseru to the mountainous hinterlands of this vast and beautiful kingdom. From IEC staff to voters and party agents, our team was given free access to watch and observe the undertakings, unobtrusively.

ARRIVAL & GROUP MAKE UP

Our team arrived in Maseru on 27 September, with members consisting of various eminent persons, experts in their own rights in the field of politics, law, elections, civil society, gender rights, and the media. It is a gender-balanced group, with observers from Kenya, Nigeria, Rwanda, Seychelles, Trinidad and Tobago, Zambia, and the UK, representing almost all the regions of the Commonwealth.

We have heard the views of diverse stakeholders, from senior government officials to political party representatives, civil society groups, and other NGOs representing youth, women, and people with disabilities, as well as the security forces, so as to get a

well-rounded perspective of Lesotho and its socio-political atmosphere in the lead up to the elections. I have been encouraged by the openness and frankness of our discussions with various stakeholders, including the IEC who provided us with a good picture and assessment of public sentiment regarding the elections and beyond.

Our group went to about 50 polling stations in almost all the 10 districts of the Kingdom. We met with voters, polling officials, party agents, and other observers and observed the opening, voting, closing and tabulation phases.

Our interactions have been engaging and fruitful. They helped us get a better understanding and appreciation of the electoral process and the public's engagement with the electoral framework and their hopes and aspirations moving forward.

KEY FINDINGS

I will now present the key findings of the group and will begin by highlighting the positive aspects of the elections.

The Group notes that the media in Lesotho is still growing, and the consensus is that the media, most especially state-owned media, has been fair in its reportage and equitable in its coverage of the election particularly.

We commend the private media for leading on issues, particularly questioning IEC on its general conduct, and highlighting the issues of the voter roll.

We acknowledge the active participation of women and youth as polling staff and party agents. Their commitment and dedication to their role were evident in their preparedness to work together in transparency and the long hours they spent in preparing the polling stations and tallying the results.

We recognize the efforts of some civil society associations and groups to facilitate voter education despite a short and constrained timeline, in order to encourage the populace to vote and support them in understanding the procedures.

We also commend the IEC's policies to facilitate assisted voting to persons with disabilities, seniors, and other groups in prioritizing or assisting them in order to make their votes count too.

We applaud the patience and determination of the voters who did come out, to exercise their civic rights and do so patiently in lines up, at early hours of the day, in inclement weather, and in sometimes challenging mountainous terrains.

We acknowledge the IEC's commitment to following procedures by starting the voting process, for the most part on time by 7 am or slightly after 7 am and allowing those in line by 5 pm to vote as per the IEC's policies.

We also note and commend the IEC for clear signage and identifications of voting centres and visibility of IEC police assistance to support crowd control.

We applaud the party agents and polling staff who contributed to the conducive atmosphere witnessed at the poll due to their collaborative efforts.

And finally, congratulations to the IEC on the transparent way in which the election results were tabulated and announced.

Notwithstanding the positives noted, as independent observers, it is our duty to also indicate challenges and identify some of the instances that impact transparency, credibility, and smooth operation of the elections.

We do this with the express aim of supporting the IEC to identify opportunities for improvement and to strengthen future electoral processes in Lesotho.

Some of the key issues of concern that we observed include the following:

AREAS OF CONCERN:

1. Issues with Voter's Roll: -

- Some polling stations and party agents did not have final copies of the voter's roll even on election day.
- Some voters could not find their names on the rolls and some were directed to other constituencies due to boundary delimitation exercises that changed their voting stations
- Some information like dates of births on some voter's ID cards did not correspond to the information on the voter's roll.

2. Lack of Adequate Materials and Identifications for IEC Staff: -

- IEC should ensure that the ballot boxes and booths are appropriate for larger ballot papers.
- Some polling stations did not have electricity or solar capabilities, so IEC polling staff were required to use candlelight to tally results into the night

- Some staff were not provided with adequate materials to sleep in the polling stations overnight or food provisions

3. Lack of adherence to COVID-19 protocols: -

- Despite signage about the wearing of masks, there was little adherence to COVID protocols by IEC staff, party agents, and voters.

Notwithstanding the shortcomings and resource constraints, and minor procedural cases, this did not in our view, impact the overall outcome and credibility of the elections.

Recommendations

Our final report will detail a comprehensive set of recommendations to address the above challenges identified. These would likely include:

1. The IEC and the legislator should review the procedures for compilation of the voter register to

better ensure its reliability in particular as regards, duplicates, removal of deceased persons, and inclusion of youth. Finalising the voters' roll at an earlier point in the process would enable an electronic copy to be issued to parties further in advance.

2. The Independent Electoral Commission and all relevant stakeholders to review the reports of all elections monitoring groups for the 2022 general elections and develop an action plan to better prepare for the 2023 district elections and future general elections.
3. National Reforms process and electoral reforms as part of this process, to be prioritized and given a new lease with the next administration so as to streamline processes and create a more stable governance framework
4. The IEC should partner and consult with key stakeholders and civil society organisations to undertake and support voter's education and

prepare citizens to monitor elections well in advance of future elections.

5. We urge the incoming government to invest in digital infrastructure and encourage IEC, political parties, and politicians including the electorate to make use of social media to communicate their messaging.

6. The Government to release sufficient funding to the IEC, to effectively carry out its duties over the electoral cycle.

7. Civic education should be an ongoing process and not only done in the lead up to an election. Appropriate budget resources should be made available to IEC and all stakeholders to action and implement.

I would like to conclude by once again, congratulating and lauding the Basotho people for their commitment to undertaking their civic rights in an atmosphere of peace and calm.

Our hope is that the process of national reform that had already started will continue and be prioritized with the incoming administration so the Basotho people will have the stability, consistency, and progress they wish to see in their governance, economy and society.

On behalf of the team and the Commonwealth, we wish to reiterate the commitment of the international community in supporting the Basotho in the reform and reconciliation process and continue to make the Kingdom a place of pride, inclusivity, and prosperity for all Basotho.

As we prepare to depart in the coming days, from this beautiful mountain kingdom, we are inspired by the will of the Basotho to make this country greater than it already is and we will stand in solidarity with you as you continue on this journey.

On behalf of our team and myself, I want to say a heartfelt REA LEBOWA to you all for your kindness and hospitality.

God Bless Lesotho.

The Commonwealth Observer Group Members are:

- **H.E. Danny Faure** - Chairperson Former President of Seychelles
- **Justice Mbogholi Amraphael Msagha** Retired Judge, Kenya
- **Ms Blessings Tunoh Asso** Former editor, Channels TV, Nigeria
- **Hon. Jacqueline Mohongayire** Former Senator, Rwanda
- **Ms Terry Dale Ince** CEDAW, Gender and Human Rights Advocate, Trinidad and Tobago
- **Mr Paul O'Grady** Executive Director, Article 21 and former Deputy Head of OSCE Elections Missions, United Kingdom
- **Mr Boniface Cheembe** Executive Director, Southern African Centre for the Constructive Resolution of Disputes (SACCORD), Zambia