

Introduction

The years since Pakistan's return to multi-party elections have been years of controversy, uncertainty and some political turbulence. No government has managed to serve out its full term – the President has dismissed all three, although one was later restored by the courts. Election turnouts have fallen and public cynicism about politics and politicians has grown. Against this background the General Election scheduled for 3 February 1997 – the fourth since 1988 – assumed a particular importance.

Following the dissolution of the National Assembly in November 1996 the presence of a Commonwealth Observer Group was requested by the Government of Pakistan on 19 December 1996. The Commonwealth Secretary-General, Chief Emeka Anyaoku, accepted the invitation in principle, subject to receiving confirmation that all the major political parties would welcome such Commonwealth involvement. In line with established practice he then sent an Assessment Mission to Pakistan. Between 8 and 14 January 1997 the three Commonwealth Secretariat officials comprising this Mission met representatives of the Election Commission, the main political parties and other interested groups. It subsequently reported to the Secretary-General that there was broad support for the presence of Commonwealth Observers.

The Observer Group and its Terms of Reference

This Observer Group was the twentieth such Group to be constituted by the Commonwealth Secretary-General since the October 1989 meeting of Commonwealth Heads of Government in Kuala Lumpur, Malaysia. That meeting had agreed that member countries could benefit from an election observer facility, as a means of strengthening democratic processes and institutions. This view was reaffirmed by Heads of Government at their meeting in Harare, Zimbabwe, in October 1991, where it was reflected in the historic Harare Commonwealth Declaration. It was further underscored when Heads of Government met in Cyprus in 1993 and again at their most recent meeting, in 1995 in Auckland, New Zealand, at which they adopted the Millbrook Commonwealth Action Programme on the Harare Declaration.

It was against this background that the Secretary-General invited our Group of 14 Observers, supported by nine members of staff from the Commonwealth Secretariat, to observe the general election in Pakistan. The composition of the Group, which was led by the Rt Hon Malcolm Fraser, is set out at *Annex I*. The Terms of Reference for our Group were as follows:

The Group is established by the Commonwealth Secretary-General at the request of the Government of Pakistan and supported by all the major political parties. It is to observe relevant aspects of the organisation and conduct of the election in accordance with the law of Pakistan. It is to consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgment whether the conditions exist for a free expression of will by the electors and if the result of the election reflects the wishes of the people.

The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgment accordingly. It would be free to propose to the government and other concerned authorities such action on institutional, procedural and other matters as would assist the holding of the election and thereafter the effective functioning of the elected government.

The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Pakistan, to the leadership of the political parties taking part in the election and thereafter to all Commonwealth governments.

The Secretary-General's announcement of our mission on 20 January 1997 is at *Annex II*.

Method of Work

We assembled in London on 23 January 1997 and were briefed at the Commonwealth Secretariat by the Commonwealth Secretary-General. We left for Pakistan later that day and on 25 January 1997 held a press conference in the capital, Islamabad, at which we issued the Arrival Statement attached at *Annex III*.

Following a courtesy call by our Chairperson on the Chief Election Commissioner, Justice (Retd) Sardar Fakhre Alam, we began a series of briefings, beginning with a meeting with the Secretary of the Election Commission and his senior colleagues. Over the following three days we held discussions in Islamabad with senior representatives of the main political parties, non-governmental organisations (NGOs), media organisations, other election observers (international and domestic) and representatives of Commonwealth High Commissions. These meetings provided a valuable opportunity to be briefed on the preparations for the general election, the views of the parties on the electoral process and the wider political context in which the general election would be taking place. It also enabled us to explain our mandate and the way in which we intended to conduct our observation activities. Similar discussions were to be held at provincial, divisional, district and constituency level once we deployed from Islamabad to the various points around the country at which we would be based. Our Schedule of Engagements is at *Annex IV*. We deployed to all four Provinces of Pakistan on Wednesday 29 January, in 12 teams. Details of our deployment are at *Annex VI*.

Following deployment, we met provincial officials of the Election Commission, the local administration and the police and sought briefings from local representatives of the political parties to parallel those which we had received at national level in Islamabad. Similar meetings were held with NGOs. We co-operated with other international observers, to ensure against unnecessary duplication of coverage, and kept in close contact with the domestic monitors fielded by the Human Rights Commission of Pakistan. All teams travelled extensively throughout their designated regions in order to familiarise themselves with local conditions, assess the preparations for Election Day and observe the last days of the campaign. Each team submitted daily reports of their observations to the Observer Group's office in Islamabad.

On polling day itself, 3 February, we arrived at polling stations early in order to witness the opening procedures. Our teams then observed the poll at as many polling stations as possible, ending with scrutiny of the counting process. Altogether our teams visited more than 211 polling stations in 35 constituencies and observed 12 counts, once more meeting election officials and party representatives, but also speaking to the voters themselves. An interpreter had been recruited by the Group to accompany each team for this purpose. During our deployment we were assisted by Check Lists and Observation Notes (see examples at *Annexes VII and VIII*).

Each team submitted written and oral reports to the Observer Group Office. On the basis of these and the earlier reports our Chairperson issued an Interim Statement at 9.45 p.m. on 3 February 1997. This is attached at *Annex IX*.

Our Group re-assembled in Islamabad on 4 February to agree its Report. We departed Pakistan from 6 February 1997. A copy of the Departure Statement issued on 6 February is at *Annex X*.