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**STATEMENT OF THE NATIONAL DEMOCRATIC INSTITUTE
FOR INTERNATIONAL AFFAIRS (NDI)
AUGUST 24-28, 1998
ASSESSMENT MISSION TO SWAZILAND**

INTRODUCTION

The statement is offered by a five-member international delegation, organized by NDI, visited Swaziland from August 24-28, as the nation prepared for its upcoming national elections. The purposes of mission were to demonstrate the interest of the international community in the political process underway in Swaziland, to assess the impact of the Institute's work in connection with the recent local government elections and to determine what new initiatives NDI might undertake in support of the nation's democratization process.

The international delegation consisted of Almami Cyllah, a former election commissioner in Sierra Leone who currently serves as Associate for Election Programs at NDI; Roosevelt Gondwe, Chief Electoral Officer and Clerk of Parliament in Malawi; Peter Manikas, NDI Senior Associate and former NDI Country Director in Malawi; Masipula Sithole, Lecturer in Politics at the University of Zimbabwe; and Richard Sizani, Deputy Director General of the Department of Constitutional Development in South Africa. The delegation was staffed by Patrick Henry, NDI Program Officer and Gugu Mpapane, NDI Program Assistant.

The delegation's work was part of NDI's 1998 election-related activities in Swaziland. These activities included, among other things, a pre-election assessment delegation before the local elections, assistance in voter education efforts and seminars on how to prepare to be a candidate in those election. The Institute also conducted a program to assist the Manzini local government special election 1997 that included similar activities.

During its four day visit the delegation met with His Majesty King Mswati III, Prime Minister S. B. Dlamini, and other government officials; leaders of the banned political parties, journalists, trade union leaders, church groups, Constitutional Review Commission and civil society activists and representatives of the international community. The delegation greatly appreciates the invitations it received and the time taken by His Majesty King Mswati III and all others with whom it met. Without their generous assistance, the delegation could not have concluded its work.



CHIEF OBSERVATIONS AND FINDINGS

The delegation noted several positive developments, including:

- The August 1st local elections were held without major difficulties. Approximately 70% of all eligible voters registered to vote. However, only 22% of the registered voters actually cast ballots on election day.
- There is widespread recognition by the King and government of the need for political reform, including the drafting of a new constitution and, specifically, a bill of rights;
- By establishing a Constitutional Review Commission (CRC), a structure is now in place to encourage public participation in developing a new constitutional framework for a more democratic political system;
- There are strong civil society organizations which have expressed a willingness to be engaged in the democratization process, especially in conducting civic education programs in support of the constitutional review process.

The delegation, however, also found that several problems impede the democratization process:

- There appears to be little public enthusiasm for the upcoming national elections and voter turnout is expected to be very low;
- The continuing ban on political parties and restrictions on political activity deny citizens' their internationally protected human right of freedom of association and virtually ensure that the elections will not comply with widely accepted international standards;
- The ban on political activity has also led to the boycott of the elections by the parties and trade unions which have instructed their members not to participate in the political process;
- The Chief Electoral Officer, who has a three person staff and budget of only 5 million rand (approximately \$806,000), may have insufficient resources to administer a nationwide voter registration process and election;
- Serious concerns have been expressed about the composition and terms of reference of the Constitutional Review Commission; the insistence on individual rather than group submissions and the lack of a timetable for the completion of specific tasks during the review process have lead to wide spread criticism of the CRC;

- Many persons believe that the CRC is not representative of the major sectors of society and that its civic education function should be conducted by neutral professionals, rather than by the commission itself; the four members viewed as the strongest advocates of reform (usually referred to as "progressives") have resigned from the Commission.

CONCLUSIONS AND RECOMMENDATIONS

The following conclusions can be drawn from the assessment:

- The political liberalization process is reaching a stalemate. Leaders of the banned political parties have called for a repeal of the 1973 royal decree prohibiting political activity, while the government states that the decree can only be repealed through the CRC process.
- The Constitutional Review Commission, while still viewed as the principle vehicle for political transformation, is rapidly losing its legitimacy among reform advocates.

The following recommendations are made by the delegation in hope that the current impasse might be overcome:

1. The government should remove its restrictions on political parties and political activity to bring itself in conformity with international standards and with norms of the Southern African Development Community;
2. The composition of the CRC should be reviewed to ensure that it includes all major elements of society, including those who advocate for a multi-party political system;
3. The CRC should examine a wide range of constitutional models so that they have the best information available to make informed choices. Technical expertise is needed in the actual drafting of the constitution;
4. Civic education materials should be prepared and workshops should be conducted by impartial professionals to enhance the legitimacy of the civic education component and introduce a wide range of information into the process;
5. Other actors in civil society need to be included in the CRC's civic education program in order to educate a largely rural population in an effective manner.

These recommendations are made in the spirit of international cooperation in the Swazi's effort to improve their democratization process.

Swaziland's continued democratization requires that the country's leadership from all sectors embrace long-term national interests and work together, participating in a constructive

partnership for a better future. It is important that all concerned focus on how to strengthen democratic processes and institutions through constitutional development and fully competitive elections, with legally recognized political parties, freedom for civic organizations and citizens to mobilize support for political contestants of their choice and a well informed electorate that expresses its will at the polls in large numbers. We recognize that these issues must be addressed by the Swazi people and their leaders, and NDI will continue to support their efforts to advance the country's democratic process.

