



PRELIMINARY STATEMENT

BY

**HIS EXCELLENCY MIZENGO KAYANZA PETER PINDA, HEAD OF
THE SADC ELECTORAL OBSERVATION MISSION (SEOM)
AND FORMER PRIME MINISTER OF THE UNITED REPUBLIC OF
TANZANIA,**

TO

THE 30 OCTOBER 2024 GENERAL ELECTIONS

IN

THE REPUBLIC OF BOTSWANA

**AVANI HOTEL
GABORONE, 01 NOVEMBER 2024**

Distinguished Members of the Southern African Development Community (SADC) Organ-Troika;

Your Excellency, Dr Goodluck Jonathan, Head of the African Union Electoral Observation Mission (AUEOM) to the Republic of Botswana and former President of the Federal Republic of Nigeria,

His Excellency, Mr. Elias Mpedi Magosi, the Executive Secretary of SADC;

Distinguished Members of the SADC Electoral Advisory Council (SEAC);

His Excellency Judge Jacob Mwambegele, Head of the SADC Electoral Commissions Forum- (SADC-ECF) Election Observation Mission and Chairperson of the Independent Electoral Commission of Tanzania.

His Excellency Gideon Moi, Head of the Commonwealth Expert Mission and former Senator of the Parliament of the Republic of Kenya;

Honourable Thumelo Mokoena, Head of the African Centre for Governance Election Observation Mission;

Distinguished Representatives of International Electoral Observation Missions;

Distinguished Representatives of the Government of the Republic of Botswana;

Chairperson and Representatives of the Independent Electoral Commission of the Republic of Botswana;

Your Excellencies, Heads and Representatives of the Diplomatic Missions Accredited to the Republic of Botswana;

SADC Election Observers;

Representatives of Local Election Observers;

Representatives of Political Parties and Independent Candidates;

Religious Leaders Present;

Members of the Civil Society Organizations;

Partners from the Media;

Distinguished Guests;

Ladies and Gentlemen.

I. INTRODUCTION

On behalf of the Southern African Development Community (SADC), and as mandated by Her Excellency Dr. Samia Suluhu Hassan, President of the United Republic of Tanzania, and the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, I am honoured to welcome you all to this important event of the release of the Preliminary Statement of the SADC Electoral Observation Mission (SEOM) on the conduct of the 30 October 2024 General Elections in the Republic of Botswana.

The Mission observed the elections, with a total composition of seventy-two (72) personnel from 10 SADC Member States, out of which fifty-five (55) were deployed to nine (9) administrative districts of Botswana, namely Central, Ghanzi; Kgalagadi; Kgatleng; Kweneng; Ngamiland; North-East; Southern and South-East Districts. On election day, 30 October 2024, the Mission covered 288 Polling Stations. It also observed the second round of advance voting on 26 October 2024.

The Mission observed the 2024 General Elections in the Republic of Botswana, in line with the Revised SADC Principles and Guidelines Governing Democratic Elections (2021) and the country's Constitution, the Electoral Act, the Local Government Act, and various Codes of Conduct. The Revised SADC Principles and Guidelines provide an objective and scientific methodology for observing elections and contribute to the consolidation of democracy in the Region by enhancing best electoral practices and recommending and addressing any electoral shortcomings or challenges. The Revised SADC Principles and Guidelines are also informed by critical instruments of the African Union,

such as the African Charter on Democracy, Elections and Governance (2007), and relevant Conventions of the United Nations.

This Preliminary Report covers the Mission's observation of the pre-election process, voting and counting. The final report will be issued later and include our observations of the post-election processes, including the results management, announcement processes and consequential matters.

II. SUMMARY OF KEY FINDINGS

The SEOM engaged with the following stakeholders:

- (i) The Government of the Republic of Botswana;
- (ii) The Independent Electoral Commission (IEC);
- (iii) SADC Ambassadors, High Commissioners and other Diplomatic Missions accredited to the Republic of Botswana;
- (iv) National Commissioner of the Botswana Police Service;
- (v) The Directorate of Intelligence and Security;
- (vi) Political Parties;
- (vii) Traditional Leaders;
- (viii) Faith-Based Organisations;
- (ix) The Attorney General;
- (x) Civil Society Organizations;
- (xi) Media Organisations;
- (xii) Youth Organisations; and
- (xiii) The Academia.

The SEOM observed the following:

(i) The Political and Security Environment

The political and security environment was generally calm and peaceful before, during, and immediately after polling day. The Mission observed free and peaceful campaigns by political parties and independent candidates through rallies, door-to-door campaigns, presidential debates, media campaigns and posters. The lack of violent incidents during the campaigns disclosed a degree of political tolerance and maturity.

The advance voting process on 19 and 26 October 2024 was peaceful, except for a reported incident in Thamaga, where an electoral candidate allegedly left a Polling Station with ballot papers. Law enforcement

agencies are dealing with the incident. Further, political parties raised concerns about their posters being removed.

The Mission observed the presence of members of the Botswana Police Service around campaign activities in most areas. Peace prevailed even when our observers did not notice police presence.

(ii) Management of the Electoral Process

(a) *Registration of Voters and Polling Districts*

The Independent Electoral Commission of Botswana (IEC) managed to achieve the following for the 2024 General Elections:

- (i) Registration of 1,038, 261 voters, about 80% of the set target of about 1.3 million, out of which 1,036,229 were registered locally and 2,032 in the diaspora. This was despite reported financial challenges experienced by the IEC, which led to the exercise being repeated twice, and concerns by some stakeholders on the conduct of the exercise and a court case in that regard.

- (ii) Increasing polling districts from 490 to 609, polling stations from 2,258 to 2,808 locally, and from 37 to 54 in the diaspora, and publishing the exact locations of these polling stations ahead of the elections. The increase in Polling Stations improved voter accessibility.

The Mission noted stakeholders' concerns about the IEC's refusal to provide an electronic copy of the electoral roll during inspection and verification processes; only hard copies were available. The Mission also noted that a few days before voting day, a political party lodged an urgent application at the High Court of Botswana in Maun, seeking an order for the IEC to, among others, avail the electronic version of the electoral roll, which the High Court dismissed on 29 October 2024. The Mission believes that availing the electronic version of the electoral roll for inspection and verification is critical to ensure transparency of the electoral process in terms of Section 4.1.6 of the Revised SADC Principles and Guidelines.

The Mission also noted concerns raised by stakeholders that the election day was announced late, on 03 September 2024, giving the IEC, political parties, and candidates little time to prepare for the General Elections.

(b) Advance Voting

The Mission noted that the IEC conducted advance voting for specific public officials on 19 October 2024, preparing for better service delivery by the IEC and other agencies on election day. The Mission noted that 13,885 voted locally during the advance voting on 19 October 2024. Advance voting was also extended to the Batswana in the diaspora. The Mission was informed of challenges experienced by the IEC in terms of shortage of electoral materials, leading to some eligible Batswana, both in the diaspora and locally, failing to vote on that day. The Mission observed that the second round of Advance voting was held on 26 October 2024 in three (3) constituencies in Botswana and ten (10) Polling Stations in the diaspora to give a chance to those who could not vote during the advance voting. Some Polling Stations observed during the second round of Advance voting opened late, but not later than 40 minutes, and there was a late closing of the Polling Station in Kanye Central Constituency due to the large number of voters.

(c) Voter Education

The Mission noted the conduct of voter education by the IEC, political parties, and Civil Society Organizations. However, it noted the views of some stakeholders that voter education was not comprehensively done, particularly in remote communities. The Mission also noted that the Electoral Law of Botswana does not obligate the IEC to conduct voter education. Regarding the Revised SADC Principles and Guidelines, voter education is intended to capacitate and empower eligible citizens and foster ownership of the electoral process and democratic political system.

(d) Independence of the IEC

The Mission noted stakeholders' concerns about the independence of the IEC, particularly regarding the appointment process of its commissioners and the secretary. They expressed that, despite opposition political parties' involvement through the All-Party Conference, in proposing IEC Commissioners to the Judicial Service Commission, they did not recommend the commissioners appointed. The Mission noted the decision of the High Court of Botswana issued on 21 October 2024,

dismissing the application that sought to interdict some of the current IEC Commissioners. The Mission notes that Section 4.1.9 of the Revised SADC Principles and Guidelines requires the impartiality and independence of the Electoral Management Bodies.

(e) *Lack of Transparency of the Electoral Process*

The Mission noted concerns that many stakeholders raised about the transparency of the country's electoral process. They cited the following:

- (i) The opposition political parties were not allowed to observe the registration of voters' process. The Mission notes that a High Court Judgement dismissing an application to that end.
- (ii) The counting of votes at the counting centres. The Electoral Act provides for the transportation of ballot boxes from Polling Stations to constituencies' counting centres. The Mission noted that such movement of ballot boxes has created fears and suspicion of vote rigging and ballot stuffing. Counting votes at Polling Stations would ensure transparency and credibility in the electoral process, as the ballot boxes would always remain within the sight of the public before counting votes. Further, the procedure of transporting the ballot boxes exposes them to insecurity.
- (iii) The non-use of translucent ballot boxes during the voting.

(f) *Publication of Provisional Results*

The Mission noted that the Electoral Act does not provide for the publication of provisional results outside Polling Stations. Coupled with the transportation of ballot boxes to counting centres, the non-publication of provisional results at the Polling Stations does not enhance Botswana's electoral process transparency, as Section 4.1.6 of the Revised SADC Principles and Guidelines requires.

(g) The Use of Indelible Ink

The Mission noted a positive development regarding the amended Electoral Act, which began to be implemented during these General Elections, to re-introduce the use of indelible ink during voting. However, some stakeholders have challenged using indelible markers, as it can easily be erased. The Mission noted that the relevant provision of the Electoral (Marking of Voter) Regulations reads: “A voter...shall be marked on his hand by drawing a short line on the voter’s left thumb or left thumb nail with visible indelible ink”.

(iii) Role of the Media

The Mission observed that private media gave an equal amount of coverage to all contesting parties and candidates, particularly campaign events. Private radio stations aired political events across the country. Political players were free to air and publish their campaign messages.

The Mission also observed that the public broadcaster Botswana Television (Btv) aired a live debate of the four Presidential candidates for the second time. However, the Mission noted concerns expressed by some stakeholders about biased coverage by the state-owned media between the period after the 2019 General Elections and the current election period. They attributed this to the fact that only private-owned media is regulated by the Botswana Communication Regulatory Authority (BOCRA).

The Mission also noted that social media featured extensively in the exchange of electoral messages. Stakeholders raised concerns about the negative role that misinformation and disinformation through social media could play in creating mistrust, eroding the electoral process's credibility and creating voter apathy.

(iv) Funding of Political Parties

The Mission noted concerns of political parties that they faced budgetary constraints in preparation for the elections. The Mission also noted that the Parliament of the Republic of Botswana recently passed the Political Party Funding Act, which provides funding to eligible political parties. The

implementation of the Act will commence in the forthcoming electoral cycle based on the formula stipulated therein.

(v) Gender Representation

The Mission noted that women account for 54% of registered voters in Botswana. Nevertheless, there is a low number of women contesting for political positions. Of 263 Parliamentary candidates, only 28, which accounts for 10.6% of the voters, were women. These figures represent a growth in the number of women participating in elections, particularly at the National Assembly level.

Of the 210 Parliamentary candidates who contested in the 2019 Parliamentary Elections, 11 were women, representing 5% of the total candidates. Further, in the 2014 General Elections, out of 192 Parliamentary candidates, 17 were female, representing 8.9% of the total candidates.

Despite the growth, there appears to have been little effort by political parties during these General Elections to address this imbalance. The Mission maintains that this requires national reflection to address the gender imbalance in politics.

(vi) Youth Participation in Elections

The Mission noted that 349,601 registered voters, which accounts for 34% of the total registered voters, were the youth. Out of the total youth, 188,476, translating to 54%, were females, and 161,835 (46%) were males. This is a downward trend compared to the gains acquired in 2019, where 41% of the registered voters were the youth.

Political parties that the Mission consulted admitted having fielded a low number of youth Parliamentary candidates in the General Elections. Some stakeholders attributed this to the lack of finance on the part of the youth to cater for electoral expenses. There also appears to have been little effort by political parties during these elections to motivate youth participation in politics.

(vii) Participation of Persons with Disabilities in Elections

The Mission noted that 5,507 registered voters, which accounts for 0.5% of the total number of registered voters, were persons with disabilities. The IEC has implemented mechanisms to cater for persons with disabilities to ensure they exercise their right to vote on Election Day. The Mission would wish to have persons with disabilities represented in political positions.

(viii) Role of Traditional Leaders

The Mission observed concerns expressed by some stakeholders regarding the influence that traditional leaders, particularly the Chiefs, may have in politics, considering that they command support in their tribal communities. The Mission noted that an attempt to amend the Constitution of Botswana to, *inter alia*, prohibit traditional leaders' participation in politics was unsuccessful.

(ix) Independent Candidates

The Mission noted that 26 independent candidates contested for Parliamentary seats, the highest number recorded in the history of Botswana. Some stakeholders attributed this to the growth of democracy in Botswana. Others attributed this to congested spaces within political parties and delayed announcement of election dates and primary elections.

III. OBSERVATIONS ON ELECTION DAY

The 2024 General Elections were held, and the voting was finalised on Wednesday 30 October 2024. The SEOM noted that campaigns ended on 29 October 2024, no campaigns took place on Election Day, and no campaign materials were observed at the polling stations. The environment at all the Polling Stations observed was calm and peaceful. Police officers were observed at all the Polling Stations.

On Election Day, the Mission observed the voting processes and the performance of the IEC in constituencies in nine (9) districts in the Republic of Botswana. SADC observers were granted access to all the Polling Stations observed. The SEOM observed the following at the 288 Polling Stations visited:

Opening Procedure

The opening procedure was observed in 18 Polling Stations:

- (i) 89% of the observed Polling Stations opened on time, while 11% did not, due to the late arrival of electoral materials and other undisclosed reasons. The delay was between 15-30 minutes.
- (ii) In all the observed Polling Stations, the presiding officers showed the empty ballot boxes to all present before sealing them.
- (iii) The voter's roll was not displayed outside 56% of the Polling Stations. However, party agents were observed to have been issued copies of the voter's roll to verify against the voters' names read out by the polling officers.
- (iv) At 17% of the Polling Stations observed, there were posters outside educating voters on the steps of the voting process, while there were no such posters at 83% of the Polling Stations.

Voting Procedures

Voting procedures were observed in 288 Polling Stations:

- (i) Most Polling Stations were accessible to all voters, including persons with disabilities, except 9% of the Polling Stations observed where steps, high stairs, absence of ramps, sandy/uneven ground and a Polling Station located on a hill which prevented access to persons with disabilities.
- (ii) Voting progressed smoothly and in an orderly manner, and voting procedures were followed in all the polling stations observed. No irregularities were observed.

- (iii) At 96% of the Polling Stations observed all registered voters were allowed to cast their ballots, while in 4% of the polling stations, some voters were not allowed to vote, mainly because their names were not found on the voter's roll at the Polling Stations, lack of identification cards and because of multiple registration.
- (iv) All the Polling Stations observed were adequately laid out.
- (v) In 63% of the Polling Stations observed, voters with disabilities, expectant mothers, and the elderly were given priority in casting their votes, while in 1% of the Polling Stations, such priority was not given. In 36% of the Polling Stations observed, no cases required such a priority. All those needing assistance were helped by the polling officers and persons of their choice.
- (vi) In the Polling Stations observed, voter identification documentation was checked against the available voter's roll.
- (vii) The approximate average time taken to process a voter was three (3) to five (5) minutes; this could be attributed to insufficient voter education and manual check-ups of voters against the voter's roll.
- (viii) Security Personnel were visibly present at all Polling Stations and acted professionally.
- (ix) Party agents were present in all of the observed Polling Stations.
- (x) Long queues were observed in some of the Polling Stations, mainly due to the use of a single stream and insufficient training for election officials and voter education.
- (xi) Other international and local observers were observed in some of the Polling Stations.
- (xii) Polling materials were available at all the Polling Stations observed.

Closing Procedures

Closing procedures were observed at 18 Polling Stations.

- (i) 78% of the Polling Stations observed closed on time, while 22% did not because there were still voters in the queues;
- (ii) In 83% of the Polling Stations observed, the presiding officer reconciled the number of used and spoilt ballots during closing;
- (iii) In 93% of the Polling Stations observed, the announcement was made on the reconciliation of ballots cast;
- (iv) In 83% of the Polling Stations observed, minutes of the closing of the Polling Stations were completed;
- (v) Party agents were allowed to follow the closing procedures at all the polling stations observed. Political parties and candidates were allowed to put their seals on the ballot boxes and
- (vi) In all polling stations observed, voters' roll and sensitive materials were packaged safely before being transported to counting centres.

Counting Procedures and Display of Results

The Mission observed the counting of votes in six (6) Polling Stations. The following were observed:

- (i) All the party agents were present and allowed to observe counting procedures;
- (ii) It was observed that, in all counting centres, security forces were present;
- (iii) In all counting centres observed, a returning officer verified the ballot paper accounts of each polling station; and
- (iv) In five (5) counting centres, the presiding officers completed the result form and served them to the party agents, while in one (1) counting centre such a process was not completed.

IV. SEOM RECOMMENDATIONS

In light of the Mission's observations and considering issues highlighted by various stakeholders, the SEOM recommends the following for the improvement of the electoral process in the Republic of Botswana:

(a) Registration of Voters

The Mission urges the Government of Botswana to:

- (i) amend the Electoral Act to introduce continuous voters' registration and permanent electoral roll; and
- (ii) amend the Electoral Act to obligate the IEC to make both hard and electronic copies of the electoral roll available for inspection and verification by stakeholders.

(b) Announcement of Election Day

The Mission advises the Government of Botswana to announce the election day well in advance, at least two (2) months before, to give the IEC, political parties, candidates and other stakeholders enough time to prepare for the General Elections.

(c) Advance Voting

The Mission urges the Government of Botswana to amend the Electoral Act to allow more categories of people to participate in the advance voting, including people with disabilities, the elderly and expectant mothers.

The Mission urges the IEC to plan and implement deliberate measures to ensure the availability of voting materials during advance voting both locally and in the diaspora.

(d) Voter Education

The Mission recommends that the Government of Botswana amend the country's Electoral Law to obligate the IEC to provide voter education

during and after electoral periods, taking into consideration persons with disabilities.

(e) Independence of the IEC

The Government is urged to ensure that the IEC is independent, impartial, professional, inclusive, accountable and staffed by eminent, non-partisan and capable commissioners, and efficient and professional personnel per Section 5.1.3 of the Revised SADC Principles and Guidelines.

(f) Transparency of the Electoral Process

The Mission urges the Government of Botswana to amend the Electoral Act to include:

- (i) display of voters roll outside polling stations;
- (ii) use of transparent ballot boxes during voting;
- (iii) counting of votes at polling stations; and
- (iv) publication of provisional results at Polling Stations.

(g) Role of the State and Private Media

The Mission urges the Government of Botswana to provide all political parties and candidates equal access to public media and regulate private and public media throughout the electoral cycle.

(h) Gender Representation

The Mission urges political parties in Botswana to encourage women's participation in politics and decision-making positions.

The Mission urges the Government of Botswana to consider ratifying the SADC Protocol on Gender and Development.

(i) Youth Participation in Elections

The Mission urges political parties in Botswana to adopt policies to enhance youth representation in political party structures and participation in elections.

(j) Participation of Persons with Disabilities

The Mission urges political parties in Botswana to promote policies of inclusion of persons with disabilities in politics.

The Mission urges the IEC to ensure that polling stations are accessible to all voters.

(k) Addressing Queues at Polling Stations

The Mission reiterates its recommendations in the 2019 SEOM Report, urging the IEC to provide extra voting streams to reduce the lengthy queues and recommend benchmarking to be undertaken with other SADC Member States, including Angola and Lesotho. In addition, the Electoral Law to be reviewed to increase categories of voters who may vote in advance.

V. CONCLUSION

In conclusion, the SEOM observed that the pre-election and voting phases of the 2024 General Elections in the Republic of Botswana were conducted in a peaceful and orderly manner where the Botswana people exercised their democratic right to vote.

The Mission calls upon all the stakeholders to continue imparting positives of peace, tolerance and calm across all available platforms while the country awaits the final results of the 2024 General Elections.

Following the Revised SADC Principles and Guidelines Governing Democratic Elections (2021), the Mission will issue the Final Report containing comprehensive findings and recommendations within 30 days of the issuance of this Preliminary Statement.

Asante Sana

Thank you

Muito Obrigado

Merci beaucoup

Kealeboga