

Introduction

On 4 December 1991, President Albert René announced that after 15 years of one-party rule Seychelles was to be transformed into a 'pluralistic democratic system'. He set out a three-stage transition process: the election of a Constitutional Commission in July 1992; a referendum on a draft of a new constitution to be produced by the Commission; and a general election by the end of 1992. The process has since engaged the country in intense political activity. The intervening months have been eventful and testing in many ways.

A seven-member Commonwealth Observer Group was invited to Seychelles to monitor the July election which took place from 23 to 26 July. In its report, the Group declared that, notwithstanding some shortcomings, the election was free and fair. It enabled the people of Seychelles to fulfil their right to vote in a peaceful and orderly manner without hindrance.

The election of July, which was won by President René's ruling Seychelles People's Progressive Front (SPPF), was not of individuals to take part in the Constitutional Commission, but of political parties. The result of the election enabled only the SPPF and the Democratic Party (DP) to be represented on the Commission: 14 members from the SPPF and eight from the DP.

The Commission commenced its work on 27 August. On 16 October, after a walk-out by the DP delegates, the Commission comprising only SPPF members adopted a draft constitution for approval in a Referendum by the people of Seychelles.

The Second Stage

The Referendum was an integral and crucial stage of the transition process. It took place over a four-day period from 12 to 15 November 1992. Voters were asked to vote in the affirmative if they approved the draft constitution, and in the negative if they did not. The law required the draft to be approved by not less than 60 per cent of the votes cast.

The result of the poll was announced just before midnight on Sunday, 15 November. Of 40,904 total votes cast, 21,965 valid votes (53.7 per cent) were in the affirmative, and 18,255 (44.63 per cent) in the negative. This meant that the draft constitution was rejected by the people of Seychelles.

Our task was to monitor the Referendum. Two of our group of three had been observers to the July election. Our report is thus on a key stage in the evolution of democracy in the country. Other relevant background on Seychelles is contained in the report of the July Group.

Composition of Observer Group and Terms of Reference

This second Observer Group was constituted by the Commonwealth Secretary-General, Chief Emeka Anyaoku, to observe the Referendum. The composition of the Group and our support staff from the Commonwealth Secretariat appears in **Annex I**.

We had as our terms of reference the following:

The Group is established by the Commonwealth Secretary-General at the request of the Government of Seychelles supported by the political parties. It is to observe every relevant aspect of the organisation and conduct of the Referendum in accordance with the law of Seychelles relating to elections and the Referendum. Its function is to ascertain whether, in its impartial judgment and in the context of that law, the Referendum has been free and fair. The Group has no executive role; its function is neither to supervise nor act as a commission of inquiry but to observe the process as a whole and to form a judgment accordingly. It is to submit its report initially to the Secretary-General and to the Government of Seychelles, and thereafter to the leadership of the political parties taking part in the Referendum.

Method of Work

The Secretariat advance team had arranged our work programme by the time of our arrival in Seychelles on 7 November 1992. As in July, we moved straight into a series of meetings, briefings and monitoring activities. Our observations of the two major rallies by SPPF and the opposition on Sunday, 8 November are referred to elsewhere in this report. At the start of the week we met with the media to issue a press statement explaining our task (**Annex II**) and underlining our impartiality and independence. We also made clear that we were there not to supervise the Referendum but to observe the whole process and form a judgment accordingly. We met with President René, leaders of political parties, the Director of Elections, the police and church leaders. A full list of our appointments, together with a press release reporting progress on our consultations, is at **Annex III**.

Seychelles is an island-nation 454 sq km in total land area, covering more than 100 islands spread over 1,000,000 sq km of the Western Indian Ocean. Of a population estimated at 70,000, some 85 per cent live on the one relatively large island of Mahé (27 km long from north to south), a further 10 per cent on the much smaller nearby islands of Praslin and La Digue, and the remaining 5 per cent on scattered and remote tiny islands. Of the 23 electoral areas, 19 are on Mahé, two on Praslin and one on La Digue. The remaining electoral area covers the scattered Inner and Outer Islands. Because of the distances involved, polling was staggered over four days, from 12-14 November for the Inner and Outer Islands, and on 15 November for Mahé, Praslin and La Digue.

Although there were just three of us and the two support staff, we were able to visit all polling stations in the country except for one on the remote island of Assumption. For the first three polling days, we operated individually and travelled by boat or small aircraft to observe polling in 11 of the Inner and Outer Islands. As in July, we found the people open and willing to share with us their views on the Referendum and its politics. We were not surprised that the majority had little understanding of the provisions of the draft constitution. We were less surprised to be told, time and again, of the expectation that voting would be along party lines.

Sunday 15 November 1992 was the main polling day, covering Mahé, Praslin and La Digue. Polling stations opened at 7 a.m. by which time sizable crowds had already gathered. We were able to move about freely, and to observe all polling stations, visiting them several times during the day. We also observed the count at selected polling stations. We all wore distinctive armbands and the Commonwealth emblem was displayed on our vehicles. At every station we received the fullest co-operation from the electoral officials, police officers on duty, and party agents.

We were able to form a preliminary view based on our observations, and issued the statement at **Annex IV**. Our report was completed before we left Seychelles.