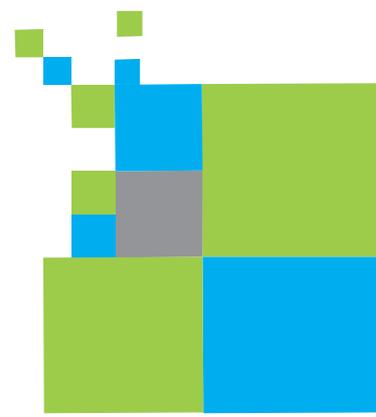
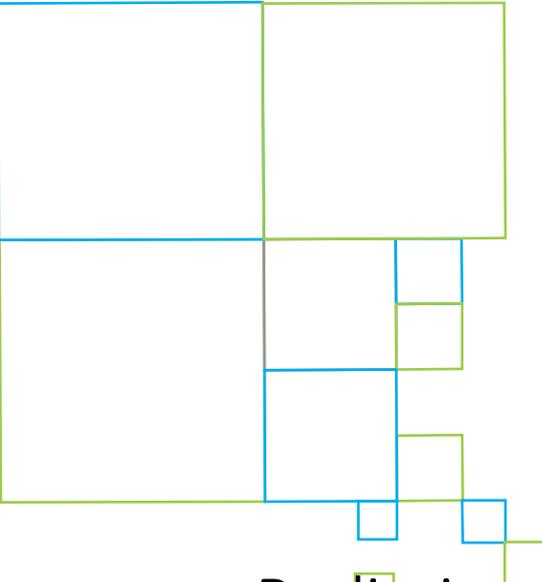


CANGO Local Observer Mission Press Statement



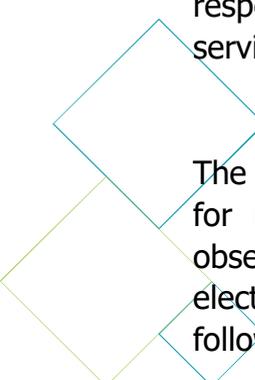
Swaziland National Primary Elections- 2018





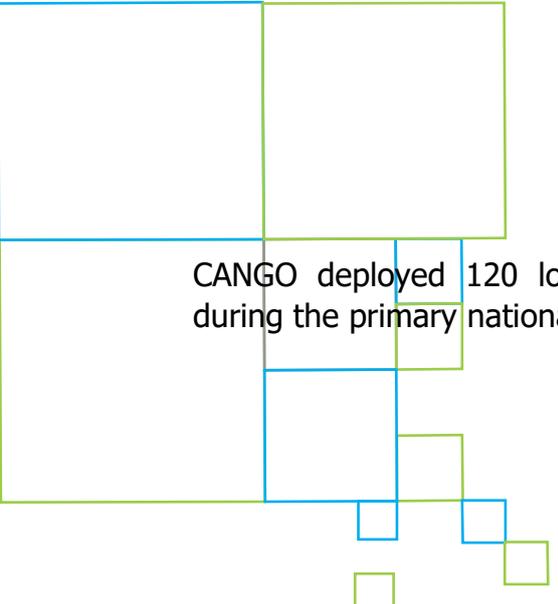
Preliminary statement for the Primary Elections

The Eswatini Elections Support Network which operates under the auspices of the Coordinating Assembly of NGOs (CANGO) is a fully operational Consortium comprising of 10 Non-Governmental Organisations which focus primarily on elections undertook an observer mission for the national primary elections. The network deployed 120 observers across 44 Tinkhundla areas across all four regions. The Network which is a member of the SADC Elections Network and collaborates with the SADC Council of Non-Governmental Organisations based in Botswana. The NGOs under the elections support network view good governance as the critical foundation for development. Good governance entails a government that respects the rule of law, separation of powers between the Executive, Legislature and the Judiciary, respect and protection of human rights, access to Justice, delivery of quality services and facilitate participation of citizens in decision making.



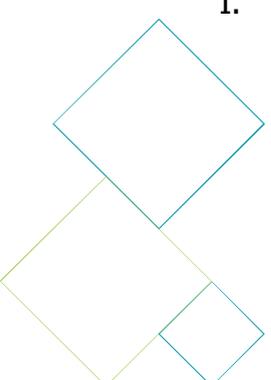
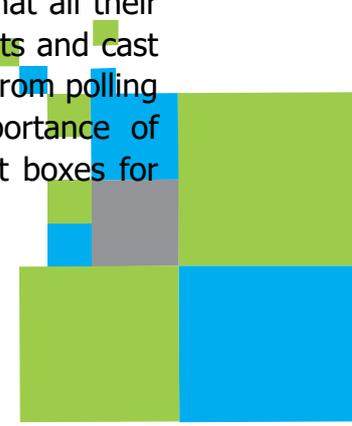
The observers deployed were trained so that they become versed with procedures for monitoring/observing election and adhere to ethical guidelines that govern observer missions. The observer mission undertook to observe the national elections as provided by the six electoral laws of Eswatini which include the following:

- The Elections and Boundaries Commission Act, 2013,
 - The Voters Registration Act, 2013 (repeals Voters Registration Order 1992)
 - The Elections Act, 2013 (repeals Elections Order 1992)
 - The Senate (Elections) Act, 2013,
 - The Parliamentary (Petitions) Act, 2013; and
 - The Elections Expenses Act, 2013.
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CANGO deployed 120 local observers that covered around 170 polling stations during the primary national elections.

The Primary elections were held on the 25th August 2018 and the network observed that whilst the Primary elections were held peacefully and were undertaken in an atmosphere that is free and fair but they were a lot of issues around the logistical organisation of the elections especially in polling stations from the Lubombo region. It is very important that EBC reinforces the message that all procedures be followed to the latter and all presiding officers should use standardised procedures. The most urgent issue is that of Nkilongo Inkhundla for a candidate by the name of Bhembe Mathokoza who had failed to meet the requirements of nomination that would allow him to be eligible to stand for elections as an Indvuna Inkhundla but was seen getting 69 votes during the primary elections for the position. A formal complaint had been lodged with the EBC by the other candidates. The observer mission saw varying discrepancies in following procedure by presiding officers which caused a lot of confusion. The network would like to present its findings as follows:

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- I. Opening of Polling Stations: The network noted that most polling stations opened at 7am as provided by laws but a lot of polling stations opened late as witnessed in a few polling stations especially in Siphofaneni, Hlutse, Phonjwane and some other areas in the Hhohho region. The delay was caused by late delivery of ballot materials as indicated by presiding officers and witnessed by the elections network observers. Some places like Othandweni Primary school polling station had not received ballot papers by 12.00pm. Polling stations like Mphundle High school in Matsanjani North delayed in starting the process of voting due to lack of electricity. In Ekuphakameni High School polling station for example, the delay was caused by late arrival of electoral officials as by 7.00 am, they was only one official and two policemen. In other areas like Bethany Mission Primary School, the delays was caused by the absence of nominees and their agents who were supposed to be there to view the sealing of the ballot boxes. The Elections network would like to encourage all presiding officers to ensure that all their polling stations open on time to allow voters to exercise their rights and cast their votes. Delays lead to disgruntled voters who then turn away from polling stations due to frustrations. The network emphasizes the importance of nominee and their agents are present during the sealing of ballot boxes for
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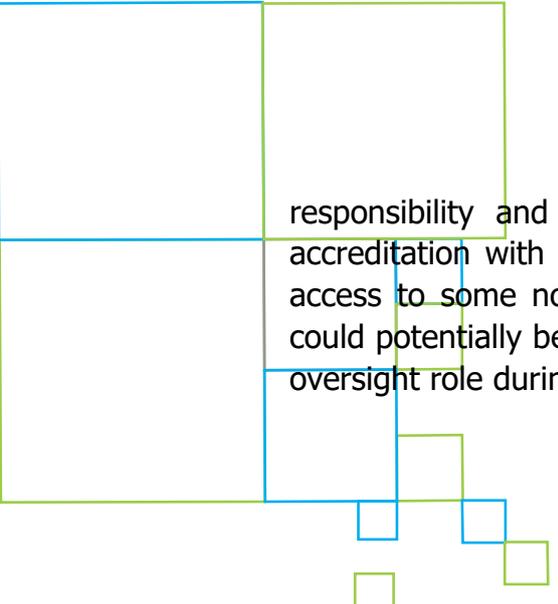
transparency. Nominees should ensure their presence and or their agents in all polling stations.

II. Use of cell phones by presiding officers: The election network observers noted that most presiding officers were up to the task of managing the polling station and stayed away from the temptation of chatting and social media. However in Somnjalose High School polling station, the presiding officer was visibly distracted by their cell phone and this led to disgruntled voters alleging that he might be in touch with the candidates themselves. Cell phone distractions were a common occurrence with presiding officers and at Somnjalose High School, the distraction could be the reason which led to the failure to have balanced used and unused ballot papers during counting. The position of MP was seen to have more ballot papers. Possible scenarios could be carelessly giving two or more ballot papers to one voter while talking on the cell phone. The network encourages all officials and presiding officers to be vigilant during elections and avoid unnecessary distractions. In Shewula again, presiding officer did not apply themselves to the process of national elections as the polling station had no electricity to a point whereby voting was stopped for an hour when it turned to dark. Efforts were only made after they experienced challenges. EBC should have a checklist that all presiding officers should fill in to ensure that they have all necessary tools to be able to effectively do their work throughout their work. The checklist should be a logistical check list that is exempt of the provision of ballot materials but rather the surrounding environment of the polling station.

III. EBC should consider banning cell phones carried by voters entering polling stations for all voters as numerous voters were seen trying to take photos of their ballot papers. This illegal activity was seen in a number of polling stations and will easily lead to bribery, extortion and other illegal practices. EBC should engage the police service to find the best means possible to avoid such practices. Photos like this can be used to extort money from candidates and could lead to serious consequences and should be curbed as soon as possible.

IV. The network would like to encourage EBC to develop material that would make it easy to identify candidate's agents and further suggest that agents (boGalajane) should be provided with name tags. The observer mission noted that during special voting, some nominees had name tags identifying them and most of the nominees did not have name tags.

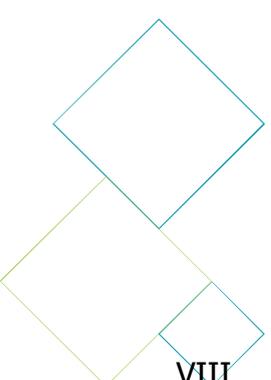
V. Presence of nominees and their agents: The elections support network noted that in some areas candidates agents were banned from entering polling stations as they had not sought the necessary accreditation. The network would like to remind all future agents that accreditation with EBC is their



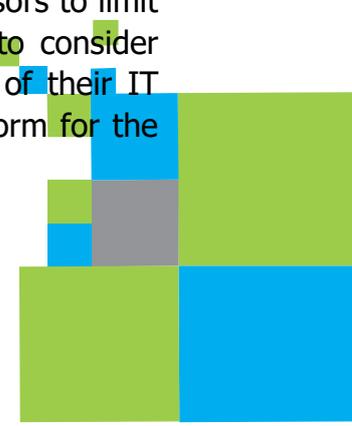
responsibility and as such should ensure that they have the necessary accreditation with them. Presiding officers followed the laws as they denied access to some nominee agents in Ngcoseni High school/Ntondozi and this could potentially be a cause for concern as nominee agents play an important oversight role during national elections.

VI. Capacity of presiding officers to manage the process: Most presiding officers, polling officers generally seemed well versed in most polling stations in terms of the steps undertaken to set up polling stations, registration of serial numbers for ballot papers and ensuring that all polling stations guarantee the secrecy of the vote. However some presiding and polling officers still need to be capacitated on electoral procedures as seen in Phonjwane where procedure was flaunted as people casted their ballot only for the Bucopho position due to late arrival of other ballot materials for the two other positions.

VII. The elections network during its observer mission noted that most of the presiding officers in the Lubombo region could not provide the number of registered voters for that particular polling station. This might be a result of the move by EBC to change from manual voters roll to a digital voters roll hence some of the information presiding officers had might not be easily accessible. Other factors could be miscommunication and other factors such as delays in the arrival of ballot materials which coincided with the arrival of the observers. The observer mission notes that while some polling stations had the provisions of IT support, other polling stations did not. The observer mission would like to encourage EBC to standardise all operations and all materials provided for all polling stations.



VIII. Verification of voters: the verification of voters was slow in most polling stations in the early hours of the day and this was caused by IT technical glitches delaying the processing of verification of a voter. In most of the polling stations, technical glitches were common and most of the computer clerks cited the laptops freezing. The network would like to encourage EBC to consider procuring newer version of laptops that have high processors to limit IT glitches. The observer mission would like to encourage EBC to consider developing an asset disposal policy that allows them to dispose of their IT equipment after three or four years as that is the standardised norm for the lifespan of a laptop.



IX. **Secrecy Forms:** the issue of secrecy forms caused confusion and elections network observers were asked to sign secrecy forms in specific polling stations, mainly in the Hhohho region. The other location where observers were asked to sign secrecy forms was at Tshaneni hall polling station. 114 CANGO local observers were granted permission to observe the elections including the Hhohho region. 5 specific polling stations denied access to observers and the observers were asked to take the secrecy form and have it endorsed by a commissioner of oaths in this case the Royal Eswatini Police Service as instructed by the presiding officers. In all 5 polling stations, observers were denied access to observe the polling station by the presiding officers. The network is concerned about this matter as all electoral observers are expected to sign the visitors book not secrecy forms as the mission is an independent assessment of the national elections. EBC should clearly communicate to all polling stations that observers only sign the visitor's book to limit misunderstandings as the country will now be joined by other regional observer missions like SADC EOM and such confusion will not paint a good image for the country.

X. **Security Presence:** The Royal Eswatini Police Service in all polling stations and in some cases His Majesty's Correctional facilities officials all were seen visible ensuring peace, security and order during primary elections. The police also played a crucial role in the transportation and protection of ballot material from EBC at Nkanini to polling stations including delivery of more ballot papers where they had ran out. The observer mission notes the effective role of the police service and would like to note that polling stations around the areas of Matsapha, Nkwalini, Ezulwini and Mhlume are notorious for highly intoxicated voters and troublesome community members who tend to try and disrupt national elections. The network encourages the police force to increase presence in some of these areas and ensure that the national elections are undertaken in an orderly and peaceful manner. However fights outside polling stations were witnessed and all the fights observed were not related to national elections but normally misunderstandings between highly intoxicated individuals standing nearby polling stations.

XI. It was only at Nkhaba Old Inkhundla polling station and Matsanjani South where OSSU was called to calm the situation where voters blocked the exit of electoral officials who were transporting ballot papers to a central command place where counting could take place. This incident alone reinforces the need for police to ensure peace and order and also recommend that Special Forces are put on standby mode to address any threatening situations to electoral officials, EBC officials, eligible voters and the general public.

XII. It is not clear whether the law provides for the presence of His Majesty's Correctional Services in polling stations during national elections. EBC should

give clear guidance on the presence of HMCS officers and clearly articulate whether the presence of such officers signifies that some prisoners have been granted access to undertake special voting. Their presence was seen in the Lubombo region like in Sibetsaphi primary school. There is also need for His Majesty's Correctional Facilities to have monitors to track electoral prisoners inside correctional facilities. It is a conflict of interest for HMCS to be involved in the electoral process and not have oversight body to monitor the processes. Such a move jeopardizes the credibility of the elections. The oversight needed extends to the fact that prisoners are allowed to vote without candidates potentially engaging them on what they offer to citizens. Prisoners are part of the society and should be allowed to engage potential candidates. While the issue of security is noted when it comes to people in contact with the law, the observer mission notes that they also play a crucial role during elections and systems are needed to ensure that the credibility of the elections are protected.

XIII. Accessibility of polling stations: Accessibility of polling stations to people living with disabilities remains a consistent challenge as they attempt to exercise their right. Though the provision of ramps and other amenities that can ease access for people living with disabilities, we request EBC to consider their needs as they choose polling stations to be used.

XIV. Polling Station & Campaigning: Campaigning was only witnessed in Mfanyana Hall where a nominee agent (Galajane) was routing for a specific MP and when the presiding officer was alerted, he mobilised the police service and quickly addressed the matter. The nominee agent was banned from the surrounding premises campaigning nearby or inside polling stations is banned. The nominee agent was seen stopping eligible voters outside the premises of the polling station and asking them to vote for a certain candidate. At Ngculwini in Mhubhe High School, the material that showed all candidates to be voted for was marked certain aspiring nominees in an attempt to influence voters but the presiding officer removed the materials and put into new ones with no markings. At Mbekelweni high school, nominees and their agents were seen greeting every voter and whom they cast their votes to inside the polling station which the network is clear that it is illegal and should be banned. One nominee even greeted one of CANGO observers and told the observer whom to cast her vote to without realising that she is an observer.

XV. Queues and Special provisions for the physically challenged such as Expecting Mothers, people living with disabilities and the old aged: Most polling stations had separate lines for the physically challenged and some polling stations had no such provisions. Due to the frail nature of expecting mothers, the old aged

and people living with disabilities, we urge EBC to encourage all presiding officers to give preference to such groups and ensure that they vote early.

XVI. Campaign Material: No campaign materials for nominees (Bucopho, Indvuna Yenkhundla and MP) was seen near or surrounding areas in all polling stations. However a lot of campaigning has been observed on Whatsapp groups especially around the Hlatsi, Kambhoke, Khubutha areas. Attempts to influence voters were also seen around Ngonini Inkhundla where relatives of certain nominees were seen transporting eligible voters to polling stations. At Ngcoseni High School polling station, a lot of voters were seen receiving varying vegetables from tomatoes, cabbages, onions etc. and it was not clear whether they were being sold and or were gifts meant to influence voters. When observers sought more information, the process of handing the cabbages was abruptly stopped and no information could be obtained.

XVII. Long queues were seen mainly in the Lubombo & Hhohho regions due to the large number of registered voters in the polling stations. In the urban around Manzini and Mbabane, the lines were short and processing of voters was fast taking an average 10 minutes from the verification process to the casting of ballots to the marking with inedible ink. The situation was very different in the rural areas. CANGO observers noted that the longest line experience of eligible voters trying to cast their votes was seen in Sibetsaphi High School polling stations where more than 500 eligible voters were standing in line waiting to cast their votes. At Londunduma High school, voters started turning back as the polling station was crammed where voting was taking place and the lack of order left voters frustrated as they did not understand the flow of the lines. Orderly queues are an important component of the voting process as they give a voter the amount they will wait to cast their votes. Voter apathy build up if voters do not exercise their right to vote in successive elections due to chaotic polling stations and eventually this decreases the percentage of eligible voters who actual do cast their votes.

XVIII. The elections support network noted the presence of the Human Rights Commission observer mission that was deployed for the national elections and applauds this move in the spirit of protection of human rights in the Kingdom. Voting is a basic fundamental right for all eligible citizens of any nation and it is incumbent upon all duty bearers to ensure that such a right is fully exercised.

XIX. Orderliness of polling stations: Mhubhe High school polling station proved to be the most challenged in terms of orderliness especially with the queues. This can be assumed to be caused by the fact this polling station covers a wider spanning the whole of Ngculwini with many registered voters. Also the

design and layout of the school is challenging to maintain orderliness. Though provision was made to ensure the lines progressed smoothly by separating eligible voters using their surnames, the lines seemed to get more confused.

XX. Most voting stopped after 8.00pm and it was caused by a lot of factors including the slowness of the IT equipment in verifying each voter delaying the timeliness of processing of a voter and other variable such as late opening of polling stations, some as late as 12pm in the Siphofaneni areas like in Othandweni primary school. This also affected the time the starting time of the counting process.

XXI. Counting commenced after the closing of polling stations and places like LaMawandla High School recorded the latest time of counting where they commenced the process at exactly 12.05am. Counting varied from polling station to the next but the observer mission calculated that counting took between 4 hours averagely for most polling stations and 12 hours in polling stations like Londunduma High School. Efforts should be made to limit the number of counting hours to avoid fatigue and miscounting as it is all done manually. The observer mission continues to call for EBC to consider not centralising the counting process but rather allowing each polling station to do its counting and allowing the presiding officers to then collate the results of that constituency.

XXII. Sealing of Ballot Boxes: Most presiding officers struggled to seal ballot boxes and this is a serious concern that needs urgent attention. Poor seals allow for the ballot boxes to be manipulated and damage the credibility of the results. CANGO would like to encourage EBC to seriously invest in an urgent training for all presiding officers to be taught how to seal ballot boxes properly.

XXIII. Voters should not be seen hanging around counting centres and this practise should be banned and addressed immediately. At the Old Nkhaba Inkhundla, voters were seen peeing in broken windows monitoring the counting process. In Matsanjeni south, the same issue was seen here voters were peeping through windows which can easily be seen as potentially influencing the counting process. The observer mission is concerned about this practise and calls for the police service to make sure that no voters are seen hanging inside the premises of a counting Center to a point where they could sway the results of the counting process. All polling stations and counting centres should be cleared of all voters after a polling station and only accredited officials should be seen around. This is a critical component of the electoral process and is crucial to maintain the integrity of the elections.

XXIV.

Presiding officers seemingly are not clear when special votes are introduced and the introduction of special votes varied from polling station with most being introduced before the counting process, some were introduced after all the ballot papers had been verified and in the most extreme case, special votes were introduced around 5pm. Some presiding officers introduced the special votes after breaking the seals of the other ballot materials. EBC should give clear guidance when special votes are introduced, how are they verified, how are the serial numbers verified carrying the special votes. The elections network observer mission saw different practices in different counting centres and this may expose the process of counting to formal complaints if it is not standardised. More complaints means less credible elections and the observer mission would like to encourage EBC to give clear guidance to presiding officers on managing this stage.

The elections support network would like to congratulate EBC and the Kingdom of Eswatini on successful primary elections and wishes the nation successfully secondary national elections.