

that the polling observed was free and fair.

The team which covered the Kelantan and Terengganu consisted of Sir Carlisle Burton, Mr Sourahata Semega-Janneh, Mr Henry Veratau and Mr Neroni Slade of the Support Staff. They visited some 70 polling stations. They were impressed with the performance of the election officers. No incident was witnessed at the stations visited. The team concluded that the observed polling in these centres were free and fair.

The team based in Sarawak consisted of Mr Eustace Seignoret, Mr Inder Jit and Mr Nestor Rweyemamu of the Support Staff, they observed 22 polling stations in 4 constituencies. In all these stations, polling was orderly and peaceful; the arrangements were properly planned and executed. The team concluded that the polling observed was free and fair.

General Observations

These reports all pointed to the fact that the election officers had been well-trained and performed efficiently at the polling centres visited. The voters formed long queues early on polling day in many areas and were orderly and cheerful.

Many electors, however, were disappointed in not being able to vote because their names were not on the voters' roll. This was a particularly frequent occurrence at the centres visited by the Observer team based in Kuala Lumpur.

In all the polling stations we visited, we were impressed by the competence and courtesy of polling staff, returning officers, presiding officers and counting clerks, who were scrupulous in carrying out their duties.

10. COUNTING THE VOTES

The counting of the votes, though a routine exercise, is a key event in the election process. This should be done promptly and efficiently in the presence of the parties' and/or the candidates' agents.

On occasion, the counting officers are faced with the difficult task of deciding whether or not a ballot is valid or spoiled. In discharging this function, counting officers are usually guided by instruction booklets prepared for the purpose. In order to maintain the confidence of all the parties and candidates in the counting process, strict procedures are usually stipulated for the counting officer to follow.

In Malaysia, the votes cast at each polling station are counted by the presiding officer at the close of the poll. Counting takes place under the supervision of the presiding officer in the presence of the candidates or their election agents or counting agents. At the end of the counting of the votes the presiding officer announces the number of votes given

to each candidate and completes enough copies of a statement of the poll so that each candidate, or their respective election or counting agent, receives one copy and another is sent to the returning officer.

The postal ballots are counted by the returning officer. We observed the counting proceedings at several polling stations and the counting of postal votes by the returning officers. All the teams found the counting procedures to be in accordance with the relevant rules and regulations and to have been efficiently executed.

11. COMPLAINTS

We received a number of representations from leaders of Opposition parties, certain pressure groups and individuals making complaints concerning unfair practices on the part of the Government and the Election Commission relating to various aspects of the election process. Basically, the complaints were of two categories: long-standing complaints such as uneven application of the law with regard to the use of the media in election campaigning, restrictions on election campaign meetings and malpractices in the operation of postal ballots; and allegations relating to specific irregularities in the actual preparation and supervision of the 1990 general elections.

We did not see it as our task to become embroiled in any disputes or to take sides in any arguments. We explained to the complainants that our role was to observe the organisation and conduct of the elections by the Election Commission in accordance with the law of the country. Accordingly, we did not see it as within our terms of reference to investigate and establish the validity of the allegations made, although we felt it was important to bring to the attention of the Election Commission the complaints we received. In particular, in those cases where the allegations made related to specific aspects of the procedures, we drew the attention of the Election Commission and sought their clarification.

Finally, we would like to express our appreciation to all individuals and groups from both Government and Opposition who volunteered to come forward and discuss their views with us and more so in the demanding circumstances of the election.

12. ACKNOWLEDGEMENTS

We wish to record our deep appreciation to all those who contributed to the carrying out of our mandate, and particularly to those without whose assistance we would not have been able to function effectively. To the Ministry of Foreign Affairs of Malaysia, we extend our special thanks for support and for facilities so willingly placed at our disposal. We wish in particular to pay a warm tribute to the devoted and untiring