



Statement by H.E. President Rupiah B. Banda, Head of Mission of the EISA Election Observation Mission at the press conference on the occasion of the release of the Preliminary Statements of the International Observer Missions to the 3 June 2017 Legislative Elections in Lesotho

Dear Basotho People,

The EISA Election Observation Mission to the 3 June 2017 Legislative Elections in Lesotho is comprised of 19 members representing civil society and election management bodies from eleven African countries.

The EISA Mission came to Lesotho to observe elections that were precipitated by the second parliamentary crisis in the space of two years. The phenomenon of governing coalitions, which emerged as a result of the electoral system adopted in 2002, has exposed the weaknesses within the political class and in the legal framework in dealing with this new political reality. This is an untenable situation that Lesotho cannot afford to keep repeating.

It is therefore critical that Lesotho carries out an inclusive and transparent process of wide range reforms through broad-based dialogue among all political forces and civic stakeholders aimed at ensuring not only sustainable management of coalitions but above all stable governance. However, this cannot be achieved through legal or institutional reforms only. It will require a new political mind-set and serious commitment by political parties to the transformation of the current political culture in the country.

In this regard, the Mission took notice of and welcomes the pledge signed on 6 April 2017 committing Lesotho's political parties to an inclusive, participatory and comprehensive process to reform the Constitution, the Parliament, the Security sector, the Judiciary and the Public Service. For the long-term sustainability of such reforms, it is vital that the Basotho political and civic actors take ownership and leadership of the process, its substance and implementation.

Ladies and gentlemen,

Allow me to make some considerations about the main issue that brought the EISA Mission to Lesotho: the 3 June Legislative Elections.

This statement is a summary of the EISA EOM's preliminary findings, conclusions and recommendations on the pre-election period and election day. It is issued while the tallying of results is on-going, and therefore reflects only the Mission's observations up to the conclusion of the counting process at polling station level. A full preliminary statement will be distributed at the end of this press conference, and a final report covering the entire process will be issued by EISA within two months.

Our statement underscores both good practices and shortcomings in the conduct of the 2017 legislative elections in Lesotho. The Mission believes however that the observed shortcomings did not impact negatively the overall outcome of the process.

In its assessment of the legal framework for the 2017 elections, the EISA Mission is of the opinion that it provides the basis for the conduct of competitive, transparent and credible elections in Lesotho.

The stakeholders consulted by the Mission expressed confidence in the IEC's ability to manage the elections successfully and in a professional and impartial manner. It is the opinion of the EISA Mission that, within the current challenging political context, the IEC complied with all the legal and procedural requirements in preparing for the elections.

The IEC informed the EISA Mission that it had expunged the voters' roll of deceased voters and duplicate entries to strengthen the integrity and accuracy of the register. This is in line with the recommendations made by the EISA observer mission and others, after the 2015 elections.

The Mission was informed and observed with satisfaction that the electoral campaign was generally lively and peaceful, without major incidents of violence or intimidation.

From its consultations, the Mission has gathered that that the media environment in Lesotho continues to be polarised along party lines, which may have compromised citizens' right and access to balanced and fair election coverage.

The Mission noted with satisfaction that radio stations used more moderate language during the campaign period compared to 2015, which contributed to the peaceful electoral environment.

The Mission regrets to note that, although women represent a majority of voters, they continue to be a minority among the constituency candidates. Of the constituency candidates in these elections, only 30% were women, which does not represent an improvement on 2015.

The Mission is also satisfied with the provision of voting templates for the visually impaired to allow these voters to make their electoral choice autonomously and in secret if they so choose.

The Mission noted with satisfaction that the Lesotho electoral legislation provides for the right of prisoners to vote, in line with international best practices.

On election day, EISA teams observed procedures in 88 polling stations, in the nine districts where they were deployed. The majority of polling stations observed by EISA opened on time.

The atmosphere in and around polling stations was peaceful. Security personnel were present at all stations, and their presence was described as professional. Party agents were able to monitor all phases of the process on election day. The strong party representation in the polling stations contributed to enhancing the transparency and credibility of election day procedures.

The presence of women at polling stations was noteworthy. Two-thirds of all polling officials, party agents and citizen observers in polling stations were women.

About a quarter of visited polling stations were described as inaccessible to voters with disabilities, mostly because they had steps and no ramps for voters with mobility impairment.

The need for voters to hand over the marked ballot paper to polling officials to have the top counterfoil removed caused problems in the smooth flow of voters, and could potentially

compromise the secrecy of the vote as it allows a person other than the voter to handle a marked ballot paper. The EISA observers also noticed that in many polling stations polling officials did not compare the serial numbers of both counterfoils as instructed, which defeated the purpose of having a second counterfoil.

The polling stations where EISA teams observed closing and counting procedures closed on time.

EISA teams noted that in some polling stations the crucial ballot reconciliation process was not undertaken.

The EISA EOM noted with satisfaction that the IEC introduced more flexible criteria to determine the intention of the voters in the process of validating ballots. This ensured that the will of the voters was given due recognition, and made the counting process less contentious than in 2015.

The EISA teams observed that most polling stations had poor lighting for the final stages of the counting process.

The EISA EOM was impressed by the climate of collaboration and friendliness among polling staff and party agents throughout election day.

Ladies and gentleman,

Based on the above findings, It is the EISA Mission's preliminary assessment of the conduct of the elections in Lesotho that the process has been so far generally peaceful, and conducted in a professional and transparent manner, which allowed Basotho voters to express their will freely despite the tension-filled political environment. Furthermore, the EISA Mission is of the opinion that the electoral process generally conformed to the laws of Lesotho and international, continental and regional standards for credible elections.

The EISA Election Observer Mission would like to offer the following recommendations for the continued improvement of political and electoral processes in Lesotho:

The EISA Election Observer Mission urges the political forces and other stakeholders to develop and implement consensual and inclusive constitutional, legal and other reforms

regarding the functioning of governing coalitions and parliamentary stability, and to further guarantee security sector neutrality and impartiality, among others, as committed to by most political parties through the pledge signed on 6 April 2017.

To Parliament:

1. To create an electoral court to adjudicate electoral objections and complaints in a swift manner.
2. To strengthen the regulatory framework for the conduct of the media during elections.

To political parties:

1. To strengthen the role and visibility of women in politics, in particular within political parties to improve their prospects as party leaders and constituency candidates.

To the IEC:

1. To review the requirement of two ballot paper counterfoils.
2. To improve training of polling station staff to ensure consistency in the application of procedures, particularly ballot reconciliation procedures.
3. To improve conditions at polling stations to make them fully accessible to voters with disabilities, and to provide adequate lighting after sunset.

The EISA Election Observer Mission commends the people of Lesotho, the IEC, and the candidates for a peaceful and well-managed process. The Mission appeals to all stakeholders to maintain the same spirit of calm and peace that they have demonstrated so far, while the results are tabulated and announced and after the process is concluded.

To the losers of these elections, be gracious in defeat, and to the winners, be magnanimous in victory. Having heard the verdict of the Basotho people, please join hands to uplift the Sotho nation and bring increased prosperity to its people.

Last but not least, the EISA Election Observer Mission would like to express its gratitude to the people and the authorities of the Kingdom of Lesotho, and the IEC in particular, for the warm welcome and for creating the conditions and atmosphere for the successful achievement of its objectives.

Ke a leboha.