

Introduction

Commitment to Democracy

The decision by Heads of Government at their Harare Meeting in October 1991 to place the Commonwealth firmly behind the democratisation process in member states was an important catalyst for change in Seychelles. Within six weeks of his return from Harare, President Albert René made the dramatic announcement on 4 December 1991 that after 15 years of one-party rule, Seychelles would be transformed from a "single-party popular democracy to a pluralistic democratic system".

The Commonwealth commitment to democracy is a long enshrined ethic. At their 1989 Meeting in Kuala Lumpur, Commonwealth Heads of Government took a major step forward to strengthen this commitment by providing a facility to mount observer missions at the request of member governments. Two years later in Harare, Commonwealth Heads of Government confirmed this mandate, and in the Harare Declaration pledged to work with renewed vigour to protect and promote the fundamental political values of the Commonwealth, including democracy and democratic processes. Commonwealth missions to observe the organisation and conduct of elections in member countries are seen as a major contribution to that objective.

Since 1989, the Commonwealth has mounted such missions to Malaysia, Bangladesh and Zambia and advanced preparations are in hand to observe national elections in Guyana, Kenya, and Lesotho. Under the Special Commonwealth Fund for Mozambique, the Commonwealth has been deeply involved in the step-by-step preparations for multi-party democracy in that country.

The Commonwealth is also contributing in different ways with the development of the democratic processes in Guyana, Seychelles, Kenya and Lesotho. This has included the provision of constitutional experts, legal drafters and electoral advisers to provide technical aid to governments in the transition to multi-party democracy. Such assistance and observer missions contribute greatly to the development of democracy in member countries. The wealth of experience among the eminent political leaders, jurists and senior electoral and government officials who make up a typical observer group can provide much appreciated guidance and reassurance on the ground in the run-up to polling day when local election officials are inundated with complaints and when political parties turn to the observers to help redress perceived injustices and foul play.

Involvement in Seychelles

Commonwealth involvement in the transition to multi-party democracy in

Seychelles was formally initiated with a request early this year from the Government of Seychelles for assistance with the process. President René had set out a three-stage transition process: elections to the Constitutional Commission in July, a referendum on the new constitution and a general election by the end of the year.

In accordance with usual practice, a Planning Mission comprising the Director of the International Affairs Division of the Commonwealth Secretariat, Mr Max Gaylard and an Assistant Director, Dr Moses Anafu, visited Seychelles in March 1992 to ascertain whether the presence of a Commonwealth Observer Group would be welcomed by the major political parties taking part in the elections. The Planning Mission reported to the Secretary-General that a Commonwealth presence would not only be welcomed by all, but would be seen as both an insurance and an assurance against anything that would mar the credibility of the elections and the stability of the country.

Before our flight to Seychelles, the seven of us assembled in London to be briefed by the Secretary-General, Chief Emeka Anyaoku. He emphasised to us the significance of our work not only in fulfilling a new and important mandate for the Commonwealth, but also in contributing to the promotion of democracy and democratic practice. He saw our role as an important contribution towards the strengthening of the democratic process through the holding of free and fair elections.

Composition of Observer Group and Terms of Reference

Our Group of seven Observers was constituted by the Secretary-General, Chief Emeka Anyaoku, to observe the election to the Constitutional Commission which will formulate a new draft constitution for Seychelles. The composition of the Group and our support staff from the Commonwealth Secretariat are set out 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 elections in accordance with the law of Seychelles relating to elections. Its function is to ascertain whether, in its impartial judgment and in the context of that law, the elections have 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 elections.

Method of Work

Unlike past Commonwealth Observer Groups, our mission was not to observe an election for a new government, but an election to a Constitutional Commission. The candidates for each of the 23 electoral areas in Seychelles were not individuals contesting particular constituencies, but political parties. The total

number of votes each party received from all electoral areas would be added together to determine representation on the Constitutional Commission.

By the time of our arrival in Seychelles on 18 July, four full days of meetings had been arranged for us by the Secretariat advance team. We issued a press statement setting out our task (*Annex II*), stressing to all our impartiality and independence and that we were there not to supervise the election but to observe the whole process and form a judgment accordingly. We met with President René, leaders of all 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 consultations, is at *Annex III*.

Our task of observing the election was defined in physical terms by the archipelagic nature of Seychelles, which is an island-nation of about 454 sq km in total land area covering more than 100 islands spread out over 1,000,000 sq km of the Western Indian Ocean. Of a total 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 sometimes remote tiny islands in the far off boundaries of Seychelles. Of the 23 electoral areas, 19 are on Mahé, two are 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 therefore staggered over four days – 23, 24 and 25 July for the Inner and Outer Islands and 26 July for Mahé, Praslin and La Digue.

Before polling day, we divided into groups of two, comprising two Observers, or one Observer and one Secretariat staff, to cover the main islands of Mahé, Praslin and La Digue, and the Inner Island of Silhouette. We visited all 22 electoral areas on these islands and a matching number of polling stations, and met with the District Council chairmen who were also chairmen of the ruling Seychelles People's Progressive Front (SPPF) and members of the People's Assembly, local opposition leaders and party supporters, electoral officials, and people in the street.

In our visits to the electoral areas and polling stations both before and on polling days, we focused our attention on various aspects of the election process guided by the Checklist and Polling Station Report at *Annex IV*. In spite of allegations that people were afraid to express themselves, many were open in telling us their views on the political changes and which party they supported. They were excited about the new openness and were more than happy to chat with us. There were, however, some difficulties in communicating with everyone, especially in the Inner and Outer Islands, where many spoke only Creole.

The first three days of polling from 23 to 25 July saw us traversing thousands of kilometres of open sea to tiny islands, some with as few as five voters, to observe the polling process. Small seven-seater aircraft, each with one of us on board, flew from island to island with electoral officials who would set up facilities for voting that lasted from 30 minutes to 3½ hours. Once the last vote had been cast, the polling booth was dismantled, and the ballot box and voting material were collected and flown to the next destination. On 25 July, two

members of our Group went to the Inner Island of Silhouette, this time by boat, to observe the voters exercise their right.

The main polling day was 26 July covering Mahé, Praslin and La Digue. By 6 a.m. we were on the road visiting polling stations to monitor the arrangements in place before commencement of polling and to determine whether the procedures laid down in the election regulations had been followed. We then travelled freely between polling stations to observe the voting process.

Our distinct blue and yellow Commonwealth emblems were displayed on our cars. We all wore armbands on our visits. The voters waiting patiently in line and polling agents particularly welcomed our presence. We received the fullest co-operation from electoral officials and policemen on duty at the various stations.

We observed the count at 15 selected polling stations on Mahé and Praslin and on the basis of what we considered to be an acceptable sample of count reports, we were able to form a preliminary view and issue a statement (*Annex V*). We finalised our report before leaving Seychelles.