

Acknowledgements

Our mission could not have been accomplished without the assistance and support of many people. We are especially grateful to the Chairman of the Independent Electoral Commission and his fellow Commissioners, and to IEC staff throughout the country. They went out of their way to assist us in our work and were extremely helpful, despite the many pressures on them during the election period.

We also wish to thank the political parties, the Lesotho Council of NGOs, the Christian Council of Lesotho, representatives of the media, the Commonwealth High Commissioners in Maseru and the other international and domestic observers, whose briefings and co-operation greatly assisted us in our work.

We wish to extend our appreciation to the Commonwealth Secretary-General, Chief Emeka

Anyaoku, for his support and for giving us the opportunity to serve the Commonwealth in promoting its democratic principles.

It is a special pleasure for us to record our gratitude to all the members of the Commonwealth Secretariat support team led by Mr Jon Sheppard. Their industry, dedication and efficiency made an indispensable contribution to the success of our mission. We are also indebted to our drivers and interpreters, without whose local knowledge we could not have fulfilled our mandate.

Above all, we have been particularly touched by the hospitality of the people of Lesotho who warmly welcomed us wherever we went. We wish them well in consolidating democracy in their beautiful country.

ANNEX I

Composition of the Commonwealth Observer Group

The Rt Hon Sir Lynden Pindling, KCMG, JP (Chairperson – The Bahamas)

Sir Lynden was Prime Minister of The Bahamas between 1968 and 1992. He is widely acclaimed as father of the nation, having led The Bahamas to independence in 1973. He retired from active politics in 1997 after serving 41 years as a Member of Parliament – the longest of any parliamentarian in The Bahamas. Sir Lynden trained as a lawyer at the University of London and was called to the English Bar at the Middle Temple in January 1953 and to The Bahamas Bar in August the same year. He was Chairman of the 1985 Commonwealth Heads of Government Meeting in The Bahamas, which adopted the Nassau Declaration that laid the foundation for Commonwealth sanctions against South Africa. Sir Lynden holds honorary doctorates from Howard University, the University of Miami, Bethume-Cookman College, and Fisk University. He was made a member of the Privy Council in 1976 and was knighted in 1983.

Mr Kelemedi Bulewa, MP (Fiji)

Mr Bulewa is a lawyer by training and has been a Member of the Fiji Parliament since 1992. He served as a member of the Joint Select Committee of Parliament on the amendment of the 1990 Fijian Constitution. He was also a member of the Select Committee on Consequential Amendments to Legislations, which drafted the 1998 Electoral Act under which general elections will be conducted. He served as Attorney-General and Minister of Justice from 1992 to 1996.

Mrs Margaret Ewing, MP (Britain)

Mrs Ewing is currently Parliamentary Leader of the Scottish National Party at Westminster. She has served as a Member of Parliament for a total of 16 years – first entering Parliament in 1974 and then being elected for a second time in 1987. She holds a Master of Arts degree in English and History from the University of Glasgow and a Bachelor of Arts (Honours) degree in Economic History from Strathclyde University, and has worked in education as a principal teacher in special educational needs.

Ambassador Andreas J Jacovides (Cyprus)

Mr Jacovides studied law at the University of Cambridge, in the Inns of Court, London, and at

Harvard Law School. He is presently accredited as Ambassador and Special Adviser with the United Nations and is engaged in several other professional and philanthropic activities. Mr Jacovides has served as Ambassador to the UN in Vienna and in New York, the United States (twice) and Germany, in addition to several other non-residential accreditations and as Permanent Secretary in the Ministry of Foreign Affairs, in a distinguished 37-year career with the diplomatic service of Cyprus. He has represented Cyprus at numerous international conferences, including the UN Conference on the Law of Treaties and on the Law of the Sea and at six Commonwealth Heads of Government Meetings. He was also a three-term member of the UN International Law Commission. He served on the Committee on the Future of the Commonwealth in 1990 and 1991 and on the Commonwealth Committee on the Vulnerability of Small States in 1997.

Mr Samuel M Kivuitu (Kenya)

Mr Kivuitu is currently the Chairman of the Electoral Commission of Kenya. He was appointed to the Commission in 1992 and served as Vice-Chairman between 1996 and 1997. Mr Kivuitu holds a Bachelor of Laws degree from the University of London and has been a member of the Law Society of Kenya since 1965. He served as a State Counsel in Kenya between 1964 and 1966 and as a resident magistrate between 1966 and 1968. He was elected a Member of Parliament in 1969 and for a second time in 1983, serving a total of 10 years. He has represented Kenya at several international conferences and was a member of the United Nations observer mission to the elections in South Africa in 1994.

Dr Robert S Merrillees (Australia)

Dr Merrillees is a distinguished former diplomat who has served as his country's Ambassador to Israel, Sweden and Greece, among others. He was also Australia's Permanent Delegate to UNESCO in Paris. He holds a Bachelor of Arts degree from the University of Sydney and a PhD from the University of London, and has specialised professionally as well as academically in the Middle East. He has also had extensive involvement with the United Nations and its specialised agencies, the Commonwealth, particularly Commonwealth Heads of Government Meetings, and the Cambodian

peace process. He is the author of numerous publications on the archaeology of the Levant, especially Cyprus, and is a Fellow of the Australian Academy of the Humanities and the Society of Antiquaries of London.

Ms Elizabeth Solomon (Ghana)

Ms Solomon is a member of the Electoral Commission of Ghana. A former nurse educator, she went on to study law and worked for many years as a legal adviser with the Ghana State Insurance Corporation. She has done considerable work in promoting women's participation in public life through the Ghana branch of the International Federation of Women Lawyers, of which she has been a leading member for many years. She represents the Federation on her country's National Council for Women in Development. She was a member of the United Nations observer mission to the elections in South Africa in 1994 and also served on the Commonwealth Observer Group to the general election in St Kitts and Nevis in 1995.

Professor G K H Töttemeyer (Namibia)

Professor Töttemeyer is Professor of Political and Administrative Studies at the University of Namibia. Between 1991 and 1997 he was a member of the First and Second Delimitation Commissions of Namibia, which subdivided the country into constituencies, local authority areas and wards. He also served as Director of Elections from 1992 to 1998. He is currently Chairperson of the Preparatory Committee of the Southern African Development Community Electoral Commissions Forum.

Secretariat Support Staff

Mr J P Sheppard	<i>Team Leader</i>
Mr Christopher Child	<i>Assistant to Observers</i>
Mr Reginald Addo	
Amegatcher	<i>Assistant to Observers</i>
Dr Victor Pungong	<i>Assistant to Observers</i>
Mrs Betty Champion	<i>Administrative Officer</i>
Mrs Beatrice Morgan	<i>Secretary</i>

ANNEX II

Arrival Statement of 16 May 1998



Lesotho National Assembly Elections, 23 May 1998

Commonwealth Observer Group

Tel: (266) 313111
Fax: (266) 310104 or
310615

Lesotho Sun Hotel
Hilton Road
Maseru
Lesotho

ARRIVAL STATEMENT BY THE COMMONWEALTH OBSERVER GROUP

We are here to observe the National Assembly Elections, in response to a request from the Independent Electoral Commission of Lesotho to the Commonwealth Secretary-General, Chief Emeka Anyaoku, and following advice by a Commonwealth Assessment Mission in April that there would be broad support for the presence of Commonwealth Observers.

As a team of Observers, we are serving in our individual capacities and not as representatives of the countries, governments or the organisations to which we may belong. Our mandate is to observe all relevant aspects of the organisation and conduct of the elections in accordance with the laws of Lesotho and, at the end, make an independent assessment as to whether the conditions existed for the people of Lesotho to freely express their will through the polls.

We have no executive role. Our function is to observe the process as a whole and form an impartial judgment on the credibility of the exercise. On completion of our task we will present a report to the Commonwealth Secretary-General, who will in turn make it available to the government of Lesotho, the political parties which contested the elections, and thereafter to all Commonwealth governments.

In carrying out our mission, we will remain in close touch with the Electoral Commission. We look forward to being briefed by them on the preparations in hand. We hope to have meetings with representatives of political parties, non-governmental organisations and other interested groups. We intend to travel throughout the country, both before and on polling day and to observe the counting of votes.

We are honoured to be here as guests in your beautiful country and greatly look forward to our mission.

Maseru
16 May 1998

ANNEX III

Schedule of Engagements

Saturday 16 May

- | | | | |
|------|---|------|---|
| 1130 | Arrival Press Conference, Lesotho Sun Hotel, Maseru | 1115 | Christian Council of Lesotho: The Rev Ishmael Mqhathazane (General Secretary), Mr Thabang Mothbeli and Ms Hilda Chakela |
| 1530 | Briefing by Independent Electoral Commission (IEC): Mr Sekara Mafisa (Chairman), Mr Moriee Khaebana (Commissioner) and Mr Mphasa Mokhochane (Acting Director) | 1210 | Commonwealth High Commissioners: HE Mr Peter Smith (British High Commissioner) and HE Mr M J Ndlovu (South African High Commissioner) |
| 1930 | Chairperson's Dinner for Observers and guest of honour Mr Sekara Mafisa | 1415 | Other international observers: Ms Marie Meegan (Irish Government) and Mr Eric Happel (National Democratic Institute) |

Sunday 17 May

- | | | | |
|------|--|-------------------------|--|
| 0900 | Lesotho Congress for Democracy: Mr Kelebhone Maope, Mr Sephiri Motanyane and Mr Notshi Molopo | 1600 | Deployment Briefing |
| 1025 | Basotho National Party: Mr Evaristus Sekhonyana (President) and Mr Jerry Letsie (Executive Committee Member) | 1830 | Chairperson's Reception |
| 1120 | National Progressive Party: Mr Justice Ntlhabo (Secretary-General) and Dr Francis Makoia (Publicity Committee) | Tuesday 19 May | |
| | Observation of LCD, BCP and BNP concluding rallies, Maseru | 0730 | Deployment, observation of 'Absent Voting' |
| 1715 | Popular Front for Democracy: Mr Nqosa Mahao (Chairman, International Relations) and Mr Karabo Tihabeli (candidate) | Wednesday 20 May | |
| 2015 | Marematlou Freedom Party: Senator Vincent Malebo (Leader) | 1100 | Courtesy call by Chairperson on HM King Letsie III, Maseru |

Monday 18 May

- | | |
|------|--|
| 0915 | Representatives of Radio Lesotho: Mr Khahliso Lesenya (Editor, News), Mr Lereko Phatela (Senior Reporter) and Mr Peter Potjo (Reporter) |
| 0945 | Lesotho Council of NGOs: Ms Limakatso Mokhothu (President), Ms Puleng Lenka (Voter Education Co-ordinator), Ms Seabata Motsamai, Ms Bodil Mathiasen and Ms Malikeleli Mokhothu |

ANNEX IV

Deployment Statement of 19 May 1998



Lesotho National Assembly Elections, 23 May 1998

Commonwealth Observer Group

News Release

The Commonwealth Election Observers today deployed from Maseru to outlying districts of Lesotho. From now until Election Day on 23 May 1998 the Observers will become familiar with conditions relating to the election throughout the country. On election day the Observers will travel widely, visiting polling stations to observe their opening, the conduct of the electoral process and the count. The Commonwealth Observers will be co-operating with electoral officials, party representatives and with domestic and other International Observers.

Since their arrival in Lesotho on 15 May, the Observers have held a series of meetings with the Independent Electoral Commission, the political parties, media representatives, NGOs, Church and other representatives of civil society. The Observers have witnessed the voting process for electoral and security officials on 19 May.

The Observer Group has been deployed as follows:

Maseru	Sir Lynden Pindling Mr Jon Sheppard	Chairman
Maseru/Leribe	Mr Andreas Jacovides Mrs Betty Champion	
Butha-Buthe/Leribe	Mr S Kivuitu Dr Victor Pungong	
Mophale's Hoek	Dr Merrillees Ms Elizabeth Solomon	
Qacha's Nek	Mr Kelemedi Bulewa Mrs Margaret Ewing	
Thaba-Tseka	Prof G K Tötemeyer Mr Reginald Addo Amegatcher	
Mokhotlong	Mr Christopher Child	

19 May 1998
Maseru

ANNEX V

Observation Notes for Poll and Count and Check List for Polling Station Visits

OBSERVATION NOTES FOR POLL AND COUNT

PART A

The Observers may focus particular attention on the following aspects of the conduct of the elections:

The Campaign

1. Balance of TV/radio election coverage.
2. The procedure for the allocation of time to political parties on radio and television.
3. Print media: nature of coverage and extent of access by the political parties.
4. The tone and content of material put out by the political parties, access to printing facilities.
5. The conduct of political meetings/rallies.
6. The conduct of house-to-house canvassing of voters.
7. Nature, scale and effectiveness of voter education by the Independent Electoral Commission and others.
8. Activities/measures to encourage the participation of women.
9. Access to funds and sources of funds.

The Poll

1. The location of polling stations.
2. Distances travelled by voters to polling stations, particularly in rural areas.
3. The length of time voters wait to cast their votes.
4. The steps taken to ensure that the secrecy of the ballot is assured.
5. The performance of electoral officials at the polling stations visited.
6. The procedure followed at the opening of the poll.

7. The adequacy or otherwise of facilities at polling stations and their state of readiness.
8. The procedures in place to ensure proper security of ballot papers, ballot boxes and official seals.
9. The general atmosphere at the polling stations visited.
10. Availability of adequate supplies, e.g., ballot papers, official stamps and stamp-pads, indelible ink, etc.
11. Arrangements to facilitate voting by women.
12. Access of party agents to polling stations.

The Count

1. Inspection of seals.
2. The process of reconciling the number of people who voted with the number of ballots cast.
3. The determination of invalid ballots.
4. The conduct of electoral officers.
5. The facilities for parties to witness and verify the count and overall transparency.
6. Access by domestic and international observers.

PART B

Questions that may be put:

Before Polling Day

1. Was the Voters' Register compiled in a satisfactory way? Were people missed out? Were the names of dead people or 'phantom voters' included?
2. Who are the election officials? How were they chosen? Are voters confident that they will be impartial?

Report of the Commonwealth Observer Group

3. Is the person in the street satisfied with arrangements? Will he/she vote? If not, is he/she afraid to do so? Were there any attempts to discourage/encourage the participation of women and were they effective?
4. Have all parties been able to campaign freely? Has the campaign been free of intimidation, etc? Have all parties had full access to the mass media?
5. Is there freedom to advertise and distribute posters, leaflets, etc?
6. Is only one person at a time being allowed into the voting booth?
7. How long are voters waiting to vote? If a long time, are some being put off?
8. Will all parties be represented at polling stations throughout voting and count? Are party polling agents adequately trained and vigilant?
9. Will observers have free access to all stages of the process?

On Polling Day

1. Before polling starts, are the ballot boxes empty? Are they properly sealed?
2. Are all procedures being adhered to?
3. Are all parties represented at polling stations? Are they satisfied with the process?
4. Are voters apparently voting freely? Are they enthusiastic? Do they talk freely? Do they exhibit signs of fear or intimidation?
5. Do voters understand the procedures properly? If not, are the procedures being explained fully and impartially? Are attempts being made to suggest how voters should vote?
10. Is the security presence effective/oppressive?
11. Is anyone voting without an ID card?
12. Does the turnout indicate that women have been deterred from voting?

The Count

1. Are the boxes kept safe until opened? Are all parties present at opening?
2. Does the number of used ballot papers tally with the record of those who voted?
3. Are the papers counted properly? Are counting agents present? Are they satisfied with the result?

ANNEX VI

Interim Statement of 23 May 1998



Lesotho National Assembly Elections, 23 May 1998

Commonwealth Observer Group

News Release

INTERIM STATEMENT BY THE RT. HON. SIR LYNDEN PINDLING, CHAIRMAN OF THE COMMONWEALTH OBSERVER GROUP

The Commonwealth Observer Group was constituted by the Commonwealth Secretary-General to observe the process of the 1998 Lesotho National Assembly elections. The Group consists of eight individuals with considerable experience in political affairs and electoral matters, supported by six staff from the Commonwealth Secretariat. The Group arrived in Lesotho on 15 May 1998, and since that time has been thoroughly briefed by the Independent Electoral Commission, political parties, media representatives, NGOs, Church and other representatives of civil society. We have also closely consulted with other international and domestic observers. From 19 May, the Group has been deployed in seven teams throughout the country, and has taken particular care to familiarise itself with conditions in both urban and rural areas.

Prior to 23 May, the Group was made aware of a number of complaints concerning the preparations for the elections. We followed with interest the proceedings of litigation in the Lesotho High Court, and have noted the decision of that Court that the issues brought before it did not warrant delaying the election from taking place on schedule.

On Election Day, the Commonwealth Observers visited many polling stations across the country, including in the most remote areas. We observed the opening of the polls, the conduct of the voting, and the counting process. At the time of issuing this statement the results of the ballot have not yet been announced.

Overall, we have found there is much reason to commend the work of the Independent Electoral Commission, especially given the time constraints under which it has been operating. The efforts of the many electoral officials, party agents and local observers, often working in difficult conditions, are also to be applauded. We have inevitably found some instances where logistic and organisational problems exist, and in our final Report we will make some recommendations which may assist in the conduct of future elections. By and large, however, it is clear that the electoral process has functioned well.

We were mandated by the Commonwealth Secretary-General to determine whether in our judgement the conditions existed for a free expression of will by the electors and if the result of the elections reflects the wishes of the people of Lesotho. We do not consider that the essentially technical problems we have encountered are of such a magnitude as to have prevented a free expression of the will of the people.

Most of all, we were impressed with the calm and peaceful atmosphere which prevailed throughout Lesotho during the election period, and with the attitude of responsibility with which the people and the key political players have approached the elections. This, we believe, is worthy testament to the establishment of a democratic culture in Lesotho.

Maseru
23 May 1998

ANNEX VII

Departure Statement of 28 May 1998



Lesotho National Assembly Elections, 23 May 1998

Commonwealth Observer Group

News Release

DEPARTURE STATEMENT BY SIR LYNDEN PINDLING CHAIRMAN OF THE COMMONWEALTH OBSERVER GROUP

The Commonwealth Observer Group left Lesotho today after a two-week visit to observe the National Assembly elections held on 23 May 1998. The Chairman of the Group, the Rt Hon Sir Lynden Pindling, said on departure that the Group had fulfilled its mandate to consider the various factors impinging on the credibility of the electoral process as a whole, and had formed the judgement that the conditions had existed for a free expression of will by the electors. Consequently, as he had said on election night, the Commonwealth Observer Group considered that the result of the elections did reflect the wishes of the people of Lesotho.

Sir Lynden said he recognised that some of the candidates and political parties did not accept the outcome of the ballot, and may take legal action to challenge the election results. "I am aware that the laws of the Kingdom of Lesotho make adequate provision for the hearing of such complaints", Sir Lynden said, "and I am confident that the Courts will give their decision based on the substantial merits of the case. I urge all parties to respect the due legal process in these matters."

Sir Lynden expressed the Commonwealth Observer Group's appreciation for the welcome extended to it by the people of Lesotho during their stay in the country. He stressed that members of the Group had all been most impressed by the demonstrated commitment of the Lesotho people to the democratic process.

"The Group has completed its Report to the Commonwealth Secretary-General", Sir Lynden said. "Our Report contains a number of suggestions on the electoral process which we hope will be of use to the Government, the Independent Electoral Commission, and other political players in Lesotho. The Report will be available to all those parties with whom the Commonwealth Observer Group had contact, as soon as possible."

Maseru
28 May 1998

ANNEX VIII

Independent Electoral Commission Posters

Maikutlo a hau ke ntho ea bohlokoa

Batho ha se metsi
a noka a phallelang
ng'a e le 'ngoe

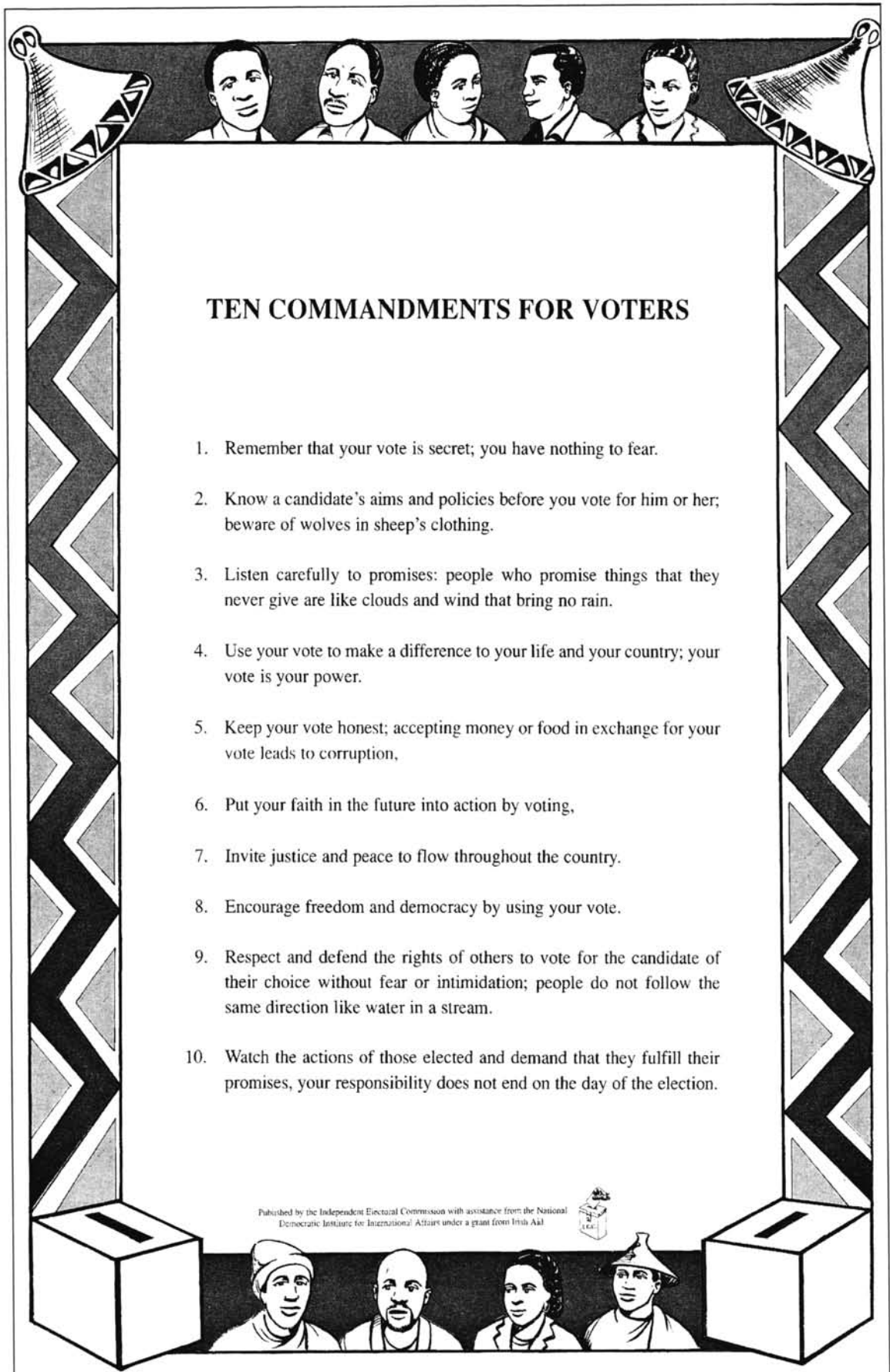
We can all be
friends even if we
vote differently



Hlonepha khetho ea batho ba bang

E phatalalitsoe ke Komisi e Ikemetseng ea Likhetho (IEC) ka thuso ea Mokhatlo oa Machaba oa Puso ea Sechaba (NDI) tlas'a lichelete tsa Mokhatlo oa lithuso oa Ireland






The page is framed by a decorative border. At the top, there are five portraits of candidates (three men and two women) flanked by two traditional Lesotho horns. At the bottom, there are two ballot boxes flanked by four more portraits of candidates (two men and two women). The central text is enclosed in a rectangular frame with a zig-zag pattern on the sides.

TEN COMMANDMENTS FOR VOTERS

1. Remember that your vote is secret; you have nothing to fear.
2. Know a candidate's aims and policies before you vote for him or her; beware of wolves in sheep's clothing.
3. Listen carefully to promises: people who promise things that they never give are like clouds and wind that bring no rain.
4. Use your vote to make a difference to your life and your country; your vote is your power.
5. Keep your vote honest; accepting money or food in exchange for your vote leads to corruption.
6. Put your faith in the future into action by voting.
7. Invite justice and peace to flow throughout the country.
8. Encourage freedom and democracy by using your vote.
9. Respect and defend the rights of others to vote for the candidate of their choice without fear or intimidation; people do not follow the same direction like water in a stream.
10. Watch the actions of those elected and demand that they fulfill their promises, your responsibility does not end on the day of the election.

Published by the Independent Electoral Commission with assistance from the National Democratic Institute for International Affairs under a grant from Irish Aid



LIKHETHO TSE AKARETSANG TSA LESOTHO 1998 MOKHOA OA HO KHETHA



1: Ho hlahloja menoana ea letsoho le letšehali ho netefatsa hore ha u es'o khethe.



2: Hlahisa karete ea hau ea ngoliso, ho hlahloja lebitso la hau lenaneng la bakhethi.



3: Mokhethisi o u fa pampiri ea ho khetha. Mamela ka hloko litlhalosetso.



4: Kena ka lekunutung. Tsoaea ka lebokosaneng le bapileng le letsoao 'moho le lebitso la mokhethoa oa hau.



5: Khutlisetsa pampiri ea ho khetha ho mokhethisi e mennoe 'me eena o tla tlosa karoloana ea eona e ka holimo.



6: Karoloana e ka holimo ea monoana oa bosupa oa letsoho la hau le letšehali e tla tsoauoa ka enke ho bontša hore u khethile.

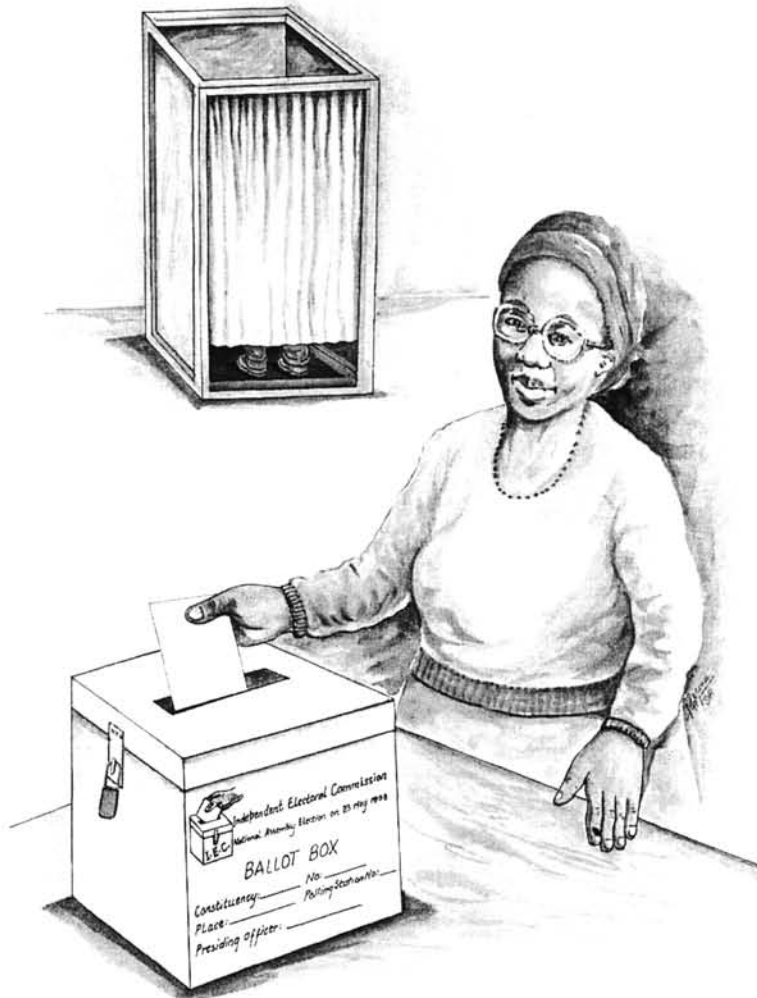


7: Tsela khetho ea hau ka lebokoseng. Ikele ka khotso.

E phatlalalitsoe ke Komisi e Ikemetseng ea Likhetho (IEC) ka thuso ea Mokhatlo oa Machaba oa thuso ea Sechaba ka Sechaba (NDI) tlas'a lichelete tsa Mokhatlo oa lithuso oa Ireland. Artwork: Martin M. Masoabi



KHETHO EA HAU KE LEKUNUTU LA HAU



**Ha ho Motho ea tla Tseba
hore na u Khethile Mang**



E phatlalatswe ke Komisi e Ikemetseng en Likhetho (IEC) ka thuso ea Mokhatlo oa Mochaba oa Puso ea Sechaba ka Sechaba (NND) tlas'a tichelete tsa Mokhatlo oa lithuso oa Ireland Artwork: Martin M. Masobu

ANNEX IX

List of Registered Political Parties

(Number of candidates shown in brackets)

Marematlou Freedom Party	(56)
Sefate Democratic Union	(32)
Basotho National Party	(79)
Lekhotla La Mahatammoho (Basutoland Congress Party)	(78)
Lesotho Congress for Democracy	(79)
National Progressive Party	(27)
Popular Front for Democracy (Khoeetsa ea Sechaba)	(35)
Kopanang Basotho Party	(3)
Lesotho Labour Party/ United Democratic Party Alliance	(8)
Lesotho Educational Party	(2)
Christian Democratic Party	(3)
National Independent Party	(6)

ANNEX X

Code of Conduct for Political Parties and Candidates*

1. The objective of this Code shall be to promote conditions conducive to the conduct of free and fair elections and a climate of democratic tolerance, in which political activity may take place without fear of coercion, intimidation or reprisals.
2. All political parties and other persons bound by this Code shall endeavour to promote its objectives in order to enable free political campaigning and open public debate to take place in all parts of Lesotho throughout the election period.
3. Political parties and candidates further commit themselves –
 - (a) to give wide publicity to this Code;
 - (b) to promote voter education campaigns;
 - (c) to condemn violence and intimidation;
 - (d) to instruct their candidates, office-bearers, members and supporters accordingly; and
 - (e) generally, to affirm the rights of all participants in the election –
 - (i) to express divergent political opinions;
 - (ii) to debate and contest the policies and programmes of other political parties;
 - (iii) to canvass freely for membership and support from voters;
 - (iv) to hold public meetings;
 - (v) to attend public meetings convened by others;
 - (vi) to distribute electoral literature and campaign materials;
 - (vii) to publish and distribute notices and advertisements;
 - (viii) to promote free electoral campaigns by all lawful means.
4. All those bound by this Code in terms of Section 112M (i.e. political parties and candidates) shall, throughout the election period, give effect to the following undertakings and stipulations –
 - (a) to publicly and repeatedly condemn violence and intimidation and to avoid the use of language or any kind of action which may lead to violence or intimidation, whether to demonstrate party strength, gain any kind of political advantage, or for any other reason;
 - (b) to refrain from any action involving coercion or intimidation;
 - (c) to ensure that no arms or weapons of any kind are carried or displayed at political meetings or in the course of any march, demonstration or other event of a political nature;
 - (d) to refrain from publishing or repeating false, defamatory or allegations concerning any person or political party in connection with the election;
 - (e) to co-operate and liaise in good faith with other political parties to avoid, in so far as possible, arrangements involving public meetings, demonstrations, rallies or marches taking place at the same time and venue as similar political events organised by other political parties;
 - (f) to do nothing to impede the democratic right of any political party, through its candidates, canvassers and representatives, to have reasonable access to voters for the purpose of conducting voter education, fundraising, canvassing membership and soliciting support;
 - (g) to avoid plagiarising the symbols, colours or acronyms of other political parties and to discourage and, if possible, prevent the removal, disfigurement or destruction of political campaign materials of any political party;
 - (h) to refrain from offering any inducement or reward to any person in consideration of such person either joining or not joining any political party; attending or not attending any political event; voting or not voting (either at all, or any particular manner); or accepting, refusing or withdrawing such person's nomination as a candidate in the election;
 - (i) to refrain from abusing a position of power, privilege or influence for political purposes, including –
 - (a) incumbent government power such as state facilities and transport; and
 - (b) parental, patriarchal or traditional authority;
 - (j) to avoid any discrimination based on race, sex, ethnicity, class, gender or religion in

connection with the election and political activity;

- (k) in relation to the role of women –
 - (i) to facilitate full participation by women to all public political activities on the basis of equality;
 - (ii) to ensure free access by women to all public political meetings;
 - (iii) to respect the right of women to communicate freely with political parties; and
 - (iv) generally, to refrain from forcing women to adopt a particular political position or to engage in, or to refrain from engaging in, any political activity otherwise than in accordance with their free choice;
- (l) in relation to the Commission –
 - (i) to acknowledge its authority in the conduct of the election;
 - (ii) to ensure the attendance and participation of representatives at meetings by or on behalf of the Commission;
 - (iii) to implement its orders and directions;
 - (iv) to facilitate its rights of access through official monitors or other representatives to all public political meetings or other electoral activities;
 - (v) to co-operate in the official investigation of issues and allegations arising during the election period; and
 - (vi) to take all reasonable steps to ensure the safety of monitors and other representatives of the Commission from exposure to insult, hazard or threat in the course of their official duties;

- (m) to reassure voters with regard to the impartiality of the Commission, the secrecy and integrity of the ballot, and furthermore, that no one will know how any other person has voted;
- (n) to take reasonable steps to discipline and restrain their party office-bearers, employees, candidates, members and supporters from –
 - (i) infringing this Code;
 - (ii) committing any offence in terms of this Act or any other law;
 - (iii) committing any proscribed electoral irregularity; and
 - (iv) contravening or failing to comply with any provision of this Act;
- (o) to establish and maintain effectiveness of communication with the Commission, and with other political parties, at national, provincial and local level, including the exchange of names, addresses and contact telephone and facsimile numbers of party election agents and of other relevant office-bearers and representatives; and
- (p) to accept the final outcome of the election, and the Commission's declaration and certification of the results thereof.

* This appears in the National Assembly Election Order 1992 as 'Schedule 4 – Electoral Code of Conduct'.

ANNEX XI

Media Guidelines for Election Day



KEBETHO EA HAU E U FA MATLA
YOUR VOTE IS YOUR POWER

Independent Electoral Commission

Media Guidelines for Election Day

The Independent Electoral Commission recognises the important role that the national and international media play in reporting on the electoral process. At the same time the Commission must consider the privacy of the voter and the secrecy of the ballot on Election Day. These guidelines for media representatives will help to ensure this privacy and secrecy during the electoral process.

1. Media representatives will not be permitted inside polling stations on Election Day unless they have applied to the Independent Electoral Commission and received prior approval in writing. The application must be in writing from the media organisation concerned, and state clearly which polling stations will be visited. If approved, the IEC will issue the required authority to enter the polling station specified.
2. Media representatives will not be permitted into the polling station during the counting process.
3. Media representatives who have permission to visit any polling station will not be permitted to film or photograph a voter in the voting compartment where he/she marks the ballot.
4. Media representatives will not be permitted inside the Returning Office after the close of the polls on Election Day or during the tally of the votes if it continues until the next day.
5. Media representatives may be in the vicinity of the polling station, but are asked to keep in mind that voters are not to be inconvenienced in any way.
6. Media representatives must be impartial in their interviews with voters and must not ask provocative questions.
7. Media representatives must respect the right of the voter not to disclose how he or she is going to vote or how he or she has voted.

ANNEX XII

Sample Ballot Paper

BALLOT PAPER
NO. 1010101

BALLOT PAPER
NO. 1010101

KINGDOM OF LESOTHO
NATIONAL ASSEMBLY ELECTION ORDER 1992
 CONSTITUENCY OF
 IDENTIFYING NO. OF ELECTOR

NATIONAL ASSEMBLY ELECTION FOR THE
 CONSTITUENCY OF
 HELD ON 23/5/98

OFFICIAL MARK
 LETSOAO LA MOLAO

SE KE OA MENA MOLENG ONA






DO NOT FOLD BEYOND THIS LINE

Eia hoko, mokhoae oa ho khetha

Khetha Mokhethoa e le mong ka ho etsa letsoao kapa ka hara lebokose le haufi le lebitso la mokhethoa kapa letsoao la molao la motho eo u mokhethang. Se ke oa ngola letho pampiring eo u khethang ka eona e tla etsa hore ho tsejoe hore ke ee hau.

(Voting instructions, read carefully)

Vote for one candidate by placing a tick or cross or any mark in the blank square next to the name and official symbol of the candidate for whom you wish to vote. Do not write anything on the ballot paper that will enable you to be identified.

CANDIDATES NAME LEBITSO LA MOKHETHOA	POLITICAL ORG. OR IND. MOKHA OA LIPOLITIKI EA IKEMETSENG	SYMBOL LETSOAO	MARK TŠOAEA
KHOHO NTSOAKI	WHITE PARTY		<input type="checkbox"/>
LETIMA MOLLO	RED PARTY		<input type="checkbox"/>
MOHAU SELLO	YELLOW PARTY		<input type="checkbox"/>
THABANG JOSEPH	BLUE PARTY		<input type="checkbox"/>
VAKELE LEOMA	INDEPENDENT EA IKEMETSENG		<input type="checkbox"/>

ANNEX XIII

Code of Conduct for Observers

The object of this code is to ensure that the activities of observers are conducted with integrity. All observers undertake, by signing this code, to act according to the following principles:

1. Observers shall be accredited by the IEC and provided with the necessary identification.
2. Will recognise the authority of the IEC on their conduct as observers, but they are directly accountable to the organisation, governments and inter-governmental organisations that nominated them.
3. Ensure that their conduct conforms to the Electoral Act, the regulations promulgated thereunder, the Code of Conduct for Observers, and the directives of the Electoral Commission or any lawful instructions of any person acting on their behalf.
4. Observers shall report any infringement of the Electoral Act, the regulations promulgated thereunder and the Electoral Code of Conduct to their organisation and the Commission, the presiding officer or any other electoral official as determined by the circumstances.
5. Will not assist any party or candidate in connection with the elections.
6. An observer will not interfere with the secrecy of the voting and counting process.
7. Comply with any direction issued by or under the authority of the IEC regarding the elections, including any request to leave or refrain from entering a particular area or venue, or to depart from a voting or counting station, or any specified area thereof.
8. Apart from their normal reporting duties to their organisation observers shall maintain secrecy concerning any matters affecting voting and counting. The disclosure of any such information would constitute a violation of the Electoral Act.
9. Observers shall identify themselves to any interested person and shall, during the conduct of their activities, wear or display the required identification badges issued by the Electoral Commission to appointed observers and their vehicles.
10. Observers shall not display any party insignia at any time. Shall refrain from carrying, wearing and displaying electoral material or any article of clothing, emblem, colours, badges or other items denoting support for or opposition to any party or candidate or any of the issues in contention in these elections.
11. Observers will not carry or display arms or weapons, cultural or otherwise, during the conduct of their duties and while wearing their official identification.