

# Chapter 1

## Introduction

Following an invitation from the Minister of Foreign Affairs and International Relations of the Kingdom of Lesotho, the Commonwealth Secretary-General, Mr Kamalesh Sharma, constituted an Observer Group for the 26 May 2012 Parliamentary Elections. In line with usual practice, the Secretary-General sent an Assessment Mission to Lesotho to assess the prevailing situation as well as the pre-electoral environment, prior to his final decision on whether to constitute a Commonwealth Observer Group. The Assessment Team was in the country from 2 to 5 April 2012.

The Commonwealth Observer Group was led by HE Dr Bakili Muluzi, former President of the Republic of Malawi, and comprised seven eminent persons. The Observer Group was supported by a four-person staff team from the Commonwealth Secretariat. A full list of members is at [Annex 1](#).

### Terms of reference

*'The Group is established by the Commonwealth Secretary-General at the invitation of the Minister of Foreign Affairs and International Relations of Lesotho. The Group is to consider the various factors impinging on the credibility of the electoral process as a whole.*

*It will determine in its own judgement whether the elections have been conducted according to the standards for democratic elections to which the country has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.*

*The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgement accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.*

*The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Lesotho, the Independent Electoral Commission, and leaders of political parties, and thereafter to all Commonwealth Governments.'*

### Activities

The Observer Group was present in Lesotho from 19 May 2012. During four days of briefings, the Group met with the Independent Electoral Commission (IEC), political party representatives, the Acting Commissioner of Police, civil society groups, women's groups, youth representatives, media, the diplomatic community, and national and, regional and

international observer missions.

An Arrival Statement was issued on 21 May 2012 (see [Annex 2](#)). The Observer Group was deployed from 24 to 27 May 2012 and covered the districts of Butha-Buthe, Leribe, Mafeteng, Maseru, Mohale's Hoek, Qacha's Nek, Quthing and Thaba-Tseka (see [Annex 3](#)).

On deployment, teams met the District Administrators, local electoral officials, the local police as well as other national and international observers and members of the public to build up a comprehensive picture of the conduct of the process. Given concerns about the security situation and the post-election transition arrangements, the Chairperson also met the Prime Minister of Lesotho, the Commander of the Defence Force and the Acting Commissioner of Police, and issued several statements on behalf of the Observer Group, including a pre-election statement on Friday 25 May 2012 (see [Annex 4](#)), followed by pre-election and post-Election Day Joint Appeals with other international observer missions (see [Annex 5](#)).

On the basis of the Group's initial findings and recommendations, the Chairperson issued an Interim Statement on Tuesday 29 May 2012 (see [Annex 6](#)). The Group's Final Report was completed in Maseru prior to departure and transmitted to the Commonwealth Secretary-General on 1 June 2012. A departure statement was issued by the Chairperson of the Observer Group on 1 June 2012 (see [Annex 7](#)).