

LAUNCH STATEMENT BY H.E. ENOCH P. KAVINDELE, FORMER VICE PRESIDENT OF THE REPUBLIC OF ZAMBIA AND HEAD OF THE SADC ELECTORAL OBSERVATION MISSION (SEOM)

TO THE 2023 GENERAL ELECTIONS IN THE KINGDOM OF ESWATINI

ROYAL VILLAS HOTEL, EZULWINI, 22 SEPTEMBER 2023

Distinguished Members of the SADC Organ Troika;

Distinguished Representatives of the Government of the Kingdom of Eswatini;

Mr. Terry Rose, Representative of His Excellency, Mr. Elias Magosi, the Executive Secretary of SADC;

Chairperson/Representatives and Members of the Elections and Boundaries Commission;

Distinguished Representatives of International Electoral Observation Missions;

Your Excellencies, Heads and Representatives of the Diplomatic Missions accredited to the Kingdom of Eswatini;

Members of the SADC Electoral Advisory Council;

SADC Election Observers;

Representatives of Local Election Observers;

Religious Leaders and Members of the Civil Society;

Members of the Media;

Distinguished Guests;

Ladies and Gentlemen.

On behalf of His Excellency Hakainde Hichilema, President of the Republic of Zambia, and the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, it is my honour and privilege to welcome you to the official launch of the SADC Electoral Observation Mission (SEOM).

Let me take this opportunity to thank the Elections and Boundaries Commission of the Kingdom of Eswatini for the invitation extended to SADC to observe the General Elections scheduled to take place on 29 September 2023, in the Kingdom of Eswatini.

I also wish to avail of this opportunity to thank the Government of the Kingdom of Eswatini for the warm welcome which we have received from our arrival in this beautiful country. We further extend our appreciation to the Ministry of Foreign Affairs and International Cooperation of the Kingdom of Eswatini for yesterday's courtesy call.

Distinguished guests, Ladies and Gentlemen,

SADC observes elections in its Member States based on the Revised SADC Principles and Guidelines Governing Democratic Elections (2021). All SADC Member States affirmed their commitment to implementing these Principles and Guidelines. The Principles and Guidelines provide an objective and scientific methodology for the observation of elections to contribute to the consolidation of democracy in the Region, by enhancing best electoral practices and addressing any electoral shortcomings. The Principles and Guidelines are also informed by key instruments of the African Union, such as the African Charter on Democracy, Elections and Governance (2007), as well as the relevant Conventions of the United Nations.

Consistent with the revised SADC Principles and Guidelines Governing Democratic Elections, the deployment of this SEOM was preceded by a Pre-Election Assessment Goodwill Mission of the SADC Electoral Advisory Council (SEAC) from 31 May – 9 June 2023. Precedent to this Mission, in May 2022, the SEAC conducted a post-election review to assess if and how recommendations arising from the SEOM observations of the General Elections 2018 have been implemented.

SADC will issue a preliminary statement on 01 October 2023, an event to which you are all invited.

Distinguished guests Ladies and Gentlemen,

The SADC Electoral Observation Mission (SEOM) has been in Eswatini since 14 September 2023 to observe the elections set for 29 September 2023, which are to elect members of the House of Assembly. The SEOM noted that the elections are governed by the Constitution of the Kingdom of Eswatini and a comprehensive set of relevant laws, which include the Elections and Boundaries Commission Act, Voter Registration Act, and the Elections Act.

It is in line with these national legal instruments that the SADC Electoral Observation Mission will assess the conduct of the elections against a set of central principles stipulated in the revised SADC Principles and Guidelines Governing Democratic Elections, such as:

- 1. Full participation of the citizens in the democratic and development processes;
- 2. Enjoyment of human rights and fundamental freedoms such as freedom of association, assembly and expression;
- 3. Observance of the provisions of relevant legal frameworks in relation to the date or period of elections;
- 4. Measures to prevent corruption, bribery, favouritism, political violence, intimidation and intolerance;

- 5. Equal opportunity for all political parties to access the State Media as well as access to information by all citizens;
- 6. Respect for values of electoral justice such as integrity, impartiality and fairness;
- 7. No undue restraints against the opportunity to exercise the right to vote and be voted for;
- 8. Independence of the Judiciary and impartiality of the electoral institutions;
- 9. Capacitation and empowerment of citizens through civic and voter education;
- 10. Acceptance of and respect for the election results by political parties as proclaimed to have been free, fair, transparent, credible and peaceful by the competent and independent Electoral Commission following the law of the land; and
- 11. Provision of electoral justice through expedient settlement of electoral disputes as provided for in the law.

Distinguished guests, Ladies and Gentlemen.

All stakeholders must understand that the mandate of the SEOM is to determine the adherence of the Member State holding elections to the relevant provisions of the SADC Principles and Guidelines Governing Democratic Elections. In this respect, please allow me to go into some detail for the benefit of all.

To fulfil its mandate, the SEOM assesses and evaluates the following, amongst others:

- (i) whether the legal and constitutional framework guarantees freedom of expression, assembly, association, and human rights.
- (ii) the structure and model of the electoral system, the Electoral Management Body (EMB), the Electoral Act and regulations and the nature of civil and political rights, and economic, social and cultural rights.
- (iii) the establishment, process of appointment and retention of members of EMBs; in addition to assessing the composition, status, independence, impartiality, professionalism and preparedness of the EMB for the election.
- (iv) the SEOM shall ensure that the delimitation of election boundaries was done in a manner acceptable to stakeholders and whether the factors that prompted delimitation were following the laws of the land.
- (v) Whether the delimitation process was undertaken following the national law and without undue exclusion of particular groups or political interests.
- (vi) The procedures for nomination and provision of reasonable time frames to allow political parties and candidates to comply with the requirements of the registration process.
- (vii) The existence of a Code of Conduct governing all political parties and candidates.
- (viii) The neutrality of the security forces in providing election security and the existence of requisite special voting facilities for security forces to enable them to cast their votes.
- (ix) The requirements and practices regarding direct and indirect access to the mass media for political parties, candidates, supporters and the general public;

- (x) The requirements and practices concerning statecontrolled, public and private media reporting about political parties, candidates and supporters or opponents.
- (xi) The capacity and quality of civic and voter education programmes to afford all prospective voters accurate, comprehensible and adequate information upon which to make electoral choices.
- (xii) The extent to which the process enjoys the electorate's trust, including inclusiveness, accuracy, and transparency, and whether the electorate can own and identify with the process.
- (xiii) The appropriateness of locations of polling stations and adequacy and accessibility of their facilities;
- (xiv) The production and distribution to polling stations and storage of ballots and other sensitive election materials;
- (xv) The conduct of voting, including assistance to voters, counting, tabulation and announcement of results; the transparency of procedures and adequacy of safeguards against inaccuracies; and
- (xvi) The conduct of procedures and processes concerning electoral complaints and challenges by citizens, prospective voters, and those seeking election, including providing effective remedies for violations of electoralrelated rights.

To obtain an objective and impartial basis from which to draw its findings, the SEOM necessarily requires to consult a broad, diverse, and unrestricted range of stakeholders in each Member State holding elections.

To note that we met with the Senior National Commissioner of the Royal Eswatini Police Service yesterday, who assured us of their preparedness for the upcoming elections. We look forward to our consultations with other stakeholders in the upcoming days.

Distinguished guests, Ladies and Gentlemen,

I am pleased to inform you that the SADC Electoral Observation Mission to the 2023 General Elections in Eswatini consists of 47 personnel. They are from 8 SADC Member States namely, the Republic of Republics of Zambia, Angola, of Malawi, Mozambique, Namibia, South Africa, Zimbabwe, and the United Republic of Tanzania.

Our observers have been deployed to the **4 Regions of Eswatini**, namely, Hhohho, Manzini, Lubombo and **Shiselweni**. The SEOM observations will focus on the pre-election, election and post-election periods, including the campaigns, the voting day and the process of counting the ballot papers.

SADC urges all registered voters to exercise their civic and political rights by voting on 29 September 2023. We encourage all stakeholders to ensure that these elections are conducted in a peaceful, free, fair, transparent and credible. We look forward to an electoral process that adheres to democratic values and principles envisioned in the SADC Treaty, the Protocol on Politics, Defence and Security Cooperation, and the revised SADC Principles and Guidelines Governing Democratic Elections.

The consolidation of democracy in our region can be enhanced if all Member States also focus on implementing the various recommendations of the SEOMs, in particular, where such recommendations seek to close gaps and address specific challenges in the electoral systems of our Member States.

May I also take this opportunity to reiterate the invitation for you all to attend the release of our Preliminary Statement regarding our observations of the 2023 General Elections on 01 October 2023, at this venue.

Distinguished guests, Ladies and Gentlemen,

On behalf of the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, His Excellency Dr. Hakainde Hichilema, President of the Republic of Zambia, it is now my honour to formally launch the SADC Electoral Observation Mission to the 2023 General Elections in the Kingdom of Eswatini.

Thank you very much Muito Obrigada Merci beaucoup Asante Sana Siyabonga