



PRELIMINARY STATEMENT

ESWATINI 2023 GENERAL ELECTIONS OBSERVATION BY CANGO

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The Coordinating Assembly of Non-Governmental Organizations has been involved in election observation within the African continent and in Eswatini for a number of years. The Eswatini Elections and Boundaries Commission (EBC) invited CANGO to observe the Eswatini 2023 general elections. EBC is the statutory body for managing elections in the country, including overseeing and supervising the registration process. CANGO put together a 35-member local election observer mission through the financial support of the European Union (EU). The support came as a result of the project, the **Civil Society Platform for Inclusiveness (CSPI)** that has been running since 2019. The project recognises that Eswatini has ratified various international human rights conventions such as the **United Nations International Covenant on Civil and Political Rights (ICCPR)**, **International Covenant on Economic, Social and Cultural Rights** amongst others. Fully in line with the **European Instrument for Democracy and Human Rights (EU-EIDHR)** objectives, the project aims at achieving a culture of inclusivity and tolerance among various stakeholders, including civil society organisations, government institutions, traditional leaders and more.

For the 2023 elections, CANGO was able to monitor the nomination, primary and secondary phases of the Eswatini 2023 General Elections. The 35 member CANGO elections observers were drawn from the Human Rights Consortium, which also coordinates the Elections Support Network under the auspices of CANGO. This year, the Government of Eswatini has welcomed international elections observer missions, from SADC, Electoral Forum for Countries in Southern Africa, The Commonwealth, The African Union and Russia who have come to observe elections. The CANGO observers were deployed in fifty (50) polling stations across the four (4) regions of the country.

The sampling of the polling stations was based on the number of voters, previous contentious elections, profile of the candidates contesting the election (outgoing Cabinet Minister or Member of Parliament). The scope of the CANGO observation team was in reference to the **Constitution of Eswatini** together with the **Eswatini Elections Laws** and the **SADC Elections Guidelines**. Amongst areas that were monitored this year were; police visibility and presence in polling stations, peaceful and conducive environment for voters during the elections, accessibility of the polling stations, handling of ballot boxes by EBC, vote counting and any disputes that arise and other aspects of the election process.

1. Findings

A. Registration

- i. There were two amendments to the election laws introduced in May 2023. These were the registration and polling station clauses and public was given just one week to make input. This was not welcomed by civil society as it did not give them sufficient time to engage with the amendments.
- ii. There were notable initial teething problems with the elections system introduced by the EBC. These were attributed to network and migration of information challenge.
- iii. There were **584,710** voters who registered for the 2023 elections. Of these **54%** were female. Sixty percent (**60%**) of the registered voters are between the ages of **18** and **45**, presenting a significant number of “youthful voters”. CANGO commends the ‘youthful voters’ for coming out in numbers to register for the elections, in light of the fact that they are the future of this country and as such should be involved in preserving a brighter future for generation to come.
- iv. CANGO notes that more females registered than males, which is encouraging. However, this did not translate to more females being nominated nor elected.
- v. The EBC is commended for introducing new elections technology in an attempt to streamline practices and speeding up the registration process, such as the abolishment of the voter card in preference to the voting slip and SMS notification.

- vi. EBC did give a period of a month for voters to validate their registration by checking the voters roll. However, it was noted that in some cases upon arrival at the polling station for nomination and voting, voters had to be redirected to the polling station in the system since the details that were not correct in the system as a result of the voter or EBC. For instance, incorrectly spelt names due to the voter or EBC. In such cases at the polling station. It must be noted that in such instances, EBC did avail transport for voters if they decided to go and register where the system indicated where to register. If the voter insisted on voting at his preferred polling station he/she had to formally apply to EBC to get that approved.

B. Nomination Stage

- i. **649** of the **65, 366** nominees were women. It is disheartening to note that less than **1%** of women were nominated in all positions available for contestation, where over **50%** of women registered to vote. CANGO sounds a large call to all and sundry to push for women into leadership positions. It is high time the vote for a woman campaign is put into action.
- ii. As in previous elections, individual candidates were nominated to stand for elections. Nominations conducted at chiefdom level through acceptance of nomination and nominee then supported by 10 random people. An individual can nominate and second multiple people.
- iii. CANGO commends the EBC for revising the law allowing nominees in private and public sector to apply for leave of absence.
- iv. One area of concern is the absence of an alternative private nomination procedure fanning suspicions that nomination for openly progressive candidates under the watchful eyes of chiefs and other traditional structures may invite some backlash.

C. Primary Elections

- i. On the eve of the primary elections, a heavy storm hit the entire country. The storm caused major communication network and electricity outages countrywide. Some polling centers woke up with structures with their roofs blown off and no electricity. EBC is commended for acting fast and alleviating the situation by reverting to conventional voting methods as back up.
- ii. The storm did affect the commencement of voting in some polling station due to power and telecommunication outages, late arrival of voting ballots
- iii. The counting of votes at each polling station was also done for the first time. A majority of the candidates expressed appreciation for this, however, there were those that expressed challenge with the placing of agents in each and every polling station.

D. Special Voting

- i. CANGO appreciates the approval by EBC on the application to participate in the special voting for essential service workers, election officers and observers. Special voting is commendable. EBC ensured that the process was efficient. It took less than 10 minutes for one to be validated and proceed to casting a vote. The EBC voting App assisted in the transparency and transmission of these special vote results.
- ii. The turnout at the Special Voting centre was unusually high, and many were turned back because they were not accredited for special voting. This casts some light into how Emaswati predominantly resident in the urban and commercial centres in the country would like to exercise their right to vote at the place closest to their habitual abode.
- iii. Vote counting and the EBC Elections App. For the first time in elections in Eswatini there was use of technology for vote display through the EBC voter App. This was an easy way for the process of making votes known in almost real time after the counting.
- iv. However, some improvements to the voting app and or input methods need to be improved to show an indication of percentage progress towards final results and which specific polling centre results have already been captured.

E. Campaigning

- i. EBC Organized Campaigns wherein candidates through the EBC go around their constituency campaigning. Most candidates used this opportunity to tell electorate about projects that would be funded through government, whom they have no idea if these are in government's strategic plan or road map and if there is funding for them. Therefore, such campaigning may pit the candidates against their constituency members. The public officers have access to government resources and airtime which they allegedly use for campaign milestone
- ii. Individual campaigning largely using private funding. CANGO notes that these campaigns largely are on giving people handouts such as food, branded t-shirts (and clothes), alcohol including hosting of soccer tournaments, and music festivals. Some candidates even got to the extent of promising and actually giving money sometimes in the guise of sponsorship. CANGO is concerned that may be construed as 'buying votes'. It is the view of CANGO that such acts may lead elected candidates to financial burden as they may be expected to continue with this splurge whereas they may not have the financial resources to continue doing so.
- iii. For the 2023 elections CANGO noted that a number of candidates resorted to use of technology of the conventional means of campaigning of posters, placard and loudhailers. These were through social media, e-flyers and voice notes. There were instances where some candidate used these platforms to attempt to de-campaign others. This is not encouraged by CANGO.
- iv. A number of candidates roped in campaign agents, whom are not governed by loyalty. Some agents shift floor randomly and maintain two or more candidates whereas they are being paid by either of their candidates. This has the potential of sparking rivalry and conflict amongst candidates and supporters.
- v. Parliament was disbanded a month before primary elections and cabinet a day or two before secondary elections. It is the view of CANGO that this puts these public officers at an unfair advantage over their counterparts who are not in public office.

2. Social Accountability Framework

CANGO amongst other partners and stakeholders have been advocating for a mechanism that will hold public officers accountable and focused on the performance measurement principles and practice. Therefore, when CANGO was roped in to be part of the development of the Social Accountability Framework, it took it with the understanding that the framework will push for public bearers who seek to deliver on the mandate of the office and portfolio they occupy. The introduction of this social accountability framework is commendable and encouraged to be used through public office holders. Even though introduced late, it is the hope of CANGO that their awareness of the framework will be decentralized to the community wherein the citizens of this country and civil society will be part of those to review the performance of those that occupy public office.

3. Secondary Elections

- i. The secondary elections were conducted on the 29th September 2023. CANGO also deployed the 35 observers in largely the same sites as they did in the nomination and primary election stage. At the time of putting this report together, it was observed in those stations observed by CANGO that that voter turnout was around 40% - 50% of those that registered. This is still to be verified
- ii. Security Personnel were deployed in all polling stations. The security personnel were friendly and welcoming. Only two incidents were reported wherein police were called in to calm a situation wherein candidate agents are alleged to have been harassing people claiming that they are not from the constituency hence were not eligible to vote.
- iii. On the eve of the secondary elections, His Majesty King Mswati III upon his return from the 78th United Nations Assembly on the 28th September 2023, through the Attorney General, pronounced and called the nation to Ludzidzini Royal Residence for the much-anticipated Sibaya on the 23rd October, 2023. It is the hope of many including ourselves that this Sibaya will be the preamble for the much-anticipated national dialogue which will set the tone for the country's future political landscape.

4. Observations

- i. Reports received that almost all polling stations opened on time. Likewise, they also closed on time apart from 1 or two that were delayed by on average 10 minutes. Some voters were already at the polling stations an hour or two before the opening of the stations.
- ii. Ballot boxes were sealed and opened in front of candidates, agents and observers present with serial numbers registered for control.
- iii. As opposed to the primary elections, the processing of voters for casting of votes was efficient and seamless. Validation was around 25 seconds average and casting of vote was around 5 minutes to 10 minutes (most for the elderly)
- iv. Assistance was provided for the elderly, sick, handicapped and mothers with children as they were afforded preferential treatment in the queues.
- v. Visibility was adequate within the polling station. We however recommend that more signage and directions be provided for those polling stations.
- vi. Security visibility and presence was observed in all the polling stations that were observed. The police kept to high level of professionalism and were able to cooperate with the observers and polling officers.
- vii. There was a helicopter seen hovering around several polling stations across the country. Since it did not have branding depicting it being from the security forces (army or police) it did raise some panic buttons and concern. Reports from our observers were that voters were not comfortable with it hovering above some polling stations. It is advised that public and observers are prewarned since a hovering helicopter may potentially lead to mayhem. It must be mentioned however that mayhem never ensued as a result of the helicopter.
- viii. There were reports of some voters entering polling rooms and voting booths with cellphones. This is discouraged by CANGO and recommends measures be undertaken to prevent voters from the entering with cellphone inside voting booth. The concerns about the use of cellphones led to inadequate secrecy of the ballot.
- ix. Reports were received that international election observers came to some polling stations. Namely, the Human Rights Commission, Commonwealth, African Union and SADC were seen by our observers. This is appreciated and recommended as observers locally and internationally ensure adherence to election principles.
- x. Ballot Paper counting was done transparently in front of candidates and their agents, observers, security personnel and polling station staff. Again, the counting of votes in the polling station and relaying the information through the EBC App minimized any suspicion of vote rigging. In Hosea, after counting in each site the votes were collated from all sites and then tallied at a central place (police station). Information gathered was that some supporters were getting too excited hence as a precautionary measure this was done.
- xi. Majority of the polling stations observed by CANGO reported peaceful vote counting. All the polling stations observed closed on time.
- xii. CANGO is following up on a post-election complaint from Ntondozi where it is alleged that some results were manipulated by the returning officer post the official tally and compilation of votes.

5. Results Announcement and Post Results Situation

- i. The EBC conducted a press briefing on the 1st October 2023 wherein they made known the results of the elections, albeit according to EBC these results remain preliminary until they are gazetted.
- ii. No incident was reported after the results were made available through the EBC. It is however noted that there were incidents where jubilant voters died after the car they were in lost control. CANGO laments this unfortunate incident.
- iii. At the time of compiling this report there was no indication of the results being legally challenged by those that were not successful in the election. However, we are monitoring the situation.

6. Recommendations

Voter Registration

- i. It is recommended that amendments to elections laws should be done in good time to allow sufficient and healthy debate on the proposed amendments.
- ii. The newly introduced digital/electronic voting system was quite a challenge for some voters who were not familiar with it. However, CANGO notes that the introduction should be accompanied by sufficient sensitization of such technology.
- iii. We call for a public audit of the electronic voter registration system to give it some credibility boost.
- iv. EBC is commended for amending the law to allow people to register at any of the designated registration sites, this therefore should also incorporate a person being allowed to vote any of these sites to allow ease of convenience. This should be accompanied by consideration for voting to be done electronically.
- v. It is recommended that key stakeholders particularly civil society be allowed to conduct civic education alongside voter education. This would cater for voters to be cognizant of the process and importance of validating their information on the voter's roll. CANGO further advises voters to take advantage of the voter validation period through checking of the voters roll and utilizing the EBC USSD code facility for validation.
- vi. The EBC had to extend the registration as on the deadline there were still huge number of people wanting to register. We recommend that citizens of this country should take advantage of the time allocated to register to avoid extension.

Nominations

- i. CANGO recommends a review of this practice of multiple nominations as it may be subject to be misused.
- ii. Recommendation that nomination should also be done in a secret ballot to avoid intimidation and freedom to choose who to nominate.

Campaigning

- i. CANGO recommends that funds should be made available to all candidates post primary election to conduct their own campaigning and that there should be regulation of those in public office on the use of public resources to campaign.
- ii. It is recommended that candidates should familiarize themselves with the Constitution of Eswatini, the Elections Laws, The National Development Plan and Roadmap. This would ensure that their campaigns are informed and relevant to the portfolio they are contesting for.
- iii. Campaign financing is becoming an issue worth looking into with suggestions that some candidates were supported by companies linked to certain **politically exposed persons**. At some point, such support might be so large that it impacts the independence of the parliament overall when a sizeable number on MPs become betrodden to particular companies or business persons.

Primary and Secondary Voting and Votes Counting

- i. We recommend that voting booths should be placed in a manner that allows secrecy and privacy for the voter. Booths should face away from the candidates and their agents (the backs of the voters should not face the candidates or their agents).
- ii. EBC should consider investing in additional lighting as some of the voting rooms did not have sufficient lighting during vote counting.
- iii. We recommend though that the Vote Results App should have a feature that indicates progress in vote counting or progress towards completion of the number of polling stations counting process. This would assist in determining if all votes have been calculated or there are some remaining.

International Election Observer Missions

- i. We take note and appreciate the engagement of stakeholders and key partners by the international election observer missions. We also appreciate the manner in which the consultations and briefings were conducted and therefore recommend that the same coordinated and single engagements should be done when these missions engage upon their arrival in country. This will help in the coordination and availability of those they intend to engage with.

7. Conclusion

In our considered view, the elections were peaceful, calm and orderly as they were run in accordance with the laws of Eswatini specified in the first paragraph. The EBC staff deployed were professional and courageously faced all challenges thrown at them in the course of running the election administratively. There were no major, significant incidents or breaches that would have altered the result of the election. We further acknowledge that the EBC learnt from its teething problems and challenges in the nomination and primary elections, and was able to rectify most of them to be able to deliver an efficient secondary election. There is still room for improvement and we implore EBC to commit to doing so particularly in the area of opening whole of electoral cycle civic engagement so as to keep the subject of elections alive and not wait until the next elections.

The Eswatini elections credibility and alignment to international standards remain in doubt because the electoral laws bar political parties from contesting in the election alongside the system of individual merit, which remains the basis of election into public office in Eswatini. This excludes associations and groups from pooling together their thoughts and ideas on how if given a chance they could contribute to the running of the affairs of government and transform the nation state to better the lives of all its citizens. These disparate parts of individual merit candidates meet for the first time inside the house and try to forge ahead alongside the well-oiled government machinery which has been in existence over time and requires people to hit the road running immediately. We therefore do not consider these elections to be fully democratic when weighed against internationally accepted norms and standards of democratic elections.

We continue to advocate for inclusive participation of all citizens of the country in the shaping and formation of a future that embraces an individual leader or political party that garners the majority vote to be allowed to form government. It is a recommendation of this report that Eswatini should consider constitutional and legislative changes that would allow individual merit to run alongside political party participation in the elections. We call on the authorities to give dialogue a chance and stick to the public commitments made to the SADC Troika and others that a dialogue to open up the political space will be convened in due course when the environment is conducive.

We further call and appeal to all citizens of Eswatini to consider allowing women to exercise their potential, ability and skills in leadership through being voted into influential and leadership structures in this country. We implore that the vote for a women campaign should not remain a lip service but should become a reality for this country. We are looking to the leadership of the country to lead by example in pushing the gender parity envelope when exercising their constitutionally conferred powers of appointing additional members of the house and *Emabandla*.

8. Appendices



Voter counting Lubulini



Sealed Ballot Boxes at



Voting Booth for assisted and disabled voters



People waiting in line to cast their votes

LIST OF CANGO ELECTION OBSERVERS, ESWATINI GENERAL ELECTIONS

29th September 2023

	Eswatini Region	Inkhundla/Polling Division			
Manzini Region				Hhohho Region	
1	Manzini	Lobamba	14	Hhohho	Siphocosini
2	Manzini	Ledzeludze & Makholweni	15	Hhohho	Mbabane East
3	Manzini	Nhlambeni	16	Hhohho	Pigg's Peak
4	Manzini	Ntondozi	17	Hhohho	Motshane
5	Manzini	Ngwempisi	18	Hhohho	Hhukwini
6	Manzini	Dvokodweni	19	Hhohho	Lobamba Lomdzala
7	Manzini	Kwaluseni	20	Hhohho	Mbabane East
8	Manzini	Manzini North	21	Hhohho	Pigg's Peak
9	Manzini	Ngwempisi	22	Hhohho	Mbabane East
10	Manzini	Kwaluseni	23	Hhohho	Motshane
11	Manzini	Lamgabhi & Bhunya	24	Hhohho	Maphalaleni
12	Manzini	Mafutseni	25	Hhohho	Nkhaba
13	Manzini	Manzini South			
Lubombo				Shiselweni	
26	Lubombo	Lomahasha	32	Shiselweni	Hosea
27	Lubombo	Lugongolweni	33	Shiselweni	Ebenezer
28	Lubombo	Sithobela	34	Shiselweni	Nkwene
29	Lubombo	Nkilongo & Lubulini	35	Shiselweni	Hosea
30	Lubombo	Siphofaneni			
31	Lubombo	Lubulini			