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LESOTHO
A PRE-ELECTION ASSESSMENT REPORT

August 1, 1991

by
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and
Loren Wells

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EXECUTIVE SUMMARY

The Government of Lesotho plans to hold elections in 1992 for members of Parliament. These will be the first multi-party elections held in that country since 1970. In preparation for this return to democracy, a ministerial-level Task Force on Democratization was formed in February 1990. From October 1990 to June 1991 a National Constituent Assembly met in Maseru to draft a revision to the 1966 Constitution. In May 1991 the military government's 1986 order banning all political party activity was lifted. Old political parties are reorganizing themselves and new parties are being formed.

In July 1991 a team of consultants from the U.S. non-governmental organization the International Foundation for Electoral Systems (IFES) visited Lesotho for ten days on a Pre-Election Assessment mission funded by the U.S. Agency for International Development. The primary goals of this mission were to assist the Government of Lesotho in its election preparations and to assess the budgetary demands of the election process.

The IFES team's ten-day visit to Lesotho resulted in this Pre-Election Assessment Report. Its analyses and recommendations seek to serve the needs of three audiences. First, it describes in detail the Government's current election policies and procedures, coupled with an analysis of their strengths and weaknesses, an enumeration of questions yet to be resolved, and recommendations for future action. The audience for this section of the report is imagined to be primarily officials in the Government of Lesotho concerned with election preparation, particularly the Working Group on Elections.

Secondly, the Report presents a tentative global budget for the election process, from its beginnings in voter registration, through constituency delimitation, to the final goal of 1992 elections. This budget was developed during the many hours that the IFES team worked with the Working Group in Election during its stay in Lesotho. The purpose of the budget, and the accompanying detailed notes, is to provide a planning tool for the Government of Lesotho, particularly the Election Office, and also to provide a starting point for the Government of Lesotho's discussions with the external donor community about ways in which friendly foreign governments might assist Lesotho in their election preparations. Thus, the intended audience for this section of the report is the diplomatic community in Lesotho as well as the Government.

The third audience for the report are those people who may in the coming months be assisting the Government of Lesotho in its election preparations, particularly as consultants coming from outside of the country. It is primarily for this audience that we have included background information on Lesotho's history and economy, and a summary of recent events that have brought Lesotho to its current point on the road to democracy.

what happened in the ed?

The IFES team's recommendations are summarized in the final section of this report. Policy and procedural recommendations are quite detailed. In general, the team found, along with a sincere willingness to grapple with the nuts and bolts of election planning, an understandable lack of institutional memory given the paucity of experience with elections in that country, and a tendency toward waiting for external assistance. We have recommended, therefore, that the Government of Lesotho, particularly the Working Group on Elections and the Task Force on Democratization, must forge ahead with the process of voter registration in order to demonstrate to the people of Lesotho and to the diplomatic community the Government's commitment to elections and ability to act on that commitment. At the same time, we recommend that the diplomatic community be prepared to move quickly in providing assistance once sufficient movement has been shown. A significant test will be if the Government begins registration preparation, with briefings of District Secretaries, recruitment of a training consultant, and the equipping of the Elections Office.

The budget prepared for this report lists total expenditures of 11.1 million maloti (about \$4 million) for the entire election process. This is a highly tentative budget, but it is hoped that that figure will help to give the Government of Lesotho and the diplomatic community a rough estimate of the financial commitment required to make the plans for elections a reality.

The IFES team concludes that a number of commodities and technical resources are essential for the smooth progress of election preparations. Technical assistance is recommended in at least four areas: election law, data processing, election systems organization, and civic education. Commodities such as ballots and indelible ink will have to come from outside of Lesotho. Some capital equipment will undoubtedly be necessary to purchase, including computer hardware, vehicles and communications equipment.

Even if sufficient resources, from internal and external sources, are provided for Lesotho's elections, there are many pitfalls on the road to democracy which will be avoided only with the greatest effort. Economic unrest, inter-party strife, and dissension within the military or within the current government all have the potential of leading to violence or to a derailing of the democratization process. Avoiding those pitfalls will require steady progress on the part of the Government toward keeping its election timetable and a willingness to remain in open dialogue with all sections of Lesotho society, particularly with the political parties. It will require a political maturity on the part of the people of Lesotho which can only be attained with a broad and effective civic education program. Finally, it will require swift, flexible and meaningful responses from the diplomatic community to the Government's requests for assistance.

INTRODUCTION

In February 1990 the military government of Lesotho announced that multi-party elections would be held in that country in 1992. This announcement was the first step in the many that will return Lesotho to a civilian, parliamentary government following their first multi-party elections since 1970. Significant steps toward that goal have already been taken. A National Constituent Assembly worked for eight months to draft a new Constitution, completing their work in June 1991. The ban on political party activity, in place since 1986, has been lifted, and the old parties are striving to reorganize and rejuvenate themselves, and new parties are forming. Plans are being made for the registration of electors and the delimitation of constituencies.

The Government of Lesotho has requested the assistance of friendly foreign governments in meeting the material, technical, and financial demands of their return to democracy. The U.S. Embassy in Lesotho has responded by contracting with the International Foundation for Electoral Systems (IFES) to send consultants on a 10-day Pre-Election Assessment visit to Lesotho. The general goals of this mission were to assist the Government of Lesotho in formulating the procedures of election preparation, particularly those relating to the registration of eligible voters, and to assess the budgetary implications of the elections process.

In July 1991 a team of two consultants from IFES spent ten days in Lesotho to perform an assessment of that country's progress toward the 1992 elections, and of its needs related to the holding of these elections. The team was comprised of IFES' Senior Program Officer for Africa and a Canadian elections specialist with many years experience setting up and implementing election procedures.

The IFES team was asked to assess the Government of Lesotho's capability of conducting free, fair, democratic, and open elections, and to discuss the strengths and weaknesses of the process proposed at the time of the assessment. The elements in the process to be examined included:

- The role of the Government Task Force on Elections;
- Review of the Constitution, relevant laws and other codes and regulations;
- Establishment and maintenance of voter registries;
- Ballot design and security;
- Role and duties of poll workers;
- Mechanics of the voting process and procedures at designated polling places;
- Distribution, collection and security of ballots;
- Civic/voter education and motivation;

- Proposed training courses and materials for election officials;
- Identification, procurement and shipment of election commodities and equipment;
- Vote counting and certification of election results; and
- Election observers.

The team was also to make recommendations for improvements to the process and proposals for follow-up activities to be undertaken by the U.S. Embassy, USAID/Maseru, and other friendly foreign governments in strengthening the overall movement toward democratic principles.

In preparation for their visit to Lesotho, the team met in Washington for briefings with IFES and with officials at the Department of State. Upon their arrival in Maseru, the team was briefed by the U.S. Ambassador to Lesotho, Leonard Spearman, and the Deputy Chief of Mission, Steven Wagenseil. The team also was briefed by the British Deputy High Commissioner, Peter Butcher. The team's first briefing by an official of the Lesotho Government was from the Minister of Justice, Law, Constitutional and Parliamentary Affairs and Chairman of the Task Force on Democratization K.A. Maope.

These briefings helped to clarify the priorities for the Government of Lesotho and for the U.S. Embassy from among the many elements in the IFES team's scope of work.

- The U.S. Embassy, and the wider donor community (as represented by the British High Commission) was particularly interested in the IFES team providing assistance to the Government of Lesotho in preparing a detailed and realistic budget for the entire election process, especially as it impacts on requests for assistance that the GOL might forward to the donor community.
- The Government of Lesotho put its emphasis on assistance from the IFES team in reviewing and revising their election procedures, particularly those relating to the registration of electors. The GOL had hoped to begin registration in July, and thus receiving advice on that process was an urgent matter to them.
- Both the U.S. Embassy and the Government of Lesotho put a high priority on devising election procedures that would reassure a wary populace that the Government was sincere in its declared intentions to peacefully and fairly hand over power to a civilian government in 1992. Thus, they were requesting that the IFES team pay particular attention to the questions of public perception and awareness, transparency and ballot security.

- All parties also emphasized their desire for an Assessment Report that would document discussions held by the team regarding policies and procedures, provide a realistic idea of the election budget, recommend follow-up steps for both the GOL and the donor community, and serve as a briefing document for any future consultants who might be called on to assist the GOL with election preparation.

The IFES team has attempted to fulfill all of these expectations to the best of our ability. The report which follows is organized into four main sections, beginning with historical and demographic information, including a summary of recent events in Lesotho. This is followed by a detailed analysis of registration and election procedures, focussing on current plans and unresolved questions. The third section highlights the budgetary needs of Lesotho's election plans, and contains a tentative budget accompanied by extensive notes and analysis. The final section summarizes the IFES team's recommendations, regarding 1) policies and procedures, 2) expenditures on material and technical needs, and 3) possible follow-up by the donor community.

The IFES team wishes to thank all the people with whom we met while in Lesotho for their candor, and their warmth. We particularly would like to acknowledge the hard work put in by the members of the Working Group on Elections, led by their chairman Molefi Pholo. The bulk of the IFES team's time in Lesotho was spent working with this Group, discussing at length and in detail the nuts and bolts of holding elections. The Group exhibited impressive dedication to this task, despite the demands of their other work. When elections are held in 1992, as we are confident that they will be, a large part of the credit will go to this group of public servants.

PART I

BACKGROUND TO THE DEMOCRATIZATION PROCESS

GEOGRAPHY AND HISTORY

The Kingdom of Lesotho, a small, land-locked country of 30,355 square kilometers (11,720 square miles) is enclosed on all sides by South Africa. It is roughly the size of Belgium, or the state of Maryland. About two thirds of Lesotho is very mountainous, with elevations as high as 3,300 meters. The western third of the country, called the Lowlands, is home to two thirds of the population.

The Basotho (as the people of Lesotho are called) owe the formation of their nation to the skills of their paramount chief, Moshoeshe I, who rallied the Basotho from the remnants of tribes which had been dispersed by the inter-African "wars of calamity", primarily instigated by the expansionist Zulus. From their mountain stronghold, the Basotho were able to resist both the Zulus and the Boers, who began to move into what is now the Orange Free State in the 1830s. By the 1860s, however, the balance of power began to shift in favor of the Boers, and Moshoeshe appealed to the British to declare a protectorate over Basotholand in 1868. Initially administered by the white-dominated Cape Colony, the British assumed direct responsibility for Basotholand in 1884, declared it a colony, and administered it as one of the high commission territories in southern Africa.

Beginning of Modern Politics

The Basutoland Congress Party (BCP), founded in 1952 by Ntsu Mokhehle (and still led by him) marked the beginning of modern party politics in Lesotho. The country's first legislative council was established in 1956. Limited powers of self-government were given to the legislature, dominated by the BCP, in 1958. Mokhehle and the BCP were instrumental in securing the pre-independence constitution of 1964.

A second major party of the late 1950s was the Marema Tlou Party, formed in 1957. Its leader, Chief Matete, was instrumental in supporting Prince Bereng Seeiso in his conflict with his stepmother, the queen-regent. In 1966, Prince Bereng was formally recognized as King Moshoeshe II. The Marema Tlou Party was thus associated with the traditional chieftaincy and with the monarchy. In 1965 it merged with another party to become the Maremea Tlou Freedom Party (MFP). The MFP continued to be identified as the monarchists' party.

The third major party of this period was the Basotholand National Party (BNP), founded in 1958 by Chief Leabua Jonathan. The BNP supported limited cooperation with neighboring South Africa. In

Basotholand's first general election, in April 1965, the BNP narrowly attained a majority, having received financial and organizational assistance from South Africa. Chief Jonathan became Basotholand's first Prime Minister when it became independent as Lesotho in October 1966.

After Independence

A constitutional crisis arose shortly after independence, when Moshoeshoe II attempted to obtain wider personal powers. The king was forced to sign an undertaking to abdicate if he again interfered in political affairs. The power of the King proved to be a continuing controversy in Lesotho politics for the next 25 years, and is one of the questions that the new constitution of 1991 will attempt to resolve.

The first post-independence elections were held in Lesotho in 1970, with the major parties continuing to be the BNP and the BCP, with the MFP representing a smaller minority. When it became clear to Prime Minister Jonathan and the BNP, as early returns began to come in, that the BCP was going to win the election, Jonathan declared a state of emergency and annulled the election. In the subsequent violence, over 500 people were killed by the police.

A five-year "holiday from politics" was decreed by Jonathan toward the end of 1970, but in 1973, he bowed to pressure from within the BNP and established an 86-member interim national assembly, to draw up a new constitution. Mokhehle of the BCP withdrew his support from the constitutional discussions on the grounds that the makeup of the national assembly did not reflect the results of the 1970 elections.

Following a coup attempt in early 1974, by alleged followers of Mokhehle, Jonathan struck back severely against the BCP. Mokhehle led a faction of the BCP into exile. This ushered in a period of low-level "civil war" between Jonathan's BNP government and factions of the opposition, most prominent of which was the Lesotho Liberation Army (LLA), the military wing of the exiled faction of the BCP. Sporadic violence between the LLA and the army continued into the 1980s.

Lesotho also suffered violence during this same period at the hand of the South Africa Security Forces. Objecting to Jonathan's increasingly vocal anti-apartheid stance and to the harboring of ANC members within Lesotho, South Africa commandos made several raids into Lesotho territory in the early 1980s.

In November 1983, the government announced that legislative elections would be held in early 1985, the first since 1970. Registration of voters for the election finally began in March 1985, and Jonathan announced in July that elections would take place in September. All five main opposition parties refused to participate, citing dissatisfaction with the redistricting process and the government's refusal to publish

the electoral roll. In the event, only BNP candidates were nominated for the 60 seats, and in August the government declared them elected unopposed and cancelled the elections.

1986 Coup

Undercurrents of unrest grew closer to the surface in 1985 even before the "elections", reflected especially in discontent among the army about the activities of the BNP Youth League, a paramilitary force in its own right, increasingly militant, trained by the North Koreans, and blamed for widespread acts of violence.

As the government developed closer ties with Eastern bloc countries, at the demand of the Youth League, South Africa stepped up its pressure on Lesotho to reverse this leftward tilt and to expel ANC activists. At the beginning of 1986, it closed the land borders between the two countries, halting the flow of essential supplies to Lesotho.

Catalyzed by this pressure and the atmosphere of discontent, troops of the Lesotho paramilitary force, led by Major-General Lekhanya, staged a successful coup on January 15, 1986. A ruling military council, and a mostly civilian council of ministers, were established, with Lekhanya chairing both bodies and thus becoming the Head of Government. ANC members were soon deported, and the South African blockade lifted. In March, Order No. 4 was promulgated, suspending all formal political activity.

Toward a Return to Democracy

Movement toward reconciliation with opposition forces began in 1988, when Mokhehle of the external faction of the BCP returned after 14 years in exile for peace talks.

In February 1990, an alleged coup attempt resulted in three members of the military council and one member of the council of ministers being dismissed. At least two of the alleged plotters were closely associated with the king, and when King Moshoeshoe refused to approve the changes to the military council, Lekhanya suspended the monarch's executive and legislative powers. At the same time, he promised that a return to civilian government would take place by June 1992. King Moshoeshoe went into exile in London in March 1990.

A ministerial-level Task Force on Democratization was formed in February 1990. Its first major task was to lay the ground work for a National Constituent Assembly, which began work in October 1990 on the formulation of a new constitution acceptable to the majority of Basotho.

In November 1990, the press in Lesotho reported that King Moshoeshoe was about to return from exile. Only a few days later, the military government dethroned the King and replaced him with his son, sworn in as King Letsie III. The final break with King Moshoeshoe apparently resulted in his insistence that the military government step down in favor of a new interim government and that his official status be resolved.

Lessons of History

Several of the events and unresolved conflicts of Lesotho's history since the 1960s are worth highlighting for their relevance to the current political situation.

- The BCP has had the same leadership (Mokhehle) since its founding. It has historically been Lesotho's opposition party. For part of its history, its opposition has been violent. It remembers strongly that the 1970 election was stolen from it by the BNP, and that the 1985 election was apparently rigged against it.
- The army (paramilitary force) was used by Prime Minister Jonathan and the BNP in their violent repression of the BCP and the LLA in the 1970s and early 1980s. The army thus retains in the public mind an association with partisan support for the BNP.
- Lesotho's history has resulted in an association in the public mind between party conflict and violence, and in a skepticism regarding the sitting government's willingness to abide by the results of fair elections.
- In the past, South Africa has given financial support to the party it sees as most sympathetic to its interests. It is likely that South Africa will be closely interested in the upcoming election, even to the point of supporting one of the parties.
- The 1973 constituent assembly was seen as being BNP dominated, a creature of the sitting government, and unrepresentative of the will of the people. All of these accusations have been leveled at the 1990-91 constituent assembly by some opposition groups.
- The promised date for the 1985 elections was allowed to slip from early to late in the year. This exacerbated public skepticism about the sincerity of the sitting government's promises to return to a truly multiparty democratic system.

DEMOGRAPHIC, SOCIAL AND ECONOMIC INFORMATION

The population of Lesotho has been variously estimated at between 1.6 million and 2 million. The last census was taken in 1985, but the results have never been made public. World Bank sources put the 1990 population at 1.7 million. Similar inconsistencies are seen in the population of the major cities. A government publication puts the 1986 population of Maseru at 311,159, and the combined populations of the six largest cities at 1.1 million. Other sources put the population of Maseru at less than 100,000; and state that 95% of the population lives in rural areas.

Given the lack of accurate, up-to-date census data, it is difficult to estimate the number of eligible voters in Lesotho. The IFES team heard estimates from 700,000 to 980,000.

Lesotho enjoys one of Africa's highest literacy rates, about 75%, with the rate among women even higher, nearly 85%. Most schools in Lesotho are church-affiliated.

Until recently, more than one-half of the male labor force was employed in South Africa, and the Lesotho economy has been highly dependent on remittances from these migrant laborers. In the last couple of years, Basotho employment has decreased in South Africa, partly as a result of mine closings, and the unemployment rate for Lesotho workers has increased proportionately. The latest World Bank statistics put the average annual per capita income in Lesotho at \$470.

The government in Lesotho is highly dependent on foreign aid to supplement its revenue in covering its recurrent and capital expenditures. Official development assistance equalled 26% of the country's GNP in 1989, one of the highest percentages in the developing world. In recent years, 70% of government revenues has come from Lesotho's portion of customs fees generated by the Southern Africa Customs Union.

RECENT EVENTS

Coup in April

In April 1991, factions within the Lesotho army began agitating for a pay increase. They also called on Maj.-Gen. Lekhanya to dismiss two of his closest associates on the Council of Ministers, Evaristus Sekhonyana, the Minister of Finance and Thomas Thabane, Minister of Foreign Affairs, because of alleged corruption. Late in the month, Lekhanya refused to give way on either count. On April 30,

in that context. These recent events have implications for the process and prospects of democratization in Lesotho.

- Loyalties are complicated and sometimes conflicting. Motivations are not always what they appear. For instance, sources told us that Sekhonyana, the Finance Minister deposed with Lekhanya on April 30, was highly respected as a financial "whiz", especially by the international and diplomatic communities. He is a minor chief and therefore enjoyed the support of the traditional chieftaincy. He was well thought of by the rural population. At the same time, he was despised by many in Maseru because of his flaunting of his wealth, assumed to be gained by corrupt means. He was also seen to be a member of the Task Force on Democratization who was dragging his feet along the road toward elections, wanting to preserve the status quo for as long as possible. There may be other prominent members of the current government whose mix of allies and enemies is equally volatile, who will not keep their seats until the 1992 elections.
- Everyone we talked to agreed that the root cause of the May riots was the depressed economic conditions in Lesotho, exacerbated by the many unemployed miners coming back from South Africa. Economic conditions are not likely to improve between now and the elections. Another spark could touch off more civil unrest, perhaps resulting in the military government deciding that the time is not ripe for elections.
- The riots have shown that the police are incapable of handling large-scale disturbances. Their performance does not at all add to public confidence in the government's ability to maintain the peace during a political campaign and on election day.
- The upheaval in the army as a result of the coup and counter-coup attempt has turned the army into an unknown quantity in the democratization process. Noone could tell us with confidence what factions were holding the power in July 1991, nor whether all the officers were equally prepared to march peacefully back to the barracks as promised in 1992.

DEMOCRATIZING INSTITUTIONS

The Task Force on Democratization

In February 1990, when Maj.-Gen. Lekhanya announced that multi-party elections would be held in 1992, he appointed a Task Force on Democratization to direct the government through the many steps along the way toward that goal. Its scope of work included the outlining of the tasks and the membership of the National Constituent Assembly, determining the process whereby the revised constitution is finalized and ratified, and the overseeing of plans for voter registration and the holding of elections.

The membership of the Task Force is:

Minister of Justice, Law, Constitutional and Parliamentary Affairs - A. K. Maope
(Chairman of the Task Force)

Minister of Health - Colonel M.W. Khuele

Minister of Foreign Affairs, Information and Broadcasting - Lt. Pius T. Molapo

Royal Lesotho Defense Force - Major P. T. N. Masopha

Minister of Finance

Minister of Agriculture

Secretary to the Council of Ministers - T. Thamae (Secretary of the Task Force)

The Task Force, under the leadership of the Minister Maope, had the job of formulating government proposals and recommendations to the Constituent Assembly as the Assembly went about its task of revising the Constitution. The Task Force also was instrumental in establishing the calendar for the registration, constitution ratification, constituency delimitation, and election processes.

It is not clear how often the Task Force has met since its inception, nor how active it has been, especially since the April 30 coup when two of its members were forced to flee to South Africa.

The IFES team met with the Task Force and was given a general overview of recent Lesotho history and of the Task Force's mandate by Minister Maope. Minister Molapo and others were articulate and

emphatic in their expressions of desire to produce a constitution and a democratic system of government that would be durable and lasting, and that would command the respect of the people. "We cannot afford to fail," Minister Molapo said.

The Working Group on Elections

The Task Force on Democratization established a Working Group on Elections to handle the details of the registration and election process, and to act as advisor to the Chief Electoral Officer after the post has been filled. The members of the Working Group are:

Principal Secretary, Ministry of Law, Constitutional and Parliamentary Affairs - Molefi Pholo (Chairman of the Working Group)

Principal Secretary, Ministry of Foreign Affairs - Monyane Mathibeli

Chief Information Officer, Ministry of Interior - Herbert Litsebe Mokhachane

Director of Statistics, Bureau of Statistics - L. L. Phamotse

Chief Statistician, Field Operations, Bureau of Statistics - Mokhachane Mpiti

The Working Group met for the first time in early July 1991, at the time of the arrival of the IFES team. Although the five members were still performing the duties of their regular jobs—they had not been seconded to the Working Group—they spent five full working days in a row with the IFES team. It is clear that they planned to continue to spend much of their time on election planning and implementation after the departure of the IFES team, and even after the arrival of the Chief Electoral Officer.

The tasks of the Working Group included establishing in detail the process of voter registration. Members of the Group planned to also be involved in the design of forms, in the briefing of District Secretaries, in the recruitment and training of enumerators and supervisors, and in the setting up of the data processing system.

Further tasks of the Working Group included establishing in detail the election process, from the registration of parties, through the nomination of candidates, to the mechanics of voting and vote counting on election day; revising the Electoral Code to bring it in line with new procedures and other changes that had occurred since its passage in 1966; supervising the delimitation of constituencies

process; creating and implementing a voter and civic education program; and acting as an advisory committee to the Chief Electoral Officer.

The Working Group reports to the Task Force on Democratization through Minister Maope, who then reports directly to the Chairman of the Military Council, Maj.-Gen. Ramaema. It was made clear to the IFES team during the course of the visit that it is the Chairman of the Military Council who makes the ultimate decisions such as approving the revised Electoral Code and releasing government funds for election expenditures.

The National Constituent Assembly

Following Maj.-Gen. Lekhanya's announcement in February 1990 of the reopening of the political process, the newly appointed Task Force on Democratization began work on establishing the framework for a National Constituent Assembly, the main function of which would be the drafting of a new constitution. In April 1990, the military government issued an order for the creation of such an assembly. The makeup of the Assembly was as follows:

- The members of the Council of Ministers
- All Principal Chiefs
- 20 politicians invited to serve by the Military Council
- 10 Military Council nominees
- 8 representatives from the Royal Lesotho Defence Force or the Royal Lesotho Mounted Police
- 10 elected urban council members
- 20 elected Development Council members

The Assembly was convened in October 1990. Total membership of the Assembly was 108. The 20 politicians were chosen either by virtue of their leadership positions in the established political parties, or by being nominated by one of the parties. The 20 elected Development Council members were intended to represent the rural populations. Development Councils exist in each of the ten administrative regions of Lesotho as an advisory body to the District Secretary. Two representatives of these Councils

were elected to the Assembly from each district, by secret ballot. Details on this election were not made available to the IFES team. The Commissioner of these elections was Moletsane Lenono, Crown Attorney. The military government made an effort to have other group, such as the business community, represented through their Military Council nominees.

Not participating in the Constituent Assembly were some political parties, which chose to boycott the process because Lekhanya refused to lift Order No. 4 banning political activity. The churches of Lesotho, a major force in the social and political life of that country, also chose not to participate. For at least some of the church leaders, particularly a faction of the Catholic leadership, the preferred process would have been the acceptance of the 1966 constitution as it stood and the appointment of a transitional coalition government.

Constitutional Revisions

The Assembly, in drafting a new constitution for Lesotho, began with the 1966 constitution, and focused on revising portions that had proved to be problematic. In particular, this concerned the powers of the King. The revised, draft constitution is unequivocal in establishing the King as a constitutional monarch with no legislative and limited executive powers. His power, and the power of the Prime Minister, is further limited by the establishment of a Council of State. In performing such actions as the appointment of Senators and other officials such as the Chief Electoral Officer, the King must act in accordance with the advice of the Council of State. The Council of State includes the Prime Minister, the Speaker of Parliament, two judges of the High Court, the Attorney-General, the Commander of the Defence Force, the Commissioner of Police, a representative of the College of Chiefs, two opposition party leaders, a member of the legal profession in private practice and three other appointees.

Other issues of controversy which the Assembly tried to resolve in the new constitution included the membership of the Commander of the Defence Force as an ex officio member of Cabinet, the makeup of the Senate, whether Ministers had to be selected from Members of Parliament, and an improved system of land allocation.

Even though the military government controlled the membership selection process and thus a large portion of the Assembly members were undoubtedly government supporters, it cannot be said that the government totally controlled the Assembly's agenda or its decisions. The same can be said for the Basotho National Party, (BNP) the largest identifiable group in the Assembly. The BNP also was not able (although it is not clear that it tried very hard) to control the proceedings. Over the course of the months that is met, the Assembly grew in its independence from the Government and from any single party's control. On several significant issues, the decision of the Assembly differed from the recommendation of the Government, namely in favoring single-member districts over a system of

proportional representation, and in the system of ratification it chose.

The Government, particularly through speeches by Minister Moape in the final months of the Assembly, made it clear that the Assembly was only an advisory body. The Government retained the prerogative of finalizing the Assembly's draft constitution in the manner it chose, and of ratifying it in the manner it chose.

The Assembly, convened in October 1990, met more or less continuously until it adjourned on June 28, 1991. At that time it had completed its work on a draft constitution. It also approved a Party Code of Conduct, a voluntary code agreed to by the parties represented at the Assembly. Finally, it recommended a method for ratification of the Constitution.

Ratification of the Constitution

The Task Force on Democratization had identified three possible methods for ratifying the constitution. The first was a direct, nationwide referendum. The second was the election of a national council whose mandate would be to adopt (perhaps with amendments) the draft constitution, or to reject it. If it adopted the constitution, it could possibly transform itself into the first Parliament. The third method was the appointment of a Commission to travel around the country to sound out public opinion on the proposed new constitution. The Commission then would recommend changes to the draft constitution based on its findings. This is the method whereby the first Lesotho constitution was adopted.

The Government, at least as represented by Minister Moape, favored the second option. The Assembly, however, recommended using the third option, that of the traveling Constitutional Commission. This was the ratification plan at the time of the arrival of the IFES team in early July. After the much-amended Constitution was assembled by a draftsman, and after the American and British constitutional experts who visited the country in March had a chance to review the new draft, the most important or controversial revisions would be summarized in booklet form, and this would serve as the basis of discussions led by the Constitutional Commission at locations throughout the country. In this process, chiefs and headmen would play a large role, as they would be responsible for convoking and chairing any public meeting with the Commission in their area.

By the time that the IFES team left the country, highly placed officials in the Government were stating that the Commission method might not be successful in producing a public consensus on the Constitution or in giving the Constitution the necessary legitimacy to serve as the basic law of the land. Therefore, this official added, it might be necessary to use the Constitutional Council method as well. Thus, the question of who would be elected in the 1992 elections, a parliament or a ratifying council, is still in

question of who would be elected in the 1992 elections, a parliament or a ratifying council, is still in doubt.

SUMMARY: AN ASSESSMENT OF THE DEMOCRATIZATION PROCESS IN LESOTHO

The IFES team found nothing but expressions of dedication to the goal of a smooth and expeditious return to democracy in the words and deeds of the government officials with whom it worked. Despite this dedication, Lesotho faces numerous potential pitfalls and stumbling blocks on the road to free and fair elections in 1992.

- The topography of Lesotho presents the Government with unavoidable difficulties. Scattered in the mountainous two-thirds of the country live less than one third of the population. The roads connecting villages in that section of the country are poor or non-existent. Bringing elections to that area will be difficult and expensive. Providing ballot security in the mountainous regions will be especially difficult.
- The geography of Lesotho also presents an unavoidable challenge. The fact that Lesotho is totally surrounded by South Africa implies, inter alia, that 1) South Africa will watch the election process closely, and interference or the perception of interference is thus a danger; 2) sensitive commodities such as ballots cannot be acquired in the neighboring country, and thus must be shipped expensively over long distances; 3) many Lesotho citizens work in South Africa and will have to travel long distances to their home constituencies in order to vote.
- The counting of voters, either through a registration or a census process, has historically been very controversial in Lesotho. The Government has decided that they do not have the time or the funds to issue everyone in the country a photo identity card. All other voter counting and registration methods contain the potential for abuse. The Government is intent on carrying out registration well, and taking enough time at the task that it will not be grounds for objecting to the results of the elections. In this regard, the Government must satisfy the conflicting demands of proceeding quickly in this first step toward elections and of proceeding with sufficient deliberation that most loopholes for abuse are closed. Proceeding at whatever speed is unlikely to please everybody.
- The current Government seems to have a low reputation among the Lesotho populace. Everyone is anxious for the transition to a new government. The low opinion of the Lesotho people and the low legitimacy of the Government mean that the GOL will have

organizing legitimate elections.

- There is the danger, even the likelihood, that the Government will not be able to meet its goal of holding elections in May or June 1992. Such slippage could come from legitimate organizational and funding difficulties, and does not in itself represent a danger to the process. The danger arises in how that slippage is perceived by the populace. It is incumbent on the Government, therefore, to both proceed with all deliberate speed and to keep the populace informed on progress and on problems.
- The political parties of Lesotho are mostly in a state of disarray. None has been fast off the block in beginning activities after the lifting of Order No. 4 in May. Some of the older, established parties are faced with internal conflict, and have a leadership which may be out of touch with younger voters. The newer parties are small and inexperienced. None has begun to play the part in educating the Basotho people about elections that the Government hope they would. On the other hand, it is the impression of the IFES team that the Government holds the political parties in some disdain and is thus not yet encouraging a partnership between the parties and themselves that would be conducive to a smooth election process.
- Because the political parties are just beginning to become active, and because some of the newer parties are openly in opposition to the current transition process, it is not yet clear whether the campaigning period will be a peaceful one. Inter-party strife is potentially one of the excuses that the current government or the military might seize on to derail the democratization process.
- Economic hardship and dissatisfaction is a second potential source of civil unrest. Class and economic-based riots such as those which took place in May could, as with inter-party violence, lead to a derailing of the movement toward 1992 elections.
- A third direction from which a derailing of democracy could come is the instability within the military. Even if the highest level of military leadership is firmly committed to a return to the barracks in 1992, recent events have shown that other factions in the military might have different priorities. This is especially true if movement toward a civilian government begins to appear to be connected with cuts in the size of the military, or in soldiers' salaries.
- The final interest group that bears watching is the senior level of the current government,

- The final interest group that bears watching is the senior level of the current government, both military and civilian. There is the potential that individuals within this group may feel that their power and livelihood are sufficiently threatened to justify, at best, footdragging along the road toward the transition, and at worst, an overthrowing of the process.
- A final and very important potential stumbling block is the lack of resources to implement a smooth election process. The IFES team was told that the GOL had allocated no funds for elections in the current fiscal year's budget (which ends March 31, 1992). This incredible oversight does not, it is hoped, reflect a lack of commitment to the democratization process. It does, at best, present serious difficulties for implementing the process. We were told that "money would be found," and that M2 million was potentially available. This money must be made available immediately if the election schedule is to be maintained and if the government is to exhibit its commitment to elections both to the Basotho people and to the external community.

In sum, the avoidance of the many potential pitfalls between now and Election Day 1992 will depend on, among other things,

- 1) The availability of sufficient funds, with this burden being shared by the GOL and friendly foreign governments;
- 2) Steady and publically perceptible progress by the Government in the steps of registration, delimitation, and election preparation;
- 3) A firm commitment on the part of the Government to keep all sections of the populace informed about the election process and to bring all major factions into participation on establishing the norms for political behavior;
- 4) An imaginative and effective civic education program that reaches all levels of the population;
- 5) Careful planning so that abrupt changes in election procedures or the election calendar will not be necessary and will not fuel distrust of the Government;
- 6) Successfully convincing the political parties, the military, and the current leadership that democratic politics is not a zero-sum game; and

- 7) Swift, consistent, and meaningful responses by the donor community supporting convincing movement toward democracy.

PART II

ASSESSMENT OF ELECTION POLICIES AND PROCEDURES

ADMINISTRATIVE STRUCTURE OF THE ELECTORAL PROCESS

Legislation

The system of government in Lesotho is prescribed by the Constitution. The Constitution was originally put into place in 1966 when Lesotho gained independence. Recently, a National Constituent Assembly was established whose mandate was to elaborate a new and amended Constitution for Lesotho. The work of the Assembly was reviewed in March 1991 by a team of two constitutional experts, one from the United States and one from Britain. Although, the Assembly was dissolved in late June, it was evident to us that changes were still being made to this draft of the Constitution. Once the Constitution has been finalized, and again reviewed by the experts, it will then have to be ratified.

Although the electoral process in Lesotho is prescribed by The Electoral Act of 1968, the draft Constitution contains provisions relating to the electoral process such as those concerning the right to participate in government, the right to vote or stand for election, political freedoms, citizenship, qualifications and disqualifications of electors, qualifications and disqualifications of candidates, electoral boundary delimitation, and the appointment of the Chief Electoral Officer.

As a result of the recent modifications to the Constitution, it is essential that all statutes and regulations governing the electoral process be reviewed. This would ensure an integrated process and eliminate the possibility for any conflict between the various pieces of legislation governing elections. Not only The Electoral Act, and the Regulations under this Act, but The Citizenship Act and The Societies Act, regulating the registration of political parties, should be examined. In addition, any conflict between these acts and the laws governing criminal activity, such as bribery, forgery, etc. should be included in this review. A review should also be made of the fines and penalties currently provided in the Act, in order to determine if they accurately reflect modern political norms.

It will also be necessary to undertake a comprehensive review of The Electoral Act and the regulations prescribing forms once the actual electoral procedures have been established. This will be required essentially to modernize existing provisions of the Act, to reflect up to date technology, including computers and means of transportation and communication.

It was not within the mandate of the IFES team to conduct such comprehensive reviews of the electoral legislation. The IFES team does, however, recommend that the government engage someone, either locally or using an outside consultant, to undertake the review.

Appointment of the Chief Electoral Officer

The appointment and duties of the Chief Electoral Officer have, since 1968, been found in section 3 of The Electoral Act, which provides that there shall be a Chief Electoral Officer whose office shall be an office in the public service. The section further provides that it shall be the duty of the Chief Electoral Officer to register as electors the citizens of Lesotho who qualify to be registered as such, to compile a general register of electors and constituency registers of electors for the several constituencies, to prepare electors' lists for the several constituencies, to conduct elections of members of the National Assembly and, generally, to administer the provisions of the Act and regulations made under its authority.

Very recent modifications to the Constitution also provide for the appointment of a Chief Electoral Officer who "shall be appointed by the King acting in accordance with the advice of the Council of State." The functions of the Chief Electoral Officer, as prescribed by the present draft of the Constitution, shall be to register as electors the citizens of Lesotho who qualify to be registered as such, to compile a general register of electors and constituency registers of electors for the several constituencies and to maintain such register or registers up to date, to conduct elections of members of the National Assembly and such other functions as may be conferred on him by or under any other law.

This section of the Constitution further provides that the Chief Electoral Officer may exercise his functions personally or through officers subordinate to him in accordance with an Act of Parliament. Parliament shall make provision for the manner in which the Chief Electoral Officer shall exercise his functions and for the exercise of his authority over officers subordinate to him. In the exercise of these functions, the Chief Electoral Officer shall not be subject to the direction or control of any other person or authority.

It would appear from these provisions that the Chief Electoral Officer is to have a very senior position in the government. It also appears that this will be an ongoing office as there is mention that he is to "maintain" the registers. These provisions also imply that he will have a staff, as he will have "officers subordinate to him". It is not clear if this might simply refer to personnel appointed in The Electoral Act, who are currently appointed by another official, as will be described later.

It is also unclear just how senior this position would be or how such an individual would be recruited in the future. Would the Chief Electoral Officer be considered at the level of a minister, the office of the Chief Electoral Officer then being considered as a department? Would the Chief Electoral Officer be considered as a principal secretary and have to be accountable to a ministry for funding? This is an area which has not been as yet clarified. How will the office of the Chief Electoral Officer be funded? It is interesting that the Constitution provides for the Chief Electoral Officer's independence but does not mention his funding. If he has to apply for funds through a minister and a government department for funding, independence is not possible.

The IFES team notes that many jurisdictions in Canada have created a unique status for their Chief Electoral Officer, similar to that for the Auditor or the Ombudsman, as an officer of the Assembly. The Chief Electoral Officer is appointed by resolution of the Assembly, or by order in council on resolution of the Assembly, and therefore accountable only to members of the Assembly, for funding and rules of conduct.

The Government of Lesotho has issued a request to the United Nations to assist them in finding someone from outside Lesotho who could be appointed as Chief Electoral Officer for the coming registration and election periods. It was felt that this was necessary to ensure the impartiality and acceptability of this official to all parties and to the public. At the time of writing, this individual had not as yet been appointed. It is to be hoped that this individual will soon be in place, as much of the process depends on the direction of the Chief Electoral officer.

It must also be established what the mandate and term of office of the Chief Electoral Officer appointed with the assistance of the United Nations will be. It would be preferable if the individual could stay in place until all aspects of the election have been completed, including the expiry of the time period allowed for election petitions to be heard. Detailed consideration must also be given to the recruitment of future Chief Electoral Officers so that the process is free of any perceived political interference.

While awaiting the appointment and arrival of the Chief Electoral Officer, the Working Group has attempted to fill his duties to the best of their ability. They were in the process of identifying office space and equipment which could be acquired locally, in the hopes of starting the registration process. It seemed, however, that funding was going to be a problem and the members of the group were not definite as to whether or not senior government officials had budgeted for any aspect of the process and how, if this had been done, they could have funds released.

The funding of the Chief Electoral Officer, not only for the coming election, but for ongoing expenses, has to be resolved. It is hoped that funds will become available for the election and, as soon as possible, a funding process for the future should be identified.

Appointment of Electoral Officers

The Electoral Act provides for "the Minister" to appoint a public officer to be the electoral officer for such constituencies as the Minister may designate. It is the duty of the electoral officer to register the citizens of Lesotho who qualify; to appoint in writing as many enumerators as may be necessary to assist him with registration; to organise and supervise the election of members of the National Assembly falling within his electoral area; to appoint election officials other than returning officers to do duty at the polling stations; to consider applications by electors to vote as absent electors in respect of each such constituency; and, generally, in respect of his electoral area, to administer the provisions of the Act and the regulations and instructions issued thereunder.

It is anticipated at this time that the "Minister" so mentioned will be the Minister of Law, Constitutional and Parliamentary Affairs. It is further anticipated that the public officer mentioned will be the District Secretary. There is a District Secretary in place in each of the ten districts, established for the purposes of government administration in Lesotho.

The District Secretary reports to the Minister of the Interior in his normal daily responsibilities, but will report to another minister for purposes of election administration. Although the team was assured that this would not cause a problem, it could still create some conflict in the process. It would not be necessary to establish permanent electoral positions in the districts but if the District Secretary is to become the electoral officer, a more detailed reporting structure should be defined. Indeed, it might be preferable for the electoral officers to be appointed by, or, in the case of the District Secretary, be formally seconded to, the Chief Electoral Officer. The Chief Electoral Officer would then have administrative control over electoral personnel and there would be no conflict in the reporting function.

Appointment of Registration Officers

According to The Electoral Act, the Chief Electoral Officer and every electoral officer shall be an ex officio registration officer. For those persons who are in government service outside of Lesotho, the head of a Lesotho mission shall also be an ex officio registration officer.

Appointment of Supervisors

It is anticipated that another official will be added to the registration process, this being the supervisor.

There is to be a supervisor appointed for each of the existing constituencies, and they would report to the electoral officer for their district. In essence, an electoral officer would have about 6 supervisors whose work he/she would oversee.

Appointment of Enumerators

As mentioned, each electoral officer will appoint enumerators to assist with the registration of electors, working under the direction of the supervisors. As it was felt by the Working Group that the term "enumerator" may not be easily understood, they proposed to call these officials "registrars". It was anticipated that approximately 600 registrars, basically 60 per district, would be recruited, trained and appointed.

Appointment of Returning Officers

Once the date of elections has been established, "the Minister" appoints a returning officer for each constituency. It is not known at this time how many constituencies there will be for the election but, again, it would be preferable if it were the Chief Electoral Officer who had responsibility for the appointment of the returning officers. This would eliminate the likelihood of perceived political interference in the process.

The returning officers have the responsibility to accept the nomination of candidates, locate and establish polling places, and appoint and train the officials who will work at the polling stations.

The Role of the Chiefs and Headmen

It became apparent to the IFES team during our discussions with the Working Group that the chiefs and headmen throughout Lesotho would play a very integral role in the electoral process. They would assist the electoral officers and returning officers in the recruitment of other election officials, assist in the establishment of polling places, act as witnesses at registration, provide documentation during the registration process and also act as official witnesses at the poll on election day.

The team learned from sources outside the government that many of the chiefs and headmen are perceived as having specific political preferences and allegiance. It is therefore very important that these individuals be encouraged to act impartially when implicated in the electoral process. It may be a good idea to develop a training seminar for them on the role that they will be expected to play, stressing the

need for impartiality. This should also be reinforced in the information program directed at the public so that their fears in this area are lessened.

General Comments on Administrative Structure

The team was assured that there were no problems anticipated in the recruitment of adequate numbers of election officials. If necessary, the positions would be advertised through the media. One concern is that the officials appointed may not be assigned to their home area, and in fact could be sent to any area of the country. The IFES team suggests that individuals should be appointed to work in their home area, as they would be familiar with the territory, and more importantly, with the people.

Although not discussed specifically with the working group, it is hoped that all people of Lesotho, including young people and women, would be encouraged to participate in the electoral process.

In addition, all election officials must be instructed in the need for impartiality once they have received their appointments under The Electoral Act.

Recommendations

- A review of any legislation and regulations relating to the electoral process should be undertaken in light of recent modifications to the Constitution, if necessary by an outside consultant, to ensure an integrated process and eliminate the possibility of conflict and confusion.
- All laws relating to election offences and the current fines and penalties should be reviewed.
- A review should be made of The Electoral Act to ensure that it accommodates developments in technology, including computers, and means of transportation and communication.
- The exact status of the Chief Electoral Officer and his office in the administrative structure of government should be established.
- The source of funding for the Chief Electoral Officer, reinforcing his independence, especially from the political process, must be established.

- The term of office for the Chief Electoral Officer identified by the United Nations must be established early in the period.
- Chiefs and headmen should be provided with education on their role in the electoral process and encouraged to act impartially at all times.
- Election officials should be appointed to act in their home area where they know the territory and are familiar with the people.
- The personnel to be appointed as election officials should be identified early in the process. This will allow them to gain an understanding of their role and allow the public to become familiar with them. Their reporting function should be reviewed so that they are responsible to the Chief Electoral Officer, eliminating any perceived political interference. In addition, they must be encouraged to act impartially at all times.

VOTER REGISTRATION

The voter registration process will serve several purposes in Lesotho. Normally, it is used only for the preparation of the list of eligible electors but, in this country, it will also be used as the statistical basis for constituency delimitation. It may also function as the basis for several other surveys on population trends. The following is intended to provide a basic description of the proposed registration operations in order to provide some means of establishing a budget. It is not intended to serve as a comprehensive guide to voter registration because many of the details and procedures to be used in this process still have to be devised.

Under The Electoral Act, the Chief Electoral Officer has specific responsibilities in the area of voter registration. He must:

- register as electors the citizens of Lesotho who qualify to be registered as such:
- compile a general register of electors and constituency register of electors for the several constituencies; and
- prepare electors' lists for the several constituencies.

The Constitution also provides that he must maintain the general registers and constituency registers up to date.

The Chief Election Officer, by virtue of his position, is an ex officio registration officer under the Act, as are the electoral officers. It is the intention of the Working Group that another official, a supervisor will be appointed to oversee the work of the enumerators, to be termed registrars, at the constituency level. Across Lesotho, there will be ten electoral officers, about 60 supervisors, and approximately 600 registrars. Individuals to fill the positions of supervisors must be recruited and trained before the registration process can begin. Registration districts, some 600 of them, and office locations for each of the registrars, must be established as well.

The Act, in section 9, indicates that "the Minister, may by notice in the Gazette, direct that there shall be a general registration of electors in any one or more constituencies which shall commence as from a date, and shall continue for a period not exceeding three months, to be specified in such notice". It is anticipated that the registration period in Lesotho will probably be at least four months in length. This is because a registration drive has not been held in recent years and also because it is hoped that a longer period, especially if it includes the Christmas season, would result in the inclusion of the optimum number of eligible electors on the list.

Every person who qualifies as an elector, and there are qualifications in both The Electoral Act and the Constitution, shall make application to a registration officer or a registrar (enumerator) to be included in the list of electors. The age of qualification is twenty-one and applications would be accepted from those persons under twenty-one but who would attain that age by election day. As the Act is now written, registration is compulsory, although voting is not. The only persons who are not included in the electoral list are those persons specifically disqualified by the Act or the Constitution, persons detained in a prison or elsewhere, or a person absent from Lesotho, other than persons absent from Lesotho because they are in the employ of the government, or their wives or children.

The Electoral Act prescribes a form to be used as an application for registration. It can be found in the Regulations under the Act as Form 16. The form shall be signed by the applicant personally in the presence of a competent witness, and contain a sworn declaration or an affirmation signed by this witness that the applicant is known to him and that the particulars furnished by the applicant are to the best of his knowledge and belief true and correct.

The working group intends to retain the completion and the filing of this application form as an integral part of the process. They have, however, envisioned another form of identification for electors which would be provided to officials at the poll. To this end, they asked for a proposal from a company on the feasibility and the costs involved in producing photo identity cards for all eligible electors. It was determined that this would be a very costly and lengthy program. The amount of time required was eighteen to twenty-four months at a cost of four million maloti. Since the wish is to proceed to voter registration immediately, and to keep costs to a minimum, a decision was deferred on this solution. During our discussions, another potential solution came to light.

It would be possible, after an elector completes an application for registration, for the registration official to then give to the elector a form which would serve as proof of registration, or registration receipt. The format for this would be a book containing perhaps 250 of these forms in three-part sets. The top copy, made on a more durable paper than the bottom two copies would require, would be given to the elector. Either the second or third copy would be forwarded to the Chief Electoral Officer, and the remaining copy would be retained by the appropriate electoral officer. The receipt form would contain essentially the same information as the application, with the addition of a serial number which the registration official would also write onto the application form for administrative purposes.

A variety of formats were discussed for this book of receipts. Carbonized forms were rejected as being too messy and carbon paper not easy for the registrars to transport in large quantities. It was resolved that the ideal solution, if any technical problems were not identified, would be to use a book made from NCR or sensitized paper. This is paper which does not require carbon but will transfer a written image onto various copies, and was similar to the paper found in a standard receipt book used in the

government. A representative of the government printer assured us that this type of paper would be available and could be bound and numbered, in a variety of formats, depending on the final design of the form itself. They could be produced in books or pads.

Further study was to be undertaken of the durability of this paper, and further thought was going to be given to the design of the form. When designing the form, one or two additional items could be considered for addition. If electors who are capable of doing so are required to sign or place their mark on the receipt, they could then be required to sign or mark another official form at the poll. This would provide the presiding officer with an additional means for verifying their identity. If it is not contemplated that this receipt would be surrendered at the poll, a space should be provided where the presiding officer could initial, punch or mark the card in some way to "cancel" it, so that it cannot be used by the elector, or someone using their identity, to vote at another polling place.

It was determined that the electors could probably keep their copy of the form safe until election day if a small plastic pouch was also issued to them to cover the form. The working group recommended a procedure whereby electors who had lost their card could apply to the local chief for a letter to prove their identity as an eligible elector. The chief should be satisfied that the card was indeed lost before issuing this letter. Perhaps in cases where time would permit, the electors who had lost their card could apply to the Chief Electoral Officer for a replacement.

It would seem that electors, who were not able to register during the time that applications were being accepted, would not be able to register or vote at a later time.

A system which uses this type of a receipt form, although involving some cost, would certainly be a more reasonable and timely system to put in place for the coming elections than a national photo identity card.

The registrars will establish themselves in an advertised location in their district but would also travel into the various villages in their registration district from time to time to facilitate the registration of all electors, especially the elderly and physically challenged.

On a weekly basis, the registrars should return the completed application forms and receipt books to the electoral officer for their district. After sorting the forms by village and placing them in separate envelopes, the electoral officer would forward these forms to the Chief Electoral Officer.

There is a provision in the legislation for electors whose address has changed to notify the Chief Electoral Officer. Deaths are reported to the Chief Electoral officer by chiefs and headmen and also by hospitals or nursing homes. If a person is placed under sentence, the registrar or clerk of the court is

to notify the Chief Electoral officer.

After the Chief Electoral Officer has received the receipt forms, they would be submitted for data entry into a computer program designed for the production and maintenance of the electoral list. A variety of details would be entered, including the serial number of the receipt, the name of the elector, with village or address of the elector, and the name of the constituency.

Such a program does not currently exist in Lesotho and it is to be hoped that the government can contract with a consultant on the design of such a programme or that the software might be obtained from a donor and adapted to the needs of Lesotho. According to the Act, the list must be sorted and produced in alphabetical order for the entire country and by polling district and alphabetical order for each constituency. If the list was automated, this would save much time and effort and the list could also be produced in a variety of other ways, including by serial number and by village.

Following the registration period, the Act requires the Chief Electoral Officer to print the list on a monthly basis. Copies must be provided to the political parties and candidates and adequate copies prepared for the use of the electoral officers, the returning officers and for use at the polling station on election day. It may also be possible for individuals to purchase copies of the list if this provision of the Act is adhered to.

It must be remembered that the registration will be performed on the basis of sixty electoral districts and a transposition of these registrations will have to take place when the new electoral boundaries are created. If automation is not provided, the alternative would mean that more staff and more time would be required every time that the list is needed in a different format, for the hand sorting of almost a million individual records.

CONSTITUENCY DELIMITATION

One of the fundamentals of a democratic system is the concept of equal and fair representation. The electoral boundaries currently in existence in Lesotho have been in place for some time and are based on population figures that are probably now out of date. In 1986, there was a census undertaken, but the figures were never made public.

Now that the government has chosen to move to democratic elections, the electoral boundaries must be revised to reflect changes in not only the growth in the population but the shift to urban areas. At present, there are sixty electoral districts in Lesotho. It is not known at this time how many constituencies will exist at the time of the election. The voter registration, although to be conducted using the boundaries of the sixty electoral districts, is intended to provide the population statistics of the

adult population over the age of twenty-one which will then be used as the basis for constituency delimitation.

Unfortunately, the IFES team could not be given a definite number of electoral districts, which would exist at the time of the election. Minister Maope made it clear in recent speeches that the Government was considering increasing the number above the previous number of sixty, but did not wish to establish as many as eighty constituencies on the grounds that would complicate the delimitation process. The number of constituencies will have implications for the election budget. Not knowing the exact number has made the tentative election budget even more imprecise.

Section 66 of the draft Constitution provides for the membership of a Constituency Delimitation Commission. It shall consist of: a Chairman, appointed by the King, acting in accordance with the Judicial Service Commission, from among the judges of the High Court or the Court of Appeal; two other members, each of whom shall be appointed by the King, acting in accordance with the advice of the Judicial Service Commission, from among persons who hold or have held high judicial office.

It is very important to establish the criteria under which redistribution is to be performed very early in the process and to not alter them once the process has begun. Section 67 of the draft Constitution outlines the criteria which will be used. These may have been changed since the departure of the team from Lesotho.

Section 67. (1) For the purpose of elections to the National Assembly, Lesotho shall, in accordance with the provisions of this section, be divided into eighty constituencies having such boundaries as may be prescribed by order made by the Constituency Delimitation Commission.

(2) All constituencies shall contain as nearly equal numbers of the inhabitants of or above the age of twenty-one years as appears to the Commission to be reasonably practicable, but the commission may depart from this principle to such extent as it considers expedient in order to take account of

- (a) the density of population, and in particular the need to ensure adequate representation of sparsely populated rural areas;
- (b) the means of communication;
- (c) geographical features;

- (d) community of interest; and
- (e) the boundaries of existing administrative areas;

Provided that the number of inhabitants, of or above the age of twenty-one years, of any constituency shall not exceed or fall short of the population quota by more than ten per cent.

(3) The Commission shall review the boundaries of the constituencies into which Lesotho is divided -

- (a) in the case of its first review after the day on which this constitution comes into operation, not less than four nor more than six years from that day; and
- (b) in the case of any subsequent review, not less than eight nor more than ten years from the date of completing its last review, and may, by order, alter the boundaries in accordance with the provisions of this section to such extent as it considers desirable in the light of the review:

Provided that whenever a census of the population has been held in pursuance of any law the Commission may carry out such a review and make such alteration to the extent which it considers desirable in consequence of that census.

(4) Every order made by the Commission under this section shall be published in the Gazette and shall come into effect upon the next dissolution of Parliament after it was made.

(5) For the purposes of this section the number of inhabitants of any part of Lesotho of or above the age of twenty-one years shall be ascertained by reference to the latest census of the population held in pursuance of any law.

Provided that if the Commission considers, by reason of the passage of time since the holding of the latest census or otherwise, that it is desirable so to do it may instead or in addition have regard to any other available information which, in the opinion of the Commission, best indicates the number of those inhabitants.

(6) In this section, "the population quota" means the number obtained by dividing by

60 the number of the inhabitants of Lesotho of or above the age of twenty-one years.

Since the number of electoral districts will be somewhat higher than 60, it may be necessary to revise this last subsection, defining the term "population quota" to be calculated on the basis of the new number of constituencies, once the adult population is known after the registration process is completed.

Although the delimitation criteria are primarily based on actual population figures, the team was advised that the Commission would also travel to particular locations where there were questions regarding other principles guiding the process.

- Summary of Recommendations for Delimitation of Constituencies

- The number of electoral districts and the population quota should be established before the delimitation process begins so that these basic standards of redistribution are well known and there can be no possible perception of political manipulation.
- The source of funding for the Constituency Delimitation Commission should be established before the process begins, so that the independence of the Commission cannot be questioned.
- Funds should be provided for the Commission to acquire necessary office space and support staff.
- Funds should be provided for the Commission to contract with a consultant who has practical knowledge and understanding of the delimitation process, especially in statistical analysis.
- As mentioned above, the number of constituencies and the population quota should be determined very early, but all criteria to be used in the process should be well publicized. It may be necessary to include a mechanism whereby the public can express any concerns.

REGISTRATION OF POLITICAL PARTIES

It appears that it is not a difficult process to register a political party in Lesotho. The process is regulated by The Societies Act, which was assented to in 1966, and presently administered by the Registrar-General, who is responsible to the Minister of Law, Constitutional and Parliamentary Affairs.

At the time of the IFES team's visit to Lesotho, eleven political parties were registered with the Registrar-General. It was anticipated that at least one more would be registered in the near future.

Under The Societies Act, the same requirements apply for the registration of political parties as for a "society". Even the registration fee, of 10 miloti, is the same.

The name of a political party can be protected by virtue of Article 7(1)(b) which provides that the Registrar-General may refuse registration if "the name of the society is identical with that by which a society in existence is already registered, or so closely resembles that name as to be calculated to create the impression that the two societies are one and the same".

This latter provision is very crucial to the political process. As mentioned, political party activity has been banned for a lengthy period and many of the former party leaders have been in exile or have died. This has resulted in power struggles within the parties, one in particular, the Basutho Congress Party, having proceeded to a lawsuit.

Unfortunately, the party symbol is not necessarily provided at the time of registration, only at the time of nomination of candidates, and therefore it is not protected as is the name. It would seem that if this is to serve as a means of political party identification on the ballot, there should be some protection provided for it. Each candidate files it individually with the returning officer at the time of filing their nomination papers.

One of the articles in the code of conduct prohibits the plagiarizing of another party's symbol but this is not legally provided for as an offence in The Electoral Act.

Since The Societies Act was drafted and assented to twenty-five years ago, consideration should be given to revising it to reflect the fact that political activity had been banned, and that parties are now being reorganized or being created. Further efficiency could be provided to the process if the whole area of political party registration was written specifically into The Electoral Act and came under the administrative responsibility of the Chief Electoral Officer.

It is also suggested that an information program on the electoral system be developed for the political

parties and candidates so that they may play an active and educated role in the process.

We were advised that the political parties had "voluntarily subscribed" to a Code of Conduct, one of the first documents given to us on our arrival. This document was apparently styled after the code of conduct established for the elections in Namibia in 1989. We were given to understand that this document was elaborated in the National Constituent Assembly and not by all political parties as stated in its introduction. If all political parties are expected to be bound by these rules of conduct, it may be desirable to have all political parties involved in their codification. Additionally, the Code of Conduct should be reviewed with The Electoral Act. Some of the principles embodied in it are already offences in the Act so it must be decided which takes precedence and what will be the penalty, if any, for violations of either the code or the Act.

Summary of Recommendations for Registration of Political Parties

- A review of the process governing the registration of political parties should be undertaken, perhaps integrating it into the Electoral Act and allowing the Chief Electoral Officer to administer this aspect of the electoral process.
- All political parties should be allowed to participate in the development of the Code of Conduct.
- A review of the offences in The Electoral Act should be undertaken in light of the establishment of a Code of Conduct.
- An information program on the electoral process should be provided to political parties and candidates.

NOMINATION OF CANDIDATES

The procedure for the nomination of candidates is set out in the Electoral Act, while the qualifications and disqualifications of candidates are written in both this Act and in the Constitution.

The basic qualifications of candidates are found in subsection 2 of section 58 of the draft Constitution:

- (2) ... a person shall be qualified to be elected as a member of the National Assembly if, and shall not be so qualified unless, at the date of his nomination for election, he -
 - (a) is a citizen of Lesotho;
 - (b) is registered in some constituency as an elector in elections to the National Assembly and is not disqualified from voting in such elections; and
 - (c) is able to speak and, unless incapacitated by blindness or other physical cause, to read and write either the Sesotho or English language well enough to take an active part in the proceedings in the National Assembly.

The IFES team suggests that a review be made of the draft of the constitution and the Act as currently stipulated to determine if there are any conflicting provisions.

The returning officer for the constituency is responsible for the holding of a nomination court and receiving the nomination of candidates. The day fixed for the close of nominations shall be not less than one month and not more than two months before the day on which the election will be held.

Every candidate for any constituency shall be proposed by a person enrolled on the electors' list for the constituency and shall be seconded by another person whose name is also on the roll. If the candidate is not supported by any political organisation, the candidate must file a certificate stating that he is not so supported and he must provide two impressions of his symbol, which shall not be identical in colour or design with the official symbol of any political organisation.

It is interesting to note that the Act provides protection for political party symbols from being used by independents but there is no protection from other political parties. Due to the anticipated proliferation in political parties now that Order No. 4 has been lifted, it may be necessary to provide protection of political party symbols earlier in the process. This is especially important if the symbols are to be shown on the ballot, for it would appear that the first person filing in an electoral district would have

first claim to a particular symbol.

The nomination court sits for three hours in the morning on the designated day. If at the close of such sitting, there has been only one candidate nominated, then the returning officer declares that individual elected and advises the electoral officer and the Chief Electoral Officer accordingly. If, however, more than one person has been nominated, the returning officer shall advise the Chief Electoral Officer, and an election will be held on polling day in that constituency.

Recommendations

- An examination should be made of the provisions of The Electoral Act and the Constitution governing the qualification and disqualification of candidates in order to determine if there are any conflicts in these provisions.
- If the symbols of political parties and candidates are to be shown on the ballot, then consideration should be given to providing further protection to the right to use these symbols. A political party could perhaps register the symbol of the party at the time the official registration or updating of the registration is made.

THE BALLOT

The ballot style, as proposed by the Working Group, would be a departure from the traditional ballot used in Lesotho. The members of the group favor a ballot design similar to that which was used in the Namibian elections in 1989.

Historically, the form of ballot used in Lesotho was a book of symbols, representing the respective political parties. Appearing on the back of every symbol and on the corresponding counterfoil, was the number of the symbol, the name of the constituency and the date of the polling day.

In this system, a voter received a set of symbols from the presiding officer and proceeded to the voting compartment where he placed the symbol of his chosen candidate in the ballot envelope. The envelope was then deposited in the ballot box and the unused symbols into a discard box.

As the level of literacy in Lesotho has increased dramatically in recent years, it was felt by the working group that a ballot which electors could actually mark themselves would be preferable to the former process. A significant flaw in the old system was that, during polling day, it could become apparent which party was winning by noting which colored symbol was not among those discarded on the floor, where many unused ballots ended up rather than in the discard box.

In Namibia, electors marked their own ballot. The ballot was approximately 8.5 x 11 inches in size and printed in black and white. On it was the name of the political party, the abbreviation of the political party name, the symbol of the party, and a space for the electors to indicate their choice with a pen or pencil or by placing their thumbprint in the space.

Even though there may be technical problems in printing such a large ballot, distribution is comparatively easy in that every poll in every electoral district receives the same ballot. This is one of the reasons that Lesotho Government is considering the "Namibia style" ballot.

It must be remembered that the ballot in Namibia was designed for use in an election based on proportional representation, where the same ballot was used on a country wide basis, as the electors voted for parties, not individual candidates. The election in Lesotho, however, will be based on an election at the constituency level and individual candidates will be nominated to represent the political parties. Not all parties will necessarily have candidates in all electoral districts. If all electoral districts receive the same ballot, showing parties not represented in a particular electoral district, then this may serve to confuse the electors.

Also, the length of the "Namibia style" ballot could become unmanageable if many more political parties become registered before the process terminates. A larger ballot also dictates the necessity for much larger ballot boxes, or if not larger ballot boxes, then more than one in each poll. Estimates indicate that there could be 600-1000 electors per polling station. We calculated that one of the 3200 Canadian ballot boxes, already in Lesotho, may only hold about 300 of these large ballots, so additional ballot boxes may be required. Also, the hole in the ballot box may require enlargement. It cannot be determined if the number of ballot boxes available will be sufficient until after the registration process has provided figures on the voting population.

The Electoral Act in Lesotho also makes provision for independent candidates unlike in the Namibia election. If a standard ballot were to be used in all electoral districts, it was pointed out that this would not accommodate the placing of independents on the ballot. The Working Group thought that perhaps they could leave spaces on the "Namibia style" ballot for independents, although the precise format remained unclear.

The Electoral Act provides for a period between the close of nominations and polling day of one to two months. In meetings, other ways of designing the ballots were discussed. For example, a ballot similar to the Namibia style could be developed for each of the 60-70 electoral districts, showing the name, abbreviation and symbol of those political parties and independents actually represented in that electoral district. Another possible ballot design would show the names of the candidates, indicating their political party or their independent status. Another suggestion was to show the candidates' pictures on the ballot.

These suggestions, although of some value, would mean the production of 60 to 70 different ballots. This would be difficult to accomplish, given the time frames which must be followed and the logistical problems of distribution, exacerbated by the fact that the preferred procedure would be for the ballots to be printed outside of the region, preferably in a neutral donor country. The paper recommended by the IFES team would be a special, secure paper, watermarked or identified for this purpose. This type of paper would also have to be acquired outside of the country. This will involve costs for paper production and shipping, not just for printing. Additional printing costs would be incurred if, as indicated to us, party symbols are shown in color.

As the IFES team pointed out to the Working Group, an extra number of ballots, usually about 25 per cent over the number of electors on the list, must be ordered to facilitate distribution of the ballots if they are bound in books. If, for example, ballots are bound in books of 50 and there are 410 electors on the list, 9 books of ballots, or 450 ballots must be supplied.

Many issues which have a bearing on this subject, such as availability of ballot paper, the decision as to whether or not to use colour, where the ballots will be printed, the number of electors, constituencies and polling stations, and the means of distributing and safekeeping the ballots once they have arrived in the country have not been resolved, making it difficult to provide cost estimates.

The Working Group continued to favor the "Namibia style" ballot but nothing was decided upon before the IFES team's departure. The Chief Electoral Officer or a technical consultant can provide further guidance on ballot design and distribution.

THE VOTING PROCESS

Polling Districts

Once the constituency delimitation has been completed, the electoral officer, in consultation with the Chief Electoral Officer divides his constituencies into polling districts. The criteria the electoral officer will use for establishing these districts will include such factors as the number of electors in the district, distances to travel, means of transportation and communication. In the Lesotho context, consideration may also be the number of villages which can be administered conveniently in one polling district.

The IFES team recommends that specific guidelines be established for the electoral officers and returning officers so that this task may be performed efficiently.

Polling Stations

There are extensive guidelines already prepared for returning officers to use for establishing their polling stations. These were written for past elections and may require some review.

Each returning officer is to "select about nine buildings" in the constituency, taking the following into account:

- Density of population - there should be not more than about 600 electors voting at a polling station.
- Topography of the constituency - the rivers and streams to cross to reach the polling stations. The electors must be able to cross the rivers and streams to reach their polling stations even in case of heavy rains.
- The roads and paths in the constituency and the distance to walk to reach polling stations
- polling stations should be within easy walking distance of every elector.

In the past, schools have been closed on polling day. Continuing this policy for the 1992 elections would assist election officials as the schools would be available for polling locations and the teachers might act as poll officials.

The guidelines provide a figure of 600 electors per polling station but since the actual voting population is not known, we were told that the number of electors per poll could be as high as 1,000. The IFES team suggested considering the establishment of more than one polling station for some districts. In order to facilitate communication and security, they could be held side by side. The list could then be split alphabetically or by village, resulting in 500 or 600 electors per poll and lessening the possibility of extremely long lines.

Poll Personnel

The actual number of people to work on polling day and their responsibilities and duties have not as yet been decided. The Electoral Act provides information in this regard but the personnel described in the Act is based on an entirely different voting process than what is being proposed for future elections in Lesotho. The Act now calls for a presiding officer, a junior presiding officer, several polling officers, an official witness for each village (this is usually the chief or headman), and at least two police officers or constables.

The presiding officer and the deputy presiding officer will have to occupy themselves with the ballots and the list and to ensure that the voting is conducted in an orderly fashion. A polling officer may be required to monitor registration cards, and yet another to ensure that a voter has placed their finger into the indelible ink. The official witnesses are there to verify the identity of the electors.

Training courses will have to be designed and presented to these officials, not in Maseru, but at the district or constituency level. Recommendations for these training courses are found in the Budget Notes section.

Hours of the Poll

The Electoral Act currently stipulates that the polls shall be held on one and the same day in all constituencies throughout Lesotho, except in certain circumstances. The polls are to open at 7 o'clock in the morning and close at 5 o'clock in the evening of the same day. If the presiding officer finds at 5 o'clock that there are still electors outside who wish to cast their vote, then the presiding officer will extend the polling by one hour. If, however, after such an extension, the presiding officer finds that there are still electors outside the polling station who wish to vote, the polling shall be adjourned until 7 o'clock in the morning of the following day. Polling will then continue for as many hours as may be necessary.

Since voting is a new experience for the people of Lesotho, it may be that each individual elector will take an inordinate amount of time to cast a ballot. Before determining the number of electors that may conveniently vote at one polling place, it may be necessary to do a survey to determine the time which should be allocated for each elector to go through the voting process, from entering the poll, to establishing their identity on the list and actually marking and then casting their ballot. This process might be more efficient in each poll if more than one voting compartment is provided in the poll. This would require more vigilance on the part of the poll personnel.

Although recognizing that for security reasons it would be preferable if the voting and ballot count could be done in one day, the Working Group felt that this would not be feasible. They expect to have large numbers of electors voting at each polling place, probably taking more time than is available in one day. Even if the voting is completed in one day, it may be too dark to count the ballots.

The Working Group was considering having the voting continue for one and a half days, with the counting taking place at noon on the second day. If this is the case, there are some factors which must be considered. Additional rent may have to be paid for use of the polling location. Polling officials may require extra fees for the additional time. Security must be provided for the ballot boxes overnight and seals provided for the hole in the top.

Polling Material

Each polling place will have to be equipped with a variety of material. Since it is anticipated that the majority of these locations will be in schools, stores or private homes, it was felt that furniture would be available at no extra cost in most situations. Secrecy compartments will be required. Privacy screens, such as those made from cardboard and used in Canadian elections were suggested, but the Working Group felt that the compartments could be constructed locally by suspending blankets on rope.

Identifying posters, placed on the polling place to advertise the location, should be distributed early in the process.

Each presiding officer will require a copy of the elector list and a ruler or some type of straight edge for marking off the names, in addition to a supply of pens. Marking instruments will be required for the electors, pens or pencils and stamp pads for those electors who choose to mark the ballot with their thumbprint. Indelible ink will be used on a voter's finger to eliminate the possibility that the elector could vote a second time.

It may be decided that instead of placing his or her initials on the back of the ballot before issuing it to the elector, the presiding officer will stamp each ballot with an official mark. Special stamps and ink pads would be required for this purpose.

If the voter's registration receipt is to be "cancelled" at the poll after voting, this could be done by punching a hole into the form with a paper punch.

Seals will have to be provided for the ballot boxes to be affixed at the opening of the poll. These might be made of metal, as used at federal elections in Canada, or made of a paper that would tear if there was an attempt to remove the seal, as used at some provincial elections in Canada. If the box is to be kept overnight, a seal must be provided for the hole in the top. For transport to the returning officer, additional seals must be provided.

If the ballots are to be counted at the poll, envelopes must be provided into which the presiding officer can seal the ballots counted for each candidate, the rejected and unmarked ballots, and the unused ballots. The number required of course depends on the number of candidates running in that constituency.

Manner of Voting

The ballot style had not been determined at the time of writing, and therefore procedures had not been worked out for voting. Certain assumptions, based on discussions with the Working Group, can be used in order to assist in the preparation of a budget.

A person wishing to vote will make personal application at the polling station at which he or she is registered. A polling officer, by reference to the polling list and the elector's registration receipt, shall determine if the elector is qualified. A check will also have to be made of the elector's fingers to determine if traces of indelible ink can be found.

The presiding officer, being satisfied that the elector is eligible, will mark off that name from the list, will then issue a ballot to the elector, and may initial it or mark it with an official stamp, and provide a marking instrument to the elector, or if necessary, the ink pad if the choice is to mark the ballot with a thumbprint. The presiding officer should also instruct the elector that the ballot must be returned folded. The elector will relinquish his or her registration receipt to the polling officer and proceed to the compartment where the ballot will be marked in secrecy. The elector will then fold the ballot and return it or show it to the presiding officer who will verify that it was the same ballot that was issued to the elector. The elector, or the presiding officer, will then place the still folded ballot into the ballot

box. It may be preferable for presiding officers to do this so that they can verify their initials or the official mark on the ballot and also determine that it is only the ballot which is going into the box. Once the elector has completed this process, a finger or thumb can be placed in the indelible ink. Either the elector's card can be kept as part of the poll documents or it can be marked or punched in some way so that it cannot be used for voting at another poll.

Voting by Absent Electors

There is an elaborate procedure outlined in the Electoral Act for voting by absentee electors. These are specific categories of electors who will be absent from their own constituency by reason of being a government official working in another country or his wife or child, or being election officials, candidates, candidates' agent, or police officers, who, because of their work in connection with the election, cannot vote in their own constituency.

There is a specified period to apply to vote as an absentee elector; however, the IFES team's discussions with the Working Group led us to believe that a review would be made of this provision, the categories of eligible electors, the manner in which they would apply and the manner in which they would vote.

All sections of The Electoral Act related to the manner of voting must be reviewed once the ballot style is established.

Candidates' Agents

Candidates are permitted to have an agent representing them at the polling station. Their appointment must be filed with the electoral officer. At present, it has not been determined how many agents a candidate may have present at a poll at any one time.

Counting of the Ballots

The Electoral Act provides for ballots to be counted centrally by counting officers supervised by the returning officer. During discussions with the IFES team, the Working Group recommended that the ballots be counted at the polling station by the presiding officer. It is very important, if this occurs, that the presiding officers be given detailed training in advance as to what should be accepted as a valid ballot and what should be rejected. None of this is written into the Lesotho Act at present.

If the ballots are to be counted at the poll, this has the advantage that the results can be announced publicly at the poll and the results posted. If the ballot box does disappear, then a result has already been certified for that poll. If the boxes are to be transported to a central location for counting, adequate security would be essential during this phase.

It may also be necessary to establish a procedure for recounts, perhaps conducted by a judge, where the results are close, as many of the decisions based on an individual mark are judgement calls. Presently, if there is a tie, a new election is called and the process begins again. If recounts were permitted, then this may be circumvented and substantial costs saved.

Certification of Voting Results

It has not as yet been determined which level of authority will carry out this responsibility, i.e. at the level of returning officer, electoral officer or Chief Electoral Officer.

General Comments

The above was written based on assumptions developed during the IFES team's time in Lesotho. The team cannot stress enough the urgency of finalizing these procedures as soon as possible. They must be simple and easily understood, especially for a country where the majority of people have never voted. The voting procedures must be built into the voter education program. Videos and instructional pamphlets could be developed. Voting procedures provide the key to the credibility of a process.

SECURITY AND COMMUNICATION

In the 1970 election in Lesotho, there were incidences of ballot boxes being hijacked on the way to the counting station, even before the election was annulled. That memory still haunts the members of the Working Group, and they place a high priority on providing adequate security at each polling station on the election day(s) until all ballots are counted and the results certified. The Working Group's fears center less around ballot box stuffing than on mob action during the polling and counting process or an organized hijacking of the election results at one or more polling station around the country by members of a disgruntled political party.

The Working Group wishes to ensure, at almost any cost, that there is no possibility that the results of the election can be stolen or disputed. Their proposal for achieving that guarantee is to put a number of military personnel (police and army) at each polling location, and to put each polling location into "real time" communication with the rest of the country. In this way, additional security forces can be quickly called to any trouble spot. For this instant communication, they proposed equipping the military unit at each polling station with two-way radio communication. In most of the country, there will not be telephones at or near the polling location. In the isolated mountain villages of the eastern portion of the country, only high-frequency radios are capable of communicating over sufficient distances.

The IFES team agreed that all possible safeguards should be put into place to ensure the security of the voting and counting process. It would be hoped that the level of civic awareness and political maturity would be sufficiently high by the time of the 1992 elections that the chances of widespread fraud or violence would be small. One must recognize the validity of the Working Group's fears, however. Finding an adequate and affordable solution to this problem is thus crucial. The solution, unfortunately, was not found during the IFES team's visit.

The IFES team recommended that a thorough investigation be made of all two-way radio systems in the country that might be called on for use during the days of voting and vote counting. This will provide a better picture of the true need for new or leased equipment. The team further recommended that there be a prioritizing of potential trouble spots and that communications resources be focussed in those areas. We also suggested that the Working Group consider what is gained and lost in having a large (more than one or two) military presence at each polling station. It is possible that the gains in security are matched or outweighed by the potentially intimidating presence of men in uniform.

Further recommendations on the question of security and communication may be found in the Budget Notes, Section VIII.

CIVIC EDUCATION

The IFES team found a high degree of skepticism on the part of the populace regarding the government's willingness and capacity to implement a free and fair election process, a high degree of distrust between the political parties and other political activists, and a profound "wait and see" attitude at all levels of society retarding any active participation in the democratic/ political process. Given this atmosphere, the designing and implementing of an imaginative and effective voter education program will be a crucial component of the Government of Lesotho's preparation for elections.

The need is for a civic education program that reaches the Lesotho population generally, from the cities to the mountains, and that also reaches certain groups specifically, such as civil servants, the military, the chiefs and village headmen, election officials and workers, church groups, women's groups, and groups in opposition to the current government.

The mass media will be the primary means for reaching the general population. The most important of these media is Radio Lesotho. This government-owned station, operated by the Lesotho National Broadcasting Service, broadcasts 24 hours a day and reaches the entire country. It is the one medium of mass communication that will reach everybody. Lesotho Television broadcasts a 30 minute news program every day, in English and Sesotho on alternate days. It is available to only a very small percentage of the people of Lesotho, and is confined to the urban centers.

The GOL owns and publishes two weekly newspapers. The English paper Lesotho Today, has a circulation of about 2,000 and the Sesotho paper Lentsoe la Basotho sells about 4,000 copies. With wider circulation are newspapers pulished in Sesotho by the Evangelical and Catholic Churches. Sethala is an independent, bi-monthly glossy magazine published in English by Creative Communications Ltd. It has a circulation of about 12,000.

The print media reach only a small percentage of the population, but printed educational materials such as brochures, leaflets, posters and billboards can and should be extensively used to inform the public about the schedule and process of registration and elections.

As noted above, there are a number of groups in Lesotho which should be targeted specifically for civic education because of their important position in society or in the election process. Reaching these groups should be done through meetings, seminars, conferences, etc., as well as through the media described above.

One resource which should be called upon in the civic education effort, both by the government and by any outside consultant who may be engaged, is the Lesotho NGO community. The IFES team met with

the Director General of the Lesotho Council of NGOs, Mr. Caleb Nchafatso Sello. The Council is an umbrella association of more than 80 non-governmental organizations, both indigenous and international, serving all sectors of society. Mr. Sello indicated that the Council would be very interested in playing a role in any future civic education efforts.

More specific recommendations regarding a civic education program are contained in the Budget Notes (Categories V and IX) in the following section.

PART III

BUDGETARY NEEDS OF THE ELECTION PROCESS

One of the major tasks of the IFES team was to help the Working Group determine the financial implications of holding elections, and to analyze the costs and benefits of various policy options. To accomplish this goal, the IFES team and the Working Group devised a tentative budget which included all the foreseeable extraordinary expenses related to registration, delimitation and elections. Our intent was to make this list comprehensive, although there is no guarantee that we have not neglected to list major items. Our intent was also to attach cost estimates to each item on the list, so that the result could be used as a budgeting tool by the Working Group and by the Government as a whole.

The preciseness of the cost estimates attached to each of the items vary widely, with some being based on actual price quotations and others being mere best guesses on the part of the Working Group and the IFES team. The budget also contains items of varying priority. Most expenses are essential and urgent; some are important but the lack thereof would not seriously derail the process; some are even more optional, but would still contribute significantly to the holding of smooth and fair elections.

For these reasons, we warn against the temptation to turn to the last page of the budget to find "the cost of holding elections in Lesotho." The bottom line figure is highly tentative for the reasons outlined above. A review of the budget in this section must be done with reference to the notes which follow it and which give meaning to the budget not found in the numbers alone.

TENTATIVE BUDGET
1992 ELECTIONS IN LESOTHO

<u>CATEGORY</u>	<u>COST</u> Rand/Maloti (\$1 = 2.8M)
I. REGISTRATION	
A. <u>Training of Supervisors</u>	
1. Accomodation and Meals (M130/day x 6 days x 70 trainees and trainers)	54,600
2. Travel Allowance (M50x70)	3,500
3. Training Materials (Manuals, posters, etc.) (M15/trainee x 70)	1,050
4. Services of outside training consultants: Training preparation and implementation (M600/day x 2 consultants x 10 days)	12,000
5. Preparation of training materials by outside consultants (M600/day x 5 days)	<u>6,000</u>
Subtotal	M77,150 \$27,553
B. <u>Training of Registrars</u>	
1. Accomodation and meals (M130/day x 4 days x 650 trainees and trainers)	338,000
2. Travel Allowance (M50/trainee x 600)	30,000
3. Training Materials (M15/trainee x 600)	9,000
4. Trainers' Fees (M600 day x 5 days x 2)	<u>6,000</u>
Subtotal	M383,000 \$135,714
C. <u>Salaries and Allowances</u>	
1. Supervisors/editors (500/month x 5 months x 60 supervisors)	150,000

2.	Enumerators (M400/month x 4 months x 540 enumerators)	864,000
3.	Travel Allowances - Supervisors (M80/month x 4 months x 60)	19,200
4.	Travel Allowances and dispersal - Enumerators (M20/month x 4 x 600)	<u>48,000</u>
	Subtotal	M1,081,200 \$386,643

D. Maps and Forms

1.	Maps of districts and constituencies	20,000
2.	Application for Registration form (1,200,000 copies)	35,000
3.	Registration Card, with 2 receipts (1,200,000 cards)	<u>150,000</u>
	Subtotal	M205,000 \$73,214

E. Other Equipment

1.	Plastic sleeves for registration card (1,000,000)	100,000
2.	Ink Pads	12,000
3.	Pens	8,000
4.	Envelopes	5,000
5.	Plastic carrying cases	9,000
6.	Publicity Posters	<u>50,000</u>
	Subtotal	M184,000 \$65,714

F. Support from Office of Chief Electoral Officer and District Electoral Officers

1.	Five days of travel/month for CEO and Deputy	
a.	Accommodations and food (130/day x 5 days x 2 officials x 4 months)	5,200

b.	Driver (M130 day x 5 days/month x 4 months)	2,600
c.	Gas and Maintenance (M4/litre x 100 litres/month x 4 months)	1,600
2.	Ten days travel/month for Logistics Officer	
a.	Accommodations and food (M130/day 10 days x 4 months)	5,200
b.	Gas and Maintenance (M4/litre x 200 litre/month x 4 months)	3,200
3.	Five days travel/month for Electoral Officers (10) or deputy	
a.	Food allowance (M50/day x 5 days/month x 4 months x 10 E.O.s)	10,000
b.	Food allowance for driver (M50/day x 5 days/month x 4 months x 10 districts)	10,000
c.	Gas and maintenance (M4/litre x 100 litres/month x 4 months x 10)	<u>16,000</u>
	Sub-total	M53,800 \$19,214

G. Data Processing - Registration Period

1.	Eight PC computers, networked, and installed, w/software and consumables)	100,000
2.	Software programming (one programmer x 30 days x M300/day)	9,000
3.	Data entry clerks (10 additional workers x M400/month x 4 months)	<u>16,000</u>
	Sub-total	M125,000 \$44,643

H. Production of Registration Lists

1.	Paper and printing for complete lists three times during the registration period	750,000
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2.	Additional personnel for copying and binding (4 workers x M400/month x 4 months)	6,400
	Sub-total	M756,400 \$270,143
	TOTAL (Registration)	M2,733,550 \$976,268

II. EQUIPMENT AND STAFF FOR ELECTORAL OFFICES

A. Staff, Office of CEO

1.	Salary for CEO (Provided by UN)	N/C
2.	Housing Allowance for CEO (Provided by UN)	N/C
3.	Deputy to CEO (Allowance, M300/month x 10 months)	3,000
4.	Operations Chief (M300/month x 10 months)	3,000
5.	Logistics Officer (M300/month x 10 months)	3,000
6.	Training Officer (M300/month x 10 months)	3,000
7.	Secretaries of above-listed administrators (M700/month x 5 x 10 months)	35,000
8.	Drivers (M500/month x 3 drivers x 10 months)	15,000
9.	Messengers and cleaners (M350 x 3 x 10 months)	10,500
10.	Security Guards (M350/month x 2 x 10 months)	7,000
	Sub-total	M79,000 \$28,214

B. Staff, Office of District Electoral Officers

1.	Electoral Officers' Allowances (M300/month x 10 x 10 months)	30,000
2.	Secretary for election/registration duties (M700/month x 10 x 10 months)	70,000
3.	Drivers (M500/month x 30 x 10 months)	150,000
	Sub-total	M250,000 \$89,286

C. Equipment, Office of CEO

1.	4x4 Vehicles (M70,000 x 6)	420,000
2.	PC computers and typewriters for 5 secretaries (4 computers and 3 typewriters)	30,000
3.	Fax machine	7,500
4.	Furniture and other office equipment	<u>100,000</u>
	Sub-total	M557,500 \$199,107

D. Equipment, District Electoral Offices

1.	4x4 vehicles (M70,000 x 3/district x 10 districts)	2,100,000
2.	Typewriters and other equipment for secretaries	15,000
3.	Fax (leased for election period)	<u>20,000</u>
	Sub-total	M2,135,000 \$762,500

E. Supplies and Other Consumables for Election Administration

1.	Office supplies (paper, pens, etc.) for CEO office	20,000
2.	Office Supplies, District Electoral Offices	20,000
3.	Gas and Maintenance, CEO office vehicles (M4/litre x 100 litres/month x 8 months x 6 vehicles)	19,200
4.	Gas and maintenance, District offices vehicles (M4/litre / 100 litres x 8 months x 30 vehicles)	<u>96,000</u>
	Sub-total	M155,200 \$55,429

TOTAL (Equipment and Staff)

**M3,176,700
\$1,134,535**

III. DELIMITATION OF CONSTITUENCIES

A.	<u>Salaries, allowances, and fees</u> (Commission members, secretary, advisor)	10,000
B.	<u>Transportation</u>	5,000
C.	<u>Maps and Forms</u>	10,000
	TOTAL (Delimitation)	M25,000 \$8,929

IV. TRAINING AND SALARIES OF ELECTION OFFICIALS

A.	<u>Training of returning Officers and Electoral Officers</u>	
1.	Accommodation and Meals (M130/day x 100 trainees x 6 days)	78,000
2.	Travel Allowance (M50 x 100 trainees)	5,000
3.	Training materials (Manuals, posters etc.) (M20/trainee x 100)	2,000
4.	Fee for training consultants - training preparation and implementation (M600/day x 2 consultants x 10 days)	12,000
5.	Preparation of training materials (M600/day x 5 days)	6,000
	Sub-total	M103,000 \$36,786
B.	<u>Training of Presiding Officers and Deputies</u>	
1.	Accommodations and meals (M130/day x 2000 trainees x 4 days)	1,040,000
2.	Travel allowance (M50/trainee x 2000)	100,000
3.	Training materials (M20/trainee x 2000)	40,000
	Sub-total	M1,180,000 \$421,429

C. Salaries and Allowances

1.	Returning Officers allowances (M150/month x 3 months x 70)	31,500
2.	Travel allowances (M80/month x 3 months x 70)	16,800
3.	Presiding Officers' fees (M200 x 1000)	200,000
4.	Deputy Presiding Officers' fees (M175 x 1000)	175,000
5.	Other polling station officials (M100 x 1000)	<u>100,000</u>
	Sub-total	M523,300 \$186,893

TOTAL (Training and Salaries) M1,806,000
\$645,000

V. VOTER EDUCATION

A.	<u>Radio Programming</u> (2 tape recorders)	M40,000 \$14,286
B.	<u>Television Programming</u> (2 video cameras)	M70,000 \$25,000
C.	<u>Print Materials</u> (Posters, billboards, leaflets, brochures)	M80,000 \$28,571
D.	Seminars and other Educational Fora	M50,000 \$17,857

TOTAL (Voter Education) M240,000
\$85,714

VI. ELECTION FORMS, ELECTOR LISTS AND BALLOTS

A.	<u>Elector Lists</u>	
1.	Paper and duplication costs, preliminary and final lists	500,000

2.	Additional personnel for copying and binding (20 workers x M400/month x 1 month)	<u>8,000</u>
	Sub-total	M508,000 \$181,429
B.	<u>Ballots</u>	
1.	Ballot Paper	110,000
2.	Ballot printing	140,000
3.	Ballot shipping (air freight)	<u>560,000</u>
	Sub-total	M710,000 \$253,571
C.	<u>Absentee Ballots and other Forms</u>	M500,000 \$178,571
	TOTAL (Forms, ballots, lists)	M1,718,000 \$613,571

VII. POLLING STATION EQUIPMENT

A.	<u>Ballot Boxes and Screens</u>	
1.	Ballot boxes (shipping from Durban to Maseru and storage)	21,000
2.	Ballot box seals	5,000
3.	Ballot screens	<u>N/C</u>
	Sub-total	M26,000 \$9,286
B.	<u>Other Equipment</u>	
1.	Pens/pencils	3,000
2.	Stamp pads and stamps	10,000
3.	Indelible ink	110,000
4.	Rulers	2,000
5.	Envelopes	<u>20,000</u>
	Sub-total	M145,000 \$51,786
	TOTAL (Polling Station Equipment)	M171,000

\$61,071

VIII. SECURITY AND COMMUNICATION

A.	<u>Security Personnel at Polling Stations</u>	M500,000 \$178,571
B.	<u>Communication</u> (Telecommunication equipment)	M500,000 \$178,571
	TOTAL (Security and Communication)	M1,000,000 \$357,143

IX. EXTERNAL TECHNICAL ASSISTANCE

A.	<u>Electoral Law Specialist</u>	
1.	Transportation	20,000
2.	Salary (M800/day x 15 days)	12,000
3.	Per Diem (M250/day x 10 days)	2,500
4.	Supplies and equipment	5,000
5.	Overhead (35%)	<u>14,000</u>
	Sub-total	M53,500 \$19,107
B.	<u>Computer/Data Systems Analyst</u>	
1.	Transportation	20,000
2.	Salary (M800/day x 15 days)	12,000
3.	Per Diem (M250/day x 10 days)	2,500
4.	Supplies and equipment	5,000
5.	Overhead (35%)	<u>14,000</u>
	Sub-total	M53,500 \$19,107

C. Election Systems/Organizational Specialist

1.	Transportation	20,000
2.	Salary (M800/day x 30 days)	24,000
3.	Per Diem (M250/day x 20 days)	5,000
4.	Supplies and equipment	10,000
5.	Overhead (35%)	<u>20,000</u>
	Sub-total	M53,500 \$19,107

D. Voter Education Consultant

1.	Transportation	20,000
2.	Salary (M800/day x 30 days)	24,000
3.	Per Diem (M250/day x 20 days)	5,000
4.	Supplies and equipment	10,000
5.	Overhead (35%)	<u>20,000</u>
	Sub-total	M53,500 \$19,107

TOTAL (Technical Assistance) M265,000
\$94,643

BUDGET SUMMARY

I.	REGISTRATION	M2,733,550 \$976,268
II.	EQUIPMENT AND STAFF FOR ELECTORAL OFFICES	M3,176,700 \$1,134,535
III.	DELIMITATION OF CONSTITUENCIES	M25,000 \$8,929
IV.	TRAINING AND SALARIES OF ELECTION OFFICIALS	M1,806,000 \$645,000
V.	VOTER EDUCATION	M240,000 \$85,714
VI.	ELECTION FORMS, ELECTOR LISTS AND BALLOTS	M1,718,000 \$613,571
VII.	POLLING STATION EQUIPMENT	M171,000 \$61,071
VIII.	SECURITY AND COMMUNICATION	M1,000,000 357,143
IX.	EXTERNAL TECHNICAL ASSISTANCE	M265,000 \$94,643
	GRAND TOTAL	M11,135,250 \$3,976,875

Conversion Rate: \$1 = 2.8 Rand/Maloti

BUDGET NOTES

I. REGISTRATION

A. Training of Supervisors

The training of registration supervisors should begin as soon as possible, possibly even in August. According to plans devised by the Working Group, the training will take place in Maseru and last for approximately four days. Six days of per diem is budgeted to accommodate arrival and departure schedules and travel time. The per diem rate of M130/day is based on the government rate in Maseru:

Lodging	M65
Breakfast	18
Lunch	22
Dinner	<u>24</u>
	M129/day

The training curriculum for supervisors should prepare them to train registrars in their home districts, and to adequately manage the registration process in their constituencies during the 3-4 month registration period. Thus, the curriculum should cover:

- general introduction to multi-party, parliamentary democracy;
- the appropriate sections of the Constitution;
- the Electoral Law;
- a complete overview of the registration, delimitation, nomination and voting process;
- the duties of supervisors and registrars;
- personnel and time management techniques; and
- training techniques.

The Working Group suggested that the training of supervisors could be carried out by members of the Group themselves, with assistance from other Government ministries. The IFES team strongly recommends that the Working Group engage a training specialist/ consultant to design and implement this training course, as well as to design and prepare the training materials. The consultant (or consulting organization) should be experienced in training-of-trainers techniques, and most importantly, must be capable of communicating the advantages, complexities, and philosophy of a multi-party, parliamentary system of government. Instilling the ideology of democracy into the hearts and minds of the supervisors is crucial, as they and the registrars will be the government's first and best civic educators in the field.

Training materials should include a manual for each of the supervisors to take with them, summarizing the relevant sections of the constitution, the electoral code, and the registration process, including dispute settlement procedures.

Preparation for the supervisors' training includes the recruitment of supervisors, through the media, especially the radio, and through the structure of the District Secretaries and local chiefs. It is thought that supervisors will be easily recruited from the ranks of unemployed school leavers. They should have completed high school at least.

Preceding the recruitment of supervisors, the Working Group plans to visit all ten District Secretaries to brief them on registration plans and procedures.

Also preceding recruitment, a training consultant must be located and hired, and sufficient time allocated for training design and the preparation of training materials. All registration forms should be designed and printed in time for the training.

It is anticipated, and strongly recommended, that the District Secretaries, or at least one person from each District administration, attend the supervisors' training in Maseru.

B. Training of Registrars

The Working Group plans for the training of the 600 registrars to take place at each of the ten District headquarters immediately following the training of supervisors in Maseru. Approximately 60 registrars will be selected from each district, and will be trained by the six or so supervisors assigned to that district.

Per diem is budgeted at M130 because it is anticipated that in at least some district headquarters, the registrars will be lodged at a hotel where the Maseru rate of M130/day will be justified.

A small amount is included in the budget for training consultants' fees to allow the training consultants to travel to some or all of the district training sites to assist in the training of registrars.

C. Salaries and Allowances

The budget allows for four months of salaries for the registrars. If the registration period is shortened to three months, this amount would obviously diminish.

An extra month's salary is budgeted for the supervisors to allow for some or all of them to come to Maseru at the end of the registration period to assist with data processing and clerical duties at the CEO's office.

It is anticipated that registrars will travel to each village in their area periodically during the registration period. It is further anticipated that travel for the most part will be on foot. M20 per month is budgeted for public transportation costs, and horse or car hire.

D. Maps and Forms

Each registrar will need to have a map of his/her registration area. A complete set of maps for each appropriate area and/or a larger scale map will also need to be provided to each supervisor and to the registration office at the district level. A complete set of maps will also be needed at the CEO's office.

The registration card will be given to the elector at the time of registration. Two copies will be kept for files at the district and national level. Sufficient books of registration card forms (triplicate forms) must be provided to each registrar. The single sheet registration form will also be filled out at the time of registration. The budget figures for these two forms are based on estimates from the Government Printer.

E. Other Equipment

To protect the registration card, which needs to be retained by the voter until election day, the card will be put in some kind of plastic sleeve. Cost estimates for this plastic sleeve were not available before the IFES team left Lesotho. M100,000 is budgeted on the assumption that such sleeves could be provided at the cost of about 10 liscenti a piece.

Cost estimates for ink pads, pens, envelopes, and plastic carrying cases are based on approximate costs for these items in Canada, plus an additional 15%. The cost of publicity posters is a very rough estimate, made on the basis of providing 5-10 posters to each registrar to be posted around his/her registration area.

F. Support from Office of Chief Electoral Officer and District Registration Officers

It is assumed that the CEO and/or his Deputy will travel frequently to assess the progress of registration in the field. Per diem and travel expenses are budgeted for five days of travel per month to each of the four months of the registration period.

Similarly, the budget allocates funds for District Registration Officers to travel five days per month visiting the supervisors and registrars in their districts.

G. Data Processing - Registration Period

Members of the Working Group from the Bureau of Statistics informed the IFES team that there is adequate hardware at the Bureau to handle the demands for processing registration data. This hardware and the data processing staff, however, are currently being used to capacity, and would not have the resources necessary to meet the new challenge. In addition, it would be preferable, if not necessary, therefore, for the Electoral Office to have its own data processing capability in order that it may maintain its independence. The computer specialists on the Working Group estimated that a local area network of eight personal computers would be sufficient for the data processing job involved in creating and maintaining a voter registry roll for the entire nation.

The IFES team was not able to independently verify the statements regarding the lack of data processing "space" at the Bureau of Statistics. The IFES team agrees, however, that it would be preferable for the Electoral Office to develop the capacity to maintain registration rolls within that office, both for the sake of convenience and, more importantly, for security. Thus, the team does recommend the eventual acquisition of adequate computer hardware and software to be used by and housed in the Electoral Office. Ideally, the Elections Office should be so equipped quickly, for use in the 1991 registration drive.

The IFES team was also not able to verify if eight personal computers linked through a file server, would have the processing capacity necessary for the job of maintaining a registration list of close to one million voters. The team recommends that knowledgeable specialists be consulted before decisions are made on what kind of hardware and software systems to acquire. The budget estimate of M100,000 is

roughly based on information provided to the team by the Bureau of Statistics on recent bids they had received from local computer firms.

If a data processing capacity were established at the Electoral Office during the up-coming registration period, as the Working Group hopes, that means that the computer system must be in place by the time the registration process begins. For the budget, this goal implies the hiring and training of approximately 10 data processing clerks, and the provision of adequate space, electrical power and furniture at the Electoral Office in fairly short order.

The IFES team recommends that an attempt be made to acquire voter registration data processing software from a donor country where such software has already been designed and used. It could then be customized to suit the particular conditions found in Lesotho.

H. Production of Registration Lists

The Electoral Code stipulates that registration lists should be generated and distributed once a month during the registration period, so that the rolls may be verified in each locality. This is an enormous printing and logistical task. It is estimated that a complete list of registered voters will be at least 10,000 pages long, and that 25 complete sets will need to be made each month, at least at the end of the second, third and fourth months of registration. Based on these rough estimates, at least M750,000 will be necessary for the printing of the registration list three times during the registration period.

The Working Group suggests that the duplication of lists be done by a private company, such as Rank Xerox, on high speed, high quality photocopiers. The per sheet cost is likely to differ considerably depending on the method and location of duplication, and thus it is important that more investigation be done on the least expensive method that is still able to produce such lists in a short amount of time. It is also important that the Electoral Office have a printer adequate to produce a hardcopy original of such a long document in a short amount of time.

Because the registration lists will have to be assembled by registration area (if not by village), provision for hiring extra clerical personnel for the collating and binding process is added to the budget.

II. EQUIPMENT AND STAFF FOR ELECTORAL OFFICES

A. Staff, Office of CEO

The Government of Lesotho (GOL) has asked the United Nations to provide a Chief Electoral Officer. The Working Group assumes that the UN will also provide funding for the CEO's salary and housing.

The Working Group told the IFES team that the most likely method of staffing the CEO's office will be through secondment. The four proposed senior staff members (Deputy, Operations Chief, Logistics Officer, and Training Officer) will most likely be civil servants temporarily transferred from elsewhere in the government. In that case, their salaries will continue to be paid by their home ministries. The Working Group stated that it is customary for such seconded senior civil servants to receive a monthly allowance of M300 as a premium during their period of secondment.

Additional support staff at the CEO's office will represent a new expense for the GOL. It is estimated that at least five secretaries (at various grades, at an average salary of M700/month), three drivers, three messengers/cleaners, and two security guards will need to be hired.

B. Staff, Offices of District Electoral Officers

The District Electoral Officer is likely to be the District Secretary or some other civil servant at the district level. Thus the Electoral Officer will not require additional salary, but an allowance of M300 per month is likely to be paid to the person selected as Electoral Officer.

The Working Group suggested that it will be necessary to hire one additional secretary/typist at each district headquarters to handle clerical matters relating to the election process. The Group further suggested that three additional drivers will be needed at each district headquarters to handle the large increase in transportation needs during the periods of registration, delimitation, and the run up to elections.

C. Equipment, Office of CEO

The Working Group felt it would be essential for the CEO and his four senior assistants to each have a well-running vehicle, one that is adequate to travel to all areas of the country throughout the period of preparations for elections. They therefore propose the budgeting of funds for purchase of six new vehicles for the Elections Office. The sixth vehicle should be a van or other type of vehicle able to transport election supplies and commodities to the field.

Further notes on the question of new vehicles appear in the following section.

The GOL has identified a large complex of offices to be used as the Elections Office in Maseru. These offices, at the time of the team's visit, were totally without furniture. The team was told by the Housing Officer within the Planning Unit of the Military Council that the GOL has very little office furniture not

in use. Providing furniture for the Electoral Offices (for five senior staff, five secretaries and a receptionist, and up to ten data processors, along with other temporary workers) would therefore require purchasing new furniture. The team did not, of course, have the opportunity to inspect government warehouses, and thus we must base our assumptions on the understanding that there is no alternative to purchasing new furniture. We had no cost estimates on office furniture before leaving Lesotho, and the M100,000 provided in the budget is only the Working Group's best estimate.

For the heavy secretarial/clerical burden of administering elections, at least four personal computers and three typewriters will be necessary for the Electoral Office's secretaries.

At the time of elections, the capacity to have quick, reliable written communication between the Chief Electoral Officer and, at the least, the District Electoral Officers, is essential. The IFES team therefore recommends the purchase of a telefax machine for the CEO's office, and the hiring of telefax machines for each of the 10 Election Officers' offices for the days immediately before and after polling day. The team believes that it would be cost effective for the CEO's office to have a fax machine for the duration of the election preparation period, to facilitate communication with suppliers and printers, media outlets, outside consultants, etc.

D. Equipment and Supplies, District Electoral Offices

The IFES team had extensive discussions with the Working Group regarding the need for new vehicles to support the election process. In May, the Task Force on Democratization had prepared an election budget, presented to the diplomatic community in Maseru, which included funds for the purchase of 160 new vehicles. This figure was based on the desire to place two vehicles in each constituency, available for use by the registration supervisor and the returning officer, with the remainder reserved for use by the Electoral Office in Maseru.

During the course of our discussions with the Working Group, the members recognized that funds were unlikely to be found for 160 new vehicles either from government resources or from an external donor. The Group remained emphatic, however, that new vehicles were necessary to support the election process, at least three in each district and six for the CEO's office in Maseru, for a total of 36. The reasons for such a perceived need included the following:

More than three vehicles per district would be periodically needed for the transport of registration and election officials and of election commodities such as ballot boxes and ballots. The new vehicles would supplement other government vehicles which could be called into service at times of need.

The pool of government vehicles currently available at the district level is extremely limited. The government motor pool in general is in decline because the GOL has cut the transportation budget in response to the IMF structural adjustment agreement. Thus, new vehicle purchases and the maintenance of existing vehicles have been reduced.

Because of the mountainous topography of Lesotho, the poor quality of many of the roads, and the long distances between villages in the eastern section of the country, it is crucial that vehicles in good operating condition be available to election officials. This requirement diminishes the pool of available vehicles even further.

The IFES team encouraged the Working Group to investigate ways of mobilizing all possible vehicles at times of peak need, including vehicles in use by parastatals and projects. Acknowledging that such resources must be tapped, the Group remained unanimous in its conclusion that new vehicles would be necessary for the smooth implementation of the election process.

If new vehicles were purchased for the use of election officials, most would be turned over to the government car pool after the election is held. In theory, cars in the government car pool are earning their own keep in that any ministry which uses them, on a short or long term basis, must pay a hiring fee. In addition, part of the M4/litre price of gas at government filling stations goes into a fund that covers the cost of maintenance of the vehicle. Thus, there should be no uncovered recurrent expenses for cars being added to the government fleet, and the cost of replacing the vehicle will be earned through the hiring process.

The IFES team was not in a position to fully evaluate the need to purchase 36 new vehicles either on the basis of envisioned logistical needs, or on the basis of the availability of sufficient (or insufficient) vehicle resources. The IFES team supports, however, the Working Group's assertion that adequate transportation is crucial to the smooth operation of the election process and that it should be the highest priority of the Government of Lesotho and of friendly foreign governments to ensure that adequate transportation resources are in place as soon as possible.

E. Supplies and Other Consumables for Election Administration

Whether or not new vehicles are purchased, funds for gas and maintenance must be allocated for the vehicles used in the election process at the national and the district levels. We continue to assume that 100 litres per month per vehicle will be adequate for official election-related travel during this period.

M40,000 is a rough estimate of the needs for office supplies (paper, pens, typewriter ribbons, computer diskettes, etc.) to be used by the national and district electoral offices during the election preparation period.

III. DELIMITATION OF CONSTITUENCIES

A. Salaries and Allowances

The Constituency Delimitation Commission, as described in an earlier section, will be made up of sitting or former judges. It is not anticipated that they will draw a special salary for their work on the Commission; however, they will receive a monthly allowance. At the time of the IFES team's visit to Lesotho, the prescribed level for allowances for judges was not known.

It is also anticipated that the Commission will need the services of a secretary for the 1-3 month period of their work. The Working Group also mentioned the advisability of engaging a consultant to advise the Commission on statistical and logistical matters related to the delimitation process. M10,000 is given as a rough estimate of the needs for judges' allowances, secretary's salary, and consultant's fee.

B. Transportation

It is anticipated that the Commission will travel throughout the country during the delimitation process, or at least to the areas where there is some question about where appropriate constituency boundaries should be drawn. As a global figure for gas, maintenance, vehicle hire, and driver needs, M5,000 is budgeted.

C. Maps and Forms

Maps of Lesotho of various scales are available through the Government, but it is our understanding that the Electoral Office or the Delimitation Commission would need to pay for the maps that it needs in the course of its work.

IV. TRAINING AND SALARIES FOR ELECTION OFFICIALS

A. Training for Returning Officers and Electoral Officers

The training for Returning Officers (the official at the constituency level) and of the Electoral Officers (the officials at the district level) would follow a pattern similar to the training of registration supervisors. The procedure and budget for this training would thus be similar to that described in section I.A. (Training of Supervisors) in these Budget Notes. It is very possible that registration supervisors would become returning officers, and thus this would be a second period of training for them. Returning officers assume their duties on (or soon before) nomination day, probably two months before polling day. Therefore, their training should take place, at the latest, in the third month before the day of elections.

Because there may be as many as 80 constituencies and thus 80 returning officers, and because it is advisable that the district electoral officer and his deputy attend this training, the budget provides for 100 trainees.

B. Training of Presiding Officers and Deputies

The training of Presiding Officers (the official at the level of the polling district) and deputy will follow a pattern similar to the training of registrars, as described in section I.B. of these Budget Notes. It was not clear whether this training would assemble all of a district's presiding officers and deputies at the district headquarters or whether the training would take place in each of the constituencies. In the latter case, the single trainer would be that constituency's returning officer. In either case, it is not likely that a full M130 per diem would be justified at all locations, and therefore this expenditure may well be less than what is budgeted.

The number of 2000 trainees is based on the possibility that there may be as many as 1000 polling districts, rather than the approximately 600 used in the past. The number of polling stations will significantly affect the budgetary needs in this category.

C. Salaries and Allowances

It is anticipated that the people chosen as returning officers will be school principals or teachers, or civil servants of some kind. Thus, they would continue to draw their regular salary and be given an allowance for their work as returning officers. M150 is budgeted as their monthly allowance. The number of months that they will be paid an allowance will depend on the length of the election period (the period from nomination day to polling day). In the Electoral Code, this period is to be one to two

months. Three months of allowances is budgeted as an outside figure.

The Working Group proposed that officials at the polling district level receive a set fee for their work in the weeks preceding the election, up to the counting and posting of the votes. The fee for presiding officers was proposed at M200, and M175 for their deputies. M100 was budgeted for the total fees going to the other polling station officials, a group which could include (depending on possible revisions to the Electoral Code) the polling officer, the official witness, and the constable(s).

V. VOTER EDUCATION

A. Radio Programming

Radio will be the most effective medium for reaching the people of Lesotho with information on the election process and with educational programming on the concept and practices of democracy.

The Working Group felt that both informational and educational programming could be increased and upgraded with the addition of two professional-quality audio tape recorders and microphones. We were given a cost estimate of M20,000 for each machine of this type.

B. Television Programming

As with radio programming, the Working Group felt that Lesotho Television's capacity to cover the election process and to produce voter education programming would be increased with the addition of two video cameras, costing approximately M35,000 each.

C. Print Materials

The Working Group agreed that posters, billboards, leaflets, brochures, etc. would be very valuable in educating the people of Lesotho about elections and democracy, especially if coupled with an imaginative radio and television campaign. The visual media would be especially appropriate for accustoming the populace to the concept and design of the paper ballot, for example. The estimate of M80,000 in this category is a very rough one and is based only on the Working Committee's best estimate.

D. Seminars and Other Educational Fora

The IFES team recommends holding educational conferences or training sessions with as many of the important groups in Lesotho government and society as possible. Groups important to educate about the election process include:

- Government ministers, principal secretaries, and other senior civil servants, especially those not involved in the Task Force on Democratization or the Working Group on Elections;
- Chiefs and village headmen;
- Journalists;
- Other leaders in civil society, such as church leaders, women's groups, the local NGO community.

The IFES team recommends that the women of Lesotho should be a priority audience for the civic education program, with material developed on their their rights and responsibilities, and with encouragements to participate in the political process, particularly as poll officials.

N.B.: The expenditures on voter education will be determined largely by the commitment of the Government of Lesotho to performing this important task imaginatively and well, by whether an outside voter education consultant is engaged, and by the willingness of external donors to contribute to this effort. The amount budgeted here in this category represents a minimal investment to a task which everyone agrees will be crucial in the holding of successful elections. If funding is found to engage a voter education consultant (see section IX.D.), the amount of M240,000, at least, should be allocated to support his/her work.

VI. ELECTOR LISTS, BALLOTS AND ELECTION FORMS

A. Elector Lists

In a manner similar to that described for the printing and distribution of registration lists (see section I.H), elector lists will need to be generated, printed, copied and distributed at least twice during the election period, once early in the period between nomination day and polling day and once immediately preceding polling day. The former will be distributed to be verified by the parties and in the villages.

The latter will be distributed at the same time (approximately) as the ballots, and will be used at the polling station as the official list of electors.

As with the production of registration lists, producing elector lists accurately and in a short time will be a great strain on hardware and human resources alike. It is crucial that careful preparation precede this task and that adequate funds, hardware, and people are available to carry it out smoothly. Inaccuracies or delays in the production of these lists could scuttle the entire election process.

On the assumption that approximately 25 sets of elector lists will need to be produced each time, it is estimated that M250,000 will be necessary for the cost of paper and printing of the elector list one time.

B. Ballots

Approximately one million ballots will need to be printed. The estimate of M110,000 for the cost of the paper is based on the cost in Canada for ballot paper for 1,250,000 ballots (C\$35,450). This is a special paper designed to make counterfeiting difficult.

The Government Printer told the Working Group that the capacity to print one million or more ballots in color, on short notice, does not exist in Lesotho. The Working Group further indicated that it would not feel comfortable having the ballots printed in South Africa or elsewhere in southern Africa, for security reasons. The estimate of M140,000 for printing costs is based on the cost in Canada.

If ballots are printed in Canada, the cost of shipping them by air to Johannesburg would be approximately M560,000, based on air freight charges provided to the Working Group. It appears that airfreight charges from the U.S. or from Europe could be considerably less, and thus this option should be investigated before a decision is made on where to have the ballots printed.

C. Absentee Ballots and Other Forms

There are approximately 45 forms and printed envelopes intended for use in the election process as contained in the 1985 Conduct of Elections Regulations. For the 1992 elections, forms analogous to those contained in the 1985 Regulations will be needed. Because of changes in the election procedure, however, nearly all of them will need to be redesigned and re-typeset. This is an enormous job in itself, and sufficient time and resources must be dedicated to it early in the election preparation period.

The IFES team and the Working Group were not given paper and printing costs that would enable them to estimate with accuracy the cost of printing all the needed forms, envelopes, etc. In the budget, this cost of M500,000 is a very rough estimate of what is needed to carry out this large and important part

of the election preparations.

VII. POLLING STATION EQUIPMENT

A. Ballot Boxes and Screens

The Canadian Government has provided the Government of Lesotho with 3,200 ballot boxes. This number was arrived at on the assumption that each box could hold 250 ballots, and that there would be no more than 800,000 voters. Both those assumptions are subject to revision, especially the first. A simple empirical test should tell the Working Group if 250 ballots indeed do fit into the box (once the approximate size of the ballot paper is determined). If additional boxes need to be acquired from Canada or elsewhere, we note here (but not in the budget) that the cost of bringing 3,200 ballot boxes from Canada to Durban was M186,000. Shipping costs from Durban and storage fees up until the time of the election amount to M21,000. This cost has been borne by the GOL, and thus it appears in the budget.

The IFES team suggests that paper seals will be adequate to provide security against ballot box tampering. M5,000 is budgeted for this item.

The Working Group anticipates that the rigging of a ballot screen or curtain, sufficient to ensure secrecy in voting, will be the responsibility of each presiding officer, and will be done at no significant expense for the Elections Office. The IFES team recommends that the presiding officer be giving guidelines for constructing the privacy area, so that consistent standards may be maintained in every polling location.

B. Other Equipment

The major expense for other supplies at the polling station is that of indelible ink. Indelible ink will be used for staining the finger of each elector as he/she votes, to prevent the voter from voting more than once. The ink remains on the voter's finger for 5-7 days. Based on cost estimates obtained for supplies from the U.S. for the Guyana election in the summer of 1991, the cost of a single bottle, sufficient for 200 voters, is US\$7.67. Enough ink for one million voters would therefore cost \$37,250 or approximately M105,000. It anticipated that ink would be available in the RSA, at a cost not too different from that in the U.S.

VIII. SECURITY AND COMMUNICATION

On the day of the IFES team's departure from Lesotho, the IFES team and the Working Group were provided with a budget for providing adequate security and nationwide communication on polling day and up until all votes are counted. This budget was prepared by an official in the Royal Lesotho Mounted Police force, and totaled M40,767,300. The largest portion of that total was for the purchase of 600 portable radio sets. This expenditure was thought to be necessary by the Police in order to achieve the goal set by the Working Group of putting all polling places in two-way communication with their constituency and district centers.

The Working Group recognized that a budget in excess of M40 million for security and communication was unrealistic. Given the level of distrust by the people of Lesotho regarding the willingness and ability of the Government and the political parties to ensure and abide by a fair election, the Working Group was unwavering in placing a very high priority on providing adequate security and communication at every polling location. To provide that security, the Group listed two primary needs: to place at least two members of the police or army at each polling place, and to provide a means for each polling place to communicate quickly (if not immediately) with other locations, particularly the constituency center and the district headquarters.

The manner of adequately addressing these needs was left unresolved at the time the IFES team left Lesotho. M500,000 was tentatively budgeted for funding the transportation, training, and allowances costs of placing two or more military personnel at each of the 600-1000 polling locations. Another M500,000 was allocated to communication needs. It was recommended by the IFES team that the Working Group investigate fully the existing distribution of two-way radio systems that could be used on election day. Where there are gaps, the purchase or rental of additional portable radio sets might be considered, if radio communication capacity at each polling station remained a priority.

Further discussion of security and communication issues is located under the section on that subject earlier in this report.

IX. EXTERNAL TECHNICAL ASSISTANCE

A. Electoral Law Specialist

The IFES team recommends that funds be allocated for an electoral law specialist who would work with the Working Committee in 1) revising the Electoral Code so that it reflects the new procedures being formulated for the 1992 election as well as the changes brought about by modernization in

communication, transportation, and campaigning techniques since the Code was promulgated in 1968; 2) ensuring that the Electoral Code is in compliance with the revised Constitution; 3) reviewing all laws and codes which have relevance to the election process, including the Societies Act, the Citizenship Act, and the Electoral Act; and 4) reviewing the election forms contained in the Conduct of Elections Regulations, to put them in accordance with the new election procedures.

It is thought by the Working Group and the IFES team that a specialist to perform such a task could probably be found in Lesotho.

If it is deemed worthwhile, or necessary, to bring a consultant from outside of Lesotho to perform these tasks, the IFES team recommends that the consultant spend at least ten days in Lesotho. The cost of such an overseas consultant is estimated at M53,500.

B. Computer/Data Systems Analyst

There is a pressing need for a specialist to analyze the Election Office's needs for data processing, particularly in the collecting, manipulating, and generating of registration data. Once the needs are analyzed, the present hardware and software resources available in Lesotho, particularly at the Bureau of Statistics, must be analyzed. With such information, the specialist will be able to design a data processing system adequate for the long-term needs of the Lesotho Election Office, and to indicate what new hardware and software will be necessary to install such a system.

The IFES team recommends that a computer/data processing specialist be identified who has experience in the establishment of voter registration systems, or similar systems. It is likely that such a specialist will be found only outside of Lesotho. The IFES team further recommends that the computer specialist spend at least 10 days in Lesotho, working closely with the staff at the Bureau of Statistics as well as at the Electoral Office.

C. Election Systems/Organizational Specialist

There exists currently in Lesotho very little expertise in the running of elections. The Government of Lesotho has requested that the UN provide a Chief Electoral Officer (CEO). The priority need to be met by the appointment of this outside CEO is the appearance of neutrality on the part of the official responsible for organizing the election. The priority is not for someone who is able and willing to design and implement the nuts and bolts procedures of holding an election, and therefore, it is unlikely that the UN-appointed CEO will come with those kinds of skills.

The IFES team recommends that funding be provided for a specialist in the organizational aspects of

holding an election, to work closely with the CEO, his staff, and the Working Group. The tasks of this systems specialist would include 1) detailing the revised elections procedures as implied by the changes being made in the Constitution and the Election Law of 1968; 2) revising all forms to be used in the 1992 election; 3) developing a detailed elections calendar, particularly regarding the recruitment and training of personnel and the procurement of needed commodities; and 4) training counterparts on the Election Office staff so that planning and organizational capacity of the Election Office is enhanced.

The IFES team anticipates that a systems specialist with election experience will have to be found outside of Lesotho. The team recommends that such a specialist spend at least 20 working days in Lesotho, and that the specialist be engaged as soon as possible. Necessary funding for this task is estimated at M79,000.

D. Voter Education Consultant

The IFES team recommends that the Electoral Office engage a consultant who is a specialist in civic education to help them in the design and implementation of a voter education program. The Working Group endorsed this idea, but it was evident the Group's thinking on the subject of voter education had not gone very far beyond the usual methods of information dissemination through the government media. Therefore the IFES team strongly recommends that assistance from outside the government be engaged and funded.

The IFES team does not rule out the possibility that an appropriate civic education specialist can be found in Lesotho. An individual or an organization based in Maseru has the advantages of knowledge of the local political context as well as of the local language. There is a strong local NGO community in Lesotho, and some local organizations with educational expertise. There are also resources at the National University of Lesotho. These possibilities, we recommend, should be investigated. On the other hand, because of the paucity of direct experience with democratic institutions and philosophy in Lesotho, it might be advisable to look outside the country for a specialist for assisting in this task.

As with the election systems specialist, we recommend that the civic education consultant be engaged as soon as possible, and that he/she spend at least 20 working days in Lesotho. It is highly recommended that the consultant give high priority to building the capacity for Election Office staff to carry on this work after his/her departure. It is further recommended that funding for this consultant must be coupled with adequate funding for the civic education program itself, as described in section V of these Budget Notes.

N.B.: The IFES team asked the Working Group to provide guidance in setting priorities for the four above-mentioned consultants. The Working Group was unanimous in stating that all four are equally important, and thus could not help us in prioritizing the items in this budget category. We too feel that all four tasks are important, but would place the funding of a civic education specialist slightly above the other three.

**PART IV
RECOMMENDATIONS**

POLICIES AND PROCEDURES

Administrative Structure

- A review of any legislation and regulations relating to the electoral process should be undertaken in light of recent modifications to the Constitution, if necessary by an outside consultant, to ensure an integrated process and eliminate the possibility of conflict and confusion.
- All laws relating to election offences and the current fines and penalties should be reviewed.
- A review should be made of The Electoral Act to ensure that it accommodates developments in technology, including computers, and means of transportation and communication.
- The exact status of the Chief Electoral Officer and his office in the administrative structure of government should be established.
- The source of funding for the Chief Electoral Officer, reinforcing his independence, especially from the political process, must be established.
- The term of office for the Chief Electoral Officer identified by the United Nations must be established early in the period.
- Chiefs and headmen should be provided with education on their role in the electoral process and encouraged to act impartially at all times.
- Election officials should be appointed to act in their home area where they know the territory and are familiar with the people.
- The personnel to be appointed as election officials should be identified early in the process. This will allow them to gain an understanding of their role and allow the public to become familiar with them. Their reporting function should be reviewed so that they are responsible to the Chief Electoral Officer, eliminating any perceived political

interference. In addition, they must be encouraged to act impartially at all times.

Constituency Delimitation

- The number of electoral districts and the population quota should be established before the delimitation process begins so that these basic standards of redistribution are well known and there can be no possible perception of political manipulation.
- The source of funding for the Constituency Delimitation Commission should be established before the process begins, and established so that the independence of the Commission cannot be questioned.
- Funds should be provided for the Commission to acquire office space and support staff if necessary.
- Funds should be provided for the Commission to contract with a consultant who has practical knowledge and understanding of the delimitation process, especially in statistical analysis.
- The number of constituencies and the population quota should be determined very early, but all criteria to be used in the process should be well publicized. It may be necessary to include a mechanism whereby the public can express any concerns.

Registration of Political Parties

- A review of the process governing the registration of political parties should be undertaken, perhaps integrating it into The Electoral Act and allowing the Chief Electoral Officer to administer this aspect of the electoral process.
- The participation of all political parties in the development of the Code of Conduct should be allowed.
- A review of the offences in The Electoral Act should be undertaken in light of the establishment of a Code of Conduct.
- An information program on the electoral process should be provided to political parties and candidates.

Nomination of Candidates

- An examination should be made of the provisions of The Electoral Act and the Constitution governing the qualification and disqualification of candidates in order to determine if there are any conflicts in these provisions.
- If the symbols of political parties and candidates are to be shown on the ballot, then consideration should be given to providing further protection to the right to use these symbols. A political party could perhaps register the symbol of the party at the time the official registration or updating of the registration is made.

The Voting Process

- All sections of The Electoral Act related to the manner of voting must be reviewed once the ballot style is established.

EXPENDITURES ON MATERIAL AND TECHNICAL NEEDS

Registration

- District Secretaries, or those people designated as Registration Officers/Electoral Officers, should participate in the training course designed for Registration Supervisors.
- The Electoral Office should attempt to acquire voter registration software from a donor country where such software has already been designed and used, to be adapted to fit Lesotho's needs.
- The Government of Lesotho should engage a training specialist/consultant to design and implement the training course for registration supervisors. The consultant (or consulting organization) should be experienced in training-of-trainers techniques, and most importantly, must be capable of communicating the advantages, complexities, and philosophy of a multi-party, parliamentary system of government.
- Sufficient data processing capacity for handling the task of producing registration and elector list is crucial. An analysis of the task and an investigation of current capacity should be followed by a commitment to provide sufficient funds to purchase new hardware

necessary to carry out the task.

Equipment and Staff for Electoral Offices

- The Government of Lesotho and donor countries should place a high priority on ensuring that adequate transportation resources for the registration/election process are in place as soon as possible. This may necessitate the purchasing of new vehicles.
- A telefax machine should be purchased for the CEO's office, and the hiring of telefax machines for each of the 10 Election Officers' offices for the days immediately before and after polling day. The IFES team believes that it would be cost effective for the CEO's office to have a fax machine for the duration of the election preparation period, to facilitate communication with suppliers and printers, media outlets, outside consultants, etc.

Voter Education

- The IFES team recommends that a consultant be engaged by the Electoral Office to assist in designing and implementing an imaginative and effective civic education campaign, to be targeted at both the entire populace and at important groups in Lesotho's social and political life. Adequate funds to support this consultant's work must be allocated.
- An important goal of the civic education program should be to reach the women of Lesotho, to encourage them to vote, and more generally to encourage them to participate in the political process, as organizers, as candidates, and as poll workers. The civic education program should develop material target specifically at women.

Security and Communication

- The IFES team recommends that the Working Group and the CEO, in collaboration with the Police, develop realistic goals for polling station security and conduct a thorough investigation of available communication equipment such as two-way radios. Once a minimal acceptable security and available resources are arrived at, viable appeals may be made for assistance in obtaining needed equipment.

Polling Station Equipment

- The Government of Lesotho should determine as early as possible whether ballot boxes in addition to the 3,200 will be needed. If this need is anticipated far enough in advance, a significant amount of money will be saved by using ocean shipping.

External Technical Assistance

- The IFES team recommends that funds be allocated for engaging consultants to assist the Government of Lesotho in four areas of election preparation: revising the electoral code and making it consistent with the Constitution and other related laws; analysing data processing needs and designing a suitable computer system; assisting the Electoral Office to design and organize detailed election systems; and designing and implementing a voter education program.

FOLLOW-UP BY THE DONOR COMMUNITY

It was clear to the IFES team that many foreign governments are prepared to provide assistance to the Government of Lesotho in their preparations for elections. The team highly recommends that such assistance be coordinated not only with the GOL but also among the various donors, to ensure that the assistance offered is both appropriate to the needs and not redundant.

Possible areas of donor assistance are categorized below as 1) technical assistance, 2) consumables, and 3) capital equipment. The IFES team believes that all three types of assistance will be necessary, often in "packages" that include more than one type. Within each category, we have listed the highest priority items first.

Technical Assistance

- As noted above, the IFES team recommends that funding be allocated for four technical consultants, an electoral law specialist, a computer/data systems analyst, an election systems/organizational specialist, and a voter education consultant.
- It is the opinion of the IFES team that, of the four recommended consultants, the voter education consultant should have the highest priority. The IFES team also recommends that donor funding for such a consultant should be seen as part of a civic education package. An effective civic education program will require a significant commitment of funds beyond those necessary for the consultant alone. Needs for such a package would fall into both the consumables category (posters, other media programming, training seminars) and the capital equipment category (radio and television equipment).
- Of the four recommended consultants, the one needed soonest is the electoral law specialist. The revising of the Electoral Code and other relevant laws must be completed as soon as possible. The IFES team notes again that a person able to fulfill this task may be found in Lesotho.
- Also urgently needed is the UN-provided Chief Electoral Officer. The IFES team recommends that donor governments lend whatever diplomatic support they can to ensuring that this official is soon provided.
- The IFES team has recommended that the GOL engage a consultant to design and implement the training of registration supervisors and returning officers. Training for

registration workers should begin as soon as possible. The IFES team suggests that funding for registration training be seen as a "package" which includes funds for the trainers and for other expenses such as training materials and per diem costs.

- An item not included in the above budget, but important nonetheless, is assistance to the Election Office, possibly in the form of a consultant, in the procurement of election commodities, especially those to be imported such as ballots and indelible ink.
- The IFES team recommends that donors (and any outside consultants) collaborate to the extent possible with the Lesotho NGO community. First consideration should be given to local human resources before looking farther afield.
- An initiative which has come about since the departure of the IFES team from Lesotho is the possibility of funding travel for staff from the Bureau of Statistics and/or the Working Group on Elections to visit an election office in North America or Europe, with a focus on investigating data processing systems. The IFES team supports this initiative.

Consumables

- Ballots will most likely need to be printed in North America or Europe. Providing funding for paper, printing and shipping costs should be given highest priority.
- Other commodities such as indelible ink may also be easily provided by donor assistance.
- Paper costs for registration and elector lists and for the multitude of forms required for the election process will be very high. Providing large quantities of paper and envelopes would relieve a great financial strain being faced by the GOL.
- Equipment for registrars (especially the plastic sleeves for registration card and plastic carrying cases for the registrars' papers) and equipment for the polling stations (in addition to indelible ink) will be a significant expense. The IFES team suggests that a donor might assist in acquiring the large number of needed pens, stamp pads, rulers, etc.

Capital Items

- An computer network adequate for the data processing requirements of producing elector lists is highly needed, both for the short-term needs of the 1991 registration and for the

long-term capacity building needs of the Elections Office. The IFES team recommends that, after a complete needs assessment has been done, funding be provided for sufficient computer hardware to give the Elections Office an internal data processing capacity.

- Consideration must be given to the acquisition of a durable and high speed printer as part of the Elections Office computer system. The printer must be capable of producing the very lengthy registration and elector lists in a short amount of time.
- The IFES team recommends the purchase of a telefax machine for the office of the CEO. In the short-run, the team feels that it would be most cost-effective to complete the fax communication system at polling time by leasing fax machines for the ten district electoral offices.
- The IFES team recommends that serious consideration be given to the Government of Lesotho's request for additional vehicles to be dedicated to serving the needs of elections preparation.
- The IFES team also recommends that serious consideration be given to the GOL's request for equipment to supplement their radio communication network, in the interest of putting in place the best possible security/communication system at the time of elections.
- Additional audio and video taping equipment for the government radio and television stations is recommended, especially if such equipment is coupled with a broader civic education program design.
- A large amount of furniture will be needed for adequately equipping the Election Offices in Maseru. Since this will be an on-going office (though somewhat diminished in staff between election periods), investment in furniture and other equipment serves a long-term need.