



## CONFERENCE

### Lesotho's 2007 General Election: towards a Constructive Management of Post-Election Disputes

Jointly hosted by  
EISA and the Lesotho Council of Non-Governmental Organisations (LCN)

Maseru Sun Hotel, Maseru, Lesotho  
25th-27th September 2007

## PROGRAMME

### DAY ONE TUESDAY, 25 SEPTEMBER 2007

08h00-09h00 Registration

#### Welcome, Introductory Remarks and Official Opening

Facilitator Dr. Khabele Matlosa, Senior Advisor-Research, Electoral Institute of Southern Africa (EISA)

09h00 - 09h15 Welcome & Introductory Remarks  
Mr. Mabusetsa Lenka, President, Lesotho Council of Non-Governmental Organisations (LCN)  
Mr. Denis Kadima, Executive Director-Electoral Institute of Southern Africa (EISA)

09h15 - 09h45 Keynote Address & Official Opening  
His Excellency President Cassam Uteem, Former President of the Republic of Mauritius

09h45 - 10h00 GROUP PHOTO & Tea/Coffee

<b>Session One</b>	<b>Elections, Conflict and Democracy</b>
<b>Facilitator</b>	<b>Mrs. Mphonyane Mofokeng, LCN Human Resource Commissioner</b>

This session focuses discussion on elections in Lesotho. It investigates why and how elections in Lesotho tend to trigger conflicts. It delves into the factors accounting for these conflicts and political instability in the country especially following elections. The session further probes into successes and failures of efforts aimed at managing these conflicts and how, in the final analysis, these election-related conflicts impact on the country's democratization process. Election-related conflicts may not be effectively managed if a culture of political tolerance does not exist, is not cultivated and entrenched. One way in which tolerance is ensured during elections is through the development of and adherence to an electoral code of conduct bidding political stakeholders to agreed norms and principles throughout all the stages of the electoral process. The session wraps up with proposals for the entrenchment of democratic governance through constructive management of conflicts (especially election-related disputes) and entrenchment of a culture political tolerance. This session further probes into the socio-economic impact of the post-election conflict. It is intended to highlight the fact that an election-related conflict does not only have political consequences, but socio-economic consequences too. The session, therefore., chronicles the impact of the conflict on Lesotho's resource-poor economy which is currently under the grip of a food crisis.

10h00 - 10h20	The 2007 General Election in Lesotho: Managing the Post-Election Conflict <b>Presenter: Dr. Khabele Matlosa, Senior Advisor-Research, EISA</b>
10h20 - 10h40	Promoting a Culture of Political Tolerance: How did Parties Conduct themselves during the 2007 General Elections? <b>Presenter: Mr. Sehoai Santho, Governance Consultant, Moruo Consulting</b>
10h40 - 11h00	The Socio-Economic Costs of the Post-Election Conflicts <b>Presenter: Dr. Masilo Makhetha, Head of Department, Economics, NUL</b>
11h00 - 12h00	<b>Discussion</b>

<b>Session Two</b>	<b>The Lesotho 2007 General Elections: Processes and Outcomes</b>
<b>Facilitator</b>	<b>Ms. Keiso Matashane-Marite, Director, Women and Law in Southern Africa (WLSA)-Lesotho</b>

This session focuses on the electoral process. It will investigate how the election was managed throughout its three main stages namely (a) the pre-election stage; (b) the polling day stage; and (c) the post-election stage and outlining the specific roles of key stakeholders, including civil society organisations. A specific focus will also be devoted to the role of the Independent Electoral Commission (IEC) as the main institution responsible for election management. The session will further probe into how the new Mixed Member Proportional (MMP) electoral system in Lesotho has been put into practice thus far since 2002. It will be recalled that Lesotho made a deliberate shift from its old First-Past-The-Post (FPTP) electoral system and adopted the new MMP system following the political conflict of 1998. It is therefore imperative that a review of this new model is undertaken and a critical assessment made on how the new model has been implemented during the 2002 and 2007 general elections. Concrete policy recommendations will emerge from this session regarding how best to make sure that the electoral model facilitates peaceful resolution of conflict; ensures political stability and entrenches democratic governance.

12h00 - 12h20	<b>Management of the 2007 General Election: Challenges and Successes</b> <b>Presenter: Mr. Leshele Thoahlane, Chairperson, Independent Electoral Commission (IEC)-Lesotho</b>
12h20 - 12h40	<b>An Analysis of the Electoral Process and its Outcome</b> <b>Presenter: Mr. Sofonea Shale, Coordinator, Development for Peace Education (DPE)</b>
12h40 - 13h00	<b>An Assessment of the Implementation of the Mixed Member Proportional Electoral System since the 2007 General Election</b> <b>Presenter: Mr. Khothatso Ralitsie, Director, IEC-Lesotho</b>
13h00 - 13h30	<b>Discussion</b>
13h30 - 14h30	<b>Lunch</b>

**Session Three      Intra and Inter-Party Relations and Democratisation**  
**Facilitator            Mrs Maseisa Ntlama, LCN Board Member**

This session focuses on the role of political parties in the process of democratisation in Lesotho. Lesotho is a multi-party constitutional democracy in which parties play an important role especially during elections. There are 19 registered political parties in Lesotho. Some political parties are active and participate in the democratic process, while others are dormant, only active during elections and thereafter hibernating into obscurity only to re-emerge come next elections. Political parties still face numerous internal problems to become effective drivers of democratic practice and culture in the country. One of the major challenges for political parties relates to factionalism and splits which often happen around elections. Another challenge relates to how parties form and manage election pacts and coalitions during elections. This session will make appropriate recommendations in relation to how best to redress the adverse effects of internal fragmentation of political parties, party splits and floor-crossing. It will further propose how best to ensure that election pacts and party coalitions add value to democratization and promote political stability.

- 14h30 - 14h50      Electoral Alliances and Party Coalitions in Southern and East Africa  
**Presenter: Mr. Denis Kadima, Executive Director, EISA**
- 14h50 - 15h10      Political Party Alliances and the Outcome of the 2007 General Election in Lesotho  
**Presenter: Dr. Kopano Francis Makoja, Dean of Faculty of Social Sciences, National University of Lesotho**
- 15h10 - 15h20      Intra-Party Disputes and Floor-Crossing in Lesotho  
**Presenter: Mr. Victor Shale, Researcher, EISA**
- 15h20 - 16h20      Discussion

**DAY TWO                      WEDNESDAY, 26 SEPTEMBER 2007**

08h30 - 09h00              Registration

**Session Four              Election Monitoring and Observation**  
**Facilitator                  Dr. Tumelo Tsikoane, Development Studies, National**  
**University of Lesotho**

This session deals with the process of monitoring and observation of elections. Election monitoring and observation represent two key instruments for evaluation and assessment of whether or not the electoral process as it unfolded in February 2007 in Lesotho was or has been conducted on the basis of a level playing field for all contestants. Election monitoring and observation are, in theory, supposed to add value to the institutionalization of firmer foundations for multi-party democracy in Lesotho in that the observer mission reports emanating from the assessment and evaluation of an election do point to certain challenges and constraints in the electoral process which Lesotho ought to take into consideration in the next round of its election. Given the monitoring and observation of the 2007 general election, is there need for Lesotho to review its electoral systems/procedures/institutions and undertake appropriate reforms ahead of the next general election in 2012 with a view to ensuring constructive management of election-related disputes?

09h00 - 09h20              The Role of Domestic Election Observers during the 2007  
General Elections  
**Mr. Seabata Motsamai, Executive Director, LCN**

09h20 - 09h40              The Role of International and Regional Election Observers  
during the 2007 general election  
**Presenter: Ms. Belinda Musanhu, Senior Programme**  
**Officer, EISA**

09h40 - 10h40              Discussion

10h40 - 10h50              Tea/Coffee

<b>Session Five</b>	<b>The Role of the Non-State Sector in the Electoral Process and the Election Aftermath</b>
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<b>Facilitator</b>	<b>Mr. Victor Shale, Researcher, EISA</b>
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This session focuses attention on Civil society organizations (CSOs) play a vital role in the democratization process. Building and promoting democratic governance is not (and should not be) the exclusive preserve of politicians alone. This process, including elections, therefore, of necessity, has to involve a wide array of actors and stakeholders playing complementary (mutually reinforcing), but at times contradictory (mutually exclusive), roles. To a considerable degree, the inclusion and participation of non-partisan CSOs in the democratization and electoral processes will go a long way in striving towards a democratic consolidation and ensuring sustainable political stability in Lesotho. This session highlights the reality that the key question to pose today is not whether or not CSOs ought to be involved in democratization, but rather how best to involve them in such a way that their programmes and activities complement efforts by the government and the private sector. This session inquires into the role of CSOs during the electoral process and in the process of the management of the post-election disputes. This includes the role of the media. It will also probe into the extent to which elections in Lesotho promote gender equality in the governance process.

10h50 - 11h10	Role of Civil Society Organisations in the electoral process <b>Presenter: Mr. Lira Theko, Transformation Resource Centre (TRC)</b>
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11h10 - 11h30	Role of the Media in the electoral process <b>Presenter: Mr. Nthakeng Selinyane, Development Studies, NUL</b>
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11h30 - 11h50	Gender equality through the electoral process <b>Presenter: Mrs Matseliso Mapetla, Institute for Southern African Studies (ISAS), National University of Lesotho</b>
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11h50 - 13h00	<b>Discussion</b>
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13h00 - 14h00	<b>Lunch</b>
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<b>Session Six</b>	<b>Regional Experiences: Democratisation, Elections and Conflict Management</b>
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<b>Facilitator</b>	<b>Mrs Matseliso Mapetla, ISAS, NUL</b>
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This session will focus on lessons-sharing on elections, democratization and conflict in the SADC region. The session features panelists from DRC, Swaziland and Zimbabwe. The DRC has just emerged out of a protracted violent conflict and recently held its transitional elections in July and October 2006. However, peace and stability continue to elude this central African state as the post-election violent conflict has clearly demonstrated. Swaziland has not yet experienced democratic transition. Political parties are still banned in that country. The recently adopted new constitution has brought about cosmetic changes that do not transform the political system along democratic lines. Yet, Swaziland continues to hold regular elections and the next local government elections are scheduled for 2007 and general elections due in 2008. Zimbabwe has held its conflict-ridden national assembly and senatorial elections in 2005 and is planning to hold its next general election in 2008, possibly combining both parliamentary and presidential elections into one. This session will allow the participants from three selected SADC countries to share their experiences with their counterparts in Lesotho. At the same time, Lesotho's experience will provide lessons for these three countries in terms of constructive management of election-related disputes in their future polls. Thus, a cross-fertilisation of experiential learning is expected from this session.

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| 14h00 - 15h00 | <b>Managing election-related conflicts in the DRC</b><br><b>Presenter-Mr. Vincent Tohbi (country Director EISA, DRC)</b><br><b>Managing election-related conflicts in Zimbabwe</b><br><b>Presenter-Ms. Rindai Chipfunde-Vava, Director, ZESN, Zimbabwe</b><br>A civil society perspective of the constitutional and electoral reforms in Swaziland<br><b>Presenter-Mr. Emmanuel Dlangamandla, Director. CANGO, Swaziland</b> |
| 15h00 - 16h00 | <b>Discussion</b>  |

## DAY THREE THURSDAY, 27 SEPTEMBER 2007

08h30 - 09h00 Registration

**Session Seven** Input by Government and Political Parties  
**Facilitator** Mr. Seabata Motsamai, Executive Director, LCN

This session will involve key political actors in Lesotho namely government and political parties. It kicks off with a statement from government on the post-election conflict and how it is being addressed so far. This session further provides political parties with the platform to share with conference participants their positions regarding how best to resolve the post-election conflict in Lesotho and what strategies need to be put in place to avert a similar conflict in future elections. Representatives of political parties will share their views on ways and strategies of redressing Lesotho's current post-election conflict.

09h00 - 09h30 Government Statement on Constructive Management of Post-Election Disputes in Lesotho,  
Minister of Justice and Constitutional Affairs, Honourable  
Mpeo Mahase-Moiloa

09h30 - 10h00 Discussions

10h00 - 10h15 Tea/Coffee

10h15 - 12h00 **Political Parties Panel**  
ABC  
ACP  
BBDP  
BCP  
BDNP  
BNP  
LCD  
LWP  
MFP  
NIP  
PFD

12h00 - 13h00 **Discussion**

13h00 - 14h00 Lunch

<b>Session Eight</b>	<b>The Role of External Actors in the Management of Election Disputes in Lesotho</b>
<b>Facilitator</b>	<b>Dr. Tefetso Mothibe, History, National University of Lesotho</b>

The session discusses the role of external actors in the electoral process and the efforts towards resolution of the post-election conflict. Specifically, the focus is given to the roles of the Commonwealth Secretariat and the Southern Africa Development Community (SADC) both of which participated in the 2007 elections as international observers. The Commonwealth has played a critical role in facilitating constructive management of disputes in Lesotho over the last decade and continues to play this role following the 2007 general election. SADC has also played an important role through the SADC Organ on Politics Defence and Security Cooperation in particular. Through the Organ, the SADC Eminent Person Mission of His Excellency Sir Ketumile Masire a dialogue process involving all key stakeholders aimed at an amicable resolution of post-election disputes. Although the dialogue process has not yet been finalised, considerable progress has been registered.

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| 14h00 - 14h30 | The Role of the Commonwealth Secretaria in the Elections and the Management of Post-election Disputes<br><b>Presenter: Prof. Ade Adefuye-Special Advisor to the Secretary-General and Head of the Africa Section of the Political Affairs Division</b> |
| 14h30 - 15h00 | The Role of the SADC Secretariat in the Elections and the Management of Post-Election Disputes<br><b>Presenter: LT.COL.(RTD) Tanki Mothae-Director, SADC Organ on Politics, Defence and Security Cooperation</b>                                       |
| 15h00 - 16h00 | <b>Discussion</b>  |
| 16h00 - 16h30 | Summation and Way Forward<br><b>Dr. Khabele Matlosa, Senior Advisor-Research, EISA</b>   |
| 16h30 - 16h45 | <b>Official Closure</b><br><b>Mr. Denis Kadima, Executive Director, EISA</b><br><b>Mr. Paul Sematlane, Vice-President, LCN</b>   |

**Conference Rapporteurs**  
Victor Shale, Researcher, EISA; Sydney Letsholo, Research Assistant, EISA; James Gadin, Programme Officer, EISA

**Conference Coordinating Team**  
Victor Shale, Researcher, EISA; Sydney Letsholo, Research Assistant, EISA; Kedibone Tyeda, EISA; Nkgakong Mokonyane, Programme Assistant, EISA; Motseoa Mohapi, Finance Manager, LCN